

**STATE WATER HOLDING
POLISH WATERS
REGIONAL WATER MANAGEMENT
AUTHORITY IN WROCŁAW**

LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

for

Odra - Vistula Flood Management Project

co-financed by:

World Bank (WB), Loan Agreement No. 8524 PL

Council of Europe Development Bank (CEB), Framework Loan Agreement No. LD 1866

European Union and

State budget

Subcomponent 1.B: Flood Protection on the Middle and Lower Odra

WORKS CONTRACT 1B.7

***WFS Widawa – the rebuilding of the flood management system of
the communes and municipalities Czernica, Długoleka,
Wisznia Mała and Wrocław***

FINAL VERSION

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**Contract 1B.7: WFS Widawa – the rebuilding of the flood management system of the
communes and municipalities Czernica, Długoleka, Wisznia Mała
and Wrocław**

Land Acquisition and Resettlement Action Plan is provided for Works Contract implemented by the STATE WATER HOLDING POLISH WATERS - REGIONAL WATER MANAGEMENT AUTHORITY IN WROCŁAW.

PROJECT IMPLEMENTATION UNIT:

State Water Holding Polish Waters

Regional Water Management Authority in Wrocław

34 C. K. Norwida Str., 50-950 Wrocław

Prepared by:

Joint Venture Sweco Consulting Sp. z o.o./Sweco Nederland B.V./Artelia Ville & Transport SAS/Artelia Sp. z o.o. /Ekocentrum Sp. z o.o.

Wrocław – April 2019

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Abbreviations

Name	Description
ARMA	Agency for Restructuring and Modernisation of Agriculture (pl. <i>Agencja Restrukturyzacji i Modernizacji Rolnictwa</i>)
1B.7	Identification of Contract/Task – “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław” (complementary Task to ORFPP)
World Bank (WB)	International Bank for Reconstruction and Development (IBRD)
PCU/OVFMPCU	Odra-Vistula Flood Protection Project Coordination Unit
CEB	Council of Europe Development Bank
EGIB	Land and Property Register - records containing among others data forming the basis for economic planning, spatial planning, tax and benefits assessment, property labeling in land and mortgage registers, farm records.
GIS	Geographic Information System
GUS	Statistics Poland
Engineer - Consultant	Company/legal person who is employed by the Employer to perform the services (among others described in this document)
OP 4.12	Operational Policy 4.12 Involuntary resettlement of World Bank
PIO	Project Implementation Office - An organizational unit responsible for the Project implementation allocated as part of PIU
PIU/Employer/Investor	Project Implementation Office Regional Water Management Authority in Wrocław
KOWR	National Center for Agricultural Support
LARAP	Land Acquisition and Resettlement Action Plan
LARPF	Land Acquisition and Resettlement Policy Framework
NBP	National Bank of Poland (pl. <i>Narodowy Bank Polski</i>)
NGO	Nongovernmental Organisation
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
PAD	Project Appraisal Document in this case appraisal of OVFMP which must be prepared in compliance with the procedures of the World Bank. The said document is one of the elements indispensable for taking decisions by the World Bank on providing a loan ¹
PAP	Project Affected People
PGL LP	State Forests National Forest Holding
IMGW	Institute of Meteorology and Water Management
IPIP	Investment project implementation permit

¹ <http://documents.worldbank.org/curated/en/2015/07/24763021/poland-odra-vistula-flood-management-project>

Name	Description
ORFPP	Odra River Flood Protection Project
OVFMP	Odra – Vistula Flood Management Project
PGW WP RZGW	State Water Holding Polish Waters Regional Water Management Authority
RAP	Resettlement Action Plan
TO	Permanent limitation in the real property use
EU	European Union
Contractor	Company/legal person executing Works Contract 1B.7
WFS	Wroclaw Floodway System
Q1%	Probability of flood once every 100 years (1%)
Task/Contract	Works Contract 1B.7 WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław
KC	Law of 23 April 1964 Civil Code (consolidated text, Journal of Laws of 2018, item 1025, 1104, 1629, 2073, 2244)
Constitution	Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws of 1997, No. 78, item 483, of 2001, No. 28, item 319, of 2006 No. 200, item 1471, of 2009, No. 114, item 946)
KPA	Law of 14 June 1960 Code of Administrative Procedure (consolidated text, Journal of Laws of 2018, item 2096)
Special Flood Act (SFA)	Law of 8 July 2010 on particular conditions for preparing flood management projects for implementation (consolidated text, Journal of Laws of 2018, item 433, 1722)
Special Decision	Investment project implementation permit (IPIP) issued under the Special Flood Act
LMA	Law of 21 August 1997 on the real property management (consolidated text, Journal of Laws of 2018, item 2204 and 2348)
LSP&D	Law of 27 March 2003 on space planning and development (Journal of Laws of 2018, item 1945)
Regulation on land register	Announcement of the Minister of Infrastructure and Construction of 10 June 2016 on the announcement of the consolidated text of the Regulation of the Minister of Regional Development and Construction on land and buildings register (Journal of Laws of 2016, item 1034)
Regulation on evaluation	Regulation of the Council of Ministers of 14 July 2011 amending the regulation on the evaluation of properties and preparing an appraisal (consolidated text, Journal of Laws of 2011, item 985)

Key definitions

The following key definitions are used herein:

Property price – an amount negotiated with the property owner to its benefit for a respective property or any part thereof, based on the value of the said property estimated by an authorised property appraiser. Property price compensation will be no less than cost to replace lost asset without depreciation of asset due to age, condition, or any other factor relating to asset.

Cut-off-date – date of completion of the survey of the property and of persons affected by the project. Persons who will occupy the area where the Project is implemented after the cut-off date are not entitled to compensation or any other form of resettlement assistance. Similarly, there will be no compensation for fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the survey or after mutually agreed on date.

Economic displacement – loss of >20% of agricultural land where PAP income is largely based on agriculture.

Physical displacement – loss of home or commercial structures, such as shops or workshops, or structures needed for income-earning.

Groups requiring the provision of special assistance – people who due to their: sex, ethnic membership, age, mental or physical disability, difficult material situation or social position are more exposed to adverse resettlement effects than other groups and who may have a limited possibility of submitting their complaints or using assistance in resettlement or participating in the benefits connected with the project.

Resettlement cost – extent of compensation for lost goods/properties covering a replacement value of such goods/properties as well as cost of resettlement and associated resettlement activities.

Social impact – in view of OP 4.12 social impact related to the resettlement is any direct loss, economic or social, resulting from expropriation, permanent constraints in use of the property or access to the property.

Compensation – paid in money or in the form of a property which is a replacement for the properties and assets acquired or affected by the Project. Such compensation is paid out at the time when respective property must be released by the owner to the PGW WP RZGW in Wrocław. Pursuant to Polish law, compensation can be paid out from the time when expropriation decision (here: IPIP), as a rule, becomes final and in all the cases – prior to the acquisition of such property or its occupation for construction purpose.

OP 4.12 Involuntary resettlement – Operational Policy outlining main principles and procedures, forming a basis of IBRD approach to involuntary land acquisition connected with projects.

Project affected person (PAP) – every person who, as a result of the project implementation is deprived of the right of ownership or loses other benefits connected with the property (residential, agricultural or breeding), loss of annual or multiannual harvests and crops or other related or moveable assets, in whole or in part, permanently or periodically. PAPs may also include local community members, or other citizens, also impacted by project activities.

Private person – in jurisprudence, a natural person is a human being, from birth until death.

Legal person - legal persons are the State Treasury and organizational units, that the specific provisions grant legal personality to.

Income – any money received i.e. what about pensions, job salaries, etc. as well as property increment obtained as a result of business activities or agricultural activities from the real estate, including the sale of such real estate.

Involuntary resettlement – a resettlement is involuntary when it is carried out without the consent of a person(s) being resettled (against its will) or as a result of expressing such consent involuntarily (without a possibility of expressing its objections towards resettlement), e.g. through expropriation.

Civil partnership (a civil law partnership) - a company established under civil law. It is a form of cooperation between people (natural persons, legal entities and organizational units). A civil partnership does not have legal personality, and on its behalf it is performed by its partners as registered entrepreneurs in the business register.

Limited liability company - a limited company established by one or more persons for any purpose allowed by law.

Capital company - a legal form of organization of business entities, most often used in running large enterprises as well as in internal organization of capital groups.

Expropriation – depriving of or restricting an ownership right to a specific property of a person(s) under an individual legal act.

Replacement value - Compensation for the loss of assets is based on their replacement value plus any transaction costs (e.g. taxes and registration fees) and the objective is for the compensation to be enough to effectively replace the affected asset (replacement value). Replacement value is amount needed to replace lost assets without depreciation of asset for reasons of age, condition, or other factor.

Purchase / voluntary sales – acquisition of the rights to the property from its owner / possessor for a mutually agreed price in a situation where such an owner has the right to refuse such a transaction. (i.e. willing purchaser / willing seller) In the event of an expropriation, such a purchase is not deemed voluntary.

Real estate assets (according to LMA) - public property was sanctioned by the legislator in Article 20 of LMA. Assets have been divided according to the ownership. State Treasury property (Art. 21 and 21a of LMA) and assets of different types of local government units - Commune (Art. 24 of LMA), District (Art. 25a of LMA) and Province (Art. 25c of LMA) have been distinguished. The provision of Article. 20 of LMA does not apply to real estate assets of the owners other than those mentioned herewith.

The terms which are used in LARAP: **property - real estate – plot - land**, are used interchangeably depending on the context. Terms are used in accordance with the following legal acts:

- KC – property, real estate,,
- LMA – real estate, property,
- the Regulation on land register) – property, cadastral plot (abbreviated in LARAP – plot) and
- OP 4.12 - land.

1. INTRODUCTION

This document presents the Land Acquisition and Resettlement Action Plan (LARAP) for Works Contract 1B.7 “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław” within the Odra-Vistula Flood Management Project (OVFMP) as the complementary Task to the Odra River Flood Protection Project (ORFPP). OVFMP Project realisation is co-financed by International Bank for Reconstruction and Development (World Bank) (Loan Agreement No. 8524 PL made on September 10, 2015), Council of Europe Development Bank (CEB) (Framework Loan Agreement No. LD 1866 made on May 24, 2016), European Union and the State Budget. It must be underlined that this document is a “site-specific” document and it is dedicated only to Works Contract 1B.7 which will be implemented on the basis of World Bank policies.

The OVFMP consists of the following five Components: flood protection of the Middle and Lower Odra (Component 1), flood protection of the Nysa Kłodzka Valley (Component 2), flood protection of the Upper Vistula (Component 3), institutional strengthening and enhanced forecasting (Component 4) and Project management and studies (component 5). The Works Contract 1B.7 will be implemented in the scope of Component 1 and one of the subcomponents set out under its scope – Subcomponent 1.B Flood Protection on the Middle and Lower Odra. Works Contract 1B.7 will be implemented under Component 1 and one of the three sub-components set out under its scope - Subcomponent 1.B. Flood protection of the Middle and Lower Odra.

The main objective of the OVFMP is to increase access to flood protection for people living in selected areas of the Odra and the Upper Vistula river basins to mitigate summer, winter and flash-floods. This objective is also included in the implementation of the Works Contract 1B.7.

A more detailed objective of the ORFPP and complementary to works implemented in the scope of the Modernization of the Wrocław Floodway System (part of ORFP Project) is the improvement of flood protection at the flow of the flood wave $Q = 3.100 \text{ m}^3/\text{s}$, i.e. areas located in the upper part of the Widawa river above hydrotechnical facilities constructed as part of the Works Contract B3-1.

The channels and canals of the Odra River along with hydro-technical facilities within the Wrocław agglomeration have been adapted to flow $Q = 2.800 \text{ m}^3/\text{s}$. The remaining flow of $Q = 300 \text{ m}^3/\text{s}$ using the Odra-Widawa Flood Channel and further along the Widawa River valley will be directed by a reconstructed weir at the inlet to the Odra-Widawa Flood Channel.

Flow diagram through the WFS below.

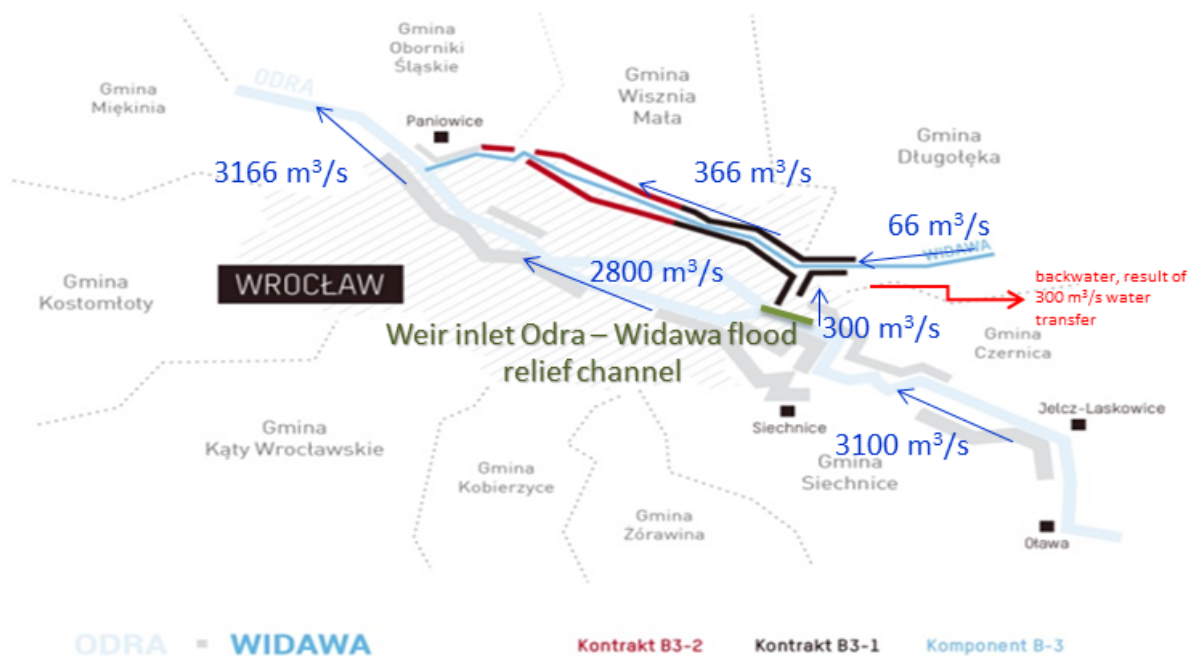


Fig. 1 Distribution of flood waters on the WFS.

Hydraulic conditions at km 21+700 ÷ 30+000 of the Widawa River will change as a result of transferring part of flood water to the Widawa River valley. The existing operating conditions of the weir on the Odra-Widawa channel allowed to transfer approx. 90 m³/s, which did not cause a flood hazard on the areas located in km 21+700 ÷ 30+000, and only a transfer of about 120 m³/s caused only local flooding in the Czernica and Długoleka communes without causing material damage. The hazard in the area was caused by floods being the result of the flow of high water through the Widawa River. The situation is reflected in the flood hazard maps prepared in 2013 (Appendix no. 9).

As a result of the implementation of ORFP Project scope of works related to the construction of a new weir ensuring transfer of excess flood waters with a flow of $Q = 300 \text{ m}^3/\text{s}$ by the Odra-Widawa Flood Channel to the valley of the Widawa River, flood safety for the areas located at km 21 + 700 ÷ 30 + 000 of the river significantly deteriorated (at the stage of designing works in 2010 in a small degree urbanized). Currently, after 8 years, housing development in this area has intensified considerably, so the occurrence of floodwater backwater created during the transfer of the new weir causes that in the area of direct flood hazard, there are additional residential areas, transport infrastructure and areas used for agriculture.

The implementation of a combined hydraulic flow model for the Odra and Widawa rivers allowed to diagnose and define a problem related to the impact of flood water flow through the weir on the Widawa river valley at 21 + 700 ÷ 30 + 000 km and areas located in the Wrocław, Czernica and Długoleka communes. The analysis of the results of this model confirmed the doubts notified by the Management Board of the Wrocław Poviát at the stage of giving opinions on the necessity of securing these areas against flooding with flood waters. The positive opinion received for the ORFP Project was conditional and indicated the conditions that should be met in order to minimize the impact of the Investment on the adjacent areas.

As a result of the studies carried out in 2014 and 2015, a hydraulic model based on the numerical terrain model was made, various technical variants were considered as to the way of securing the threatened areas, as well as natural observations were carried out. The scope of this

work was used to select the optimal variant combining technical solutions and natural conditions.

The study works allowed the selection of the most favorable variant of flood protection and reduction of flood losses for the communes of Wrocław, Czernica and Długołęka, and the designed facilities were covered by one complementary to the WFS Project the Works Contract marked as 1B.7. This Task was finally included in the OVFM Project.

The Works Contract 1B.7 „WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długołęka, Wisznia Mała and Wrocław” is realized by RZGW in Wrocław. The Task is located in the three communes of the Lower Silesia Voivodship: Czernica, Długołęka and Wrocław. It consists of:

A) activities requiring land acquisition:

- construction of new flood embankments, on the left and right river banks along with engineering infrastructure,
- extension of the existing left bank flood embankment of the Widawa river named "Przerowa L" together with the construction of the engineering infrastructure,
- shift of water outlet from the Mrówka river (Kanał Graniczny) to the Widawa river,
- ensuring flood protection of the Zielona Oliwka (formerly Sielska Zagroda) in Wilczyce,
- shift (dismantling and construction in a new location) Wilczycka Str. in Wilczyce (the route of the embankment will run on the present footprint of Wilczycka St. and the road will be built in a new location from the side protected from the flood),
- adaptation of Młynówka Kielczowska river to the planned flood protection system.

B) activities that do not require land acquisition:

- streamlining the flow under the road bridge along Rieczna Str. in Wilczyce,
- streamlining the flow under the road bridge along Wilczycka Str. in Wilczyce,
- protection of the river bed and the inter-embankment area above and below the Kielczówek weir and construction of the engineering infrastructure,
- partial demolition - breaking the continuity of existing embankments and flood dykes in places where they cease to fulfill their function.

The location of the Task is presented in the graphical Appendix (Appendix no. 1 to this document).

The planned extension is intended to increase flood safety in the Czernica, Długołęka and Wrocław Communes, i.e. to provide flood protection, an area of approximately 1 109 ha, on which there are approximately 1480 buildings, as well as other cubic and linear structures, as described in more detail in point. 1.3.

Implementation of the Task will require the acquisition of land, but it will not cause physical and economic displacement of households. As a result of task implementation in the Communes of Wrocław, Długołęka and Czernica, new areas will be obtained, secured against flood, which can be used for building development, services (after changing their intended use in the Local Spatial Development Plans) or which can be safely managed by farmers. The new created inter-embankment area, which also prior to the implementation of the said investment is exposed to flood, will be subject to limitations in use, allowing the owners/perpetual users located within its boundaries to be provided compensation.

As part of the execution of the Works Contract 1B.7, 193 properties or parts thereof will be covered by the Investment with a total area of 43.9193 ha (including plots in the real estate resources of the State Treasury, the Marshal of the province permanent management and to which, by law, after entry into force of the Act of 20 July 2017 on Water Law, ownership rights have the Polish Waters).

PGW WP RZGW in Wrocław plans to obtain 5 Investment project implementation permits for the entire Investment. This approach will allow for faster commencement of works, i.e. obtaining the target protection against flooding of the area in question. Five applications for issuing of IPIP were submitted to the Lower Silesian Voivodship on November 6, 2018. These applications were

supplemented with additional documents and information on January 3, 2019. As of the date of preparation of the final version of the LARAP, the Voivode's proceedings are pending.

	Total Hectares Required	Total Plots	Public Plots	%	Private Plots	%	Number of owners**	Physical displacement	Economic displacement
Permanent Occupation	36,6674 (43.9193)*	172 (193)*	58	33.7%	114	66.3%	193	0	0
Permanent limited property use	2.8232	1	1	100%	0	0%	1	0	0
Temporary limited property right (connected with collisions reconstruction)	8.5024	73	45	61.6%	28	38.4%	73	0	0
Limited property use (interembankment)	241.5416	197	32	16.2%	165	83.8%	197	0	0

* including plots in the real estate resources of the State Treasury, the Marshal of the province permanent management and to which, by law, after entry into force of the Act of 20 July 2017 on Water Law, ownership rights have the Polish Waters (art. 528).

** current data as per day April 1, 2019.

1.1 Odra River Basin Flood Protection Project (ORFPP) and Odra – Vistula Flood Management Project (OVFMP)

Odra River Basin Flood Protection Project (ORFPP) supports the implementation of two main objectives:

- protection of human and animal life and material goods,
- long-term development of the city of Wrocław and the surrounding localities.

As a result of the ORFP Project these objectives have been achieved, i.e. to increase the level of flood protection defined as the reduction of frequency and range of flooding in the densely populated area of Wrocław and surrounding communes. Improve flood safety in the area of Wrocław was achieved with embankments, by increasing and strengthening the existing embankments, construction of new embankments, capacity increase of the bed and the valley of the Odra and Widawa Rivers, so that bigger flood waves could flow freely through the city.

Improve flood safety on the Lower Odra area shall be achieved also after construction of a dry polder in Raciborz, which will store extreme waters from flood surges, reducing the flood wave peak below the reservoir, thereby increasing the efficiency of the system of flood control in the lower river course.

ORFP Project consists of following main components and their Sub-components:

- A) A. Construction of Raciborz Dry Polder:
 - A.1. Construction of dry polder,
 - A.2. Implementation of resettlement plan,
 - A.3. Design and supervision.
- B) Modernization of Wrocław Floodway System (WFS):

- B.1. Improvements to Odra dikes and embankment,
 - B.2. Improvements to the Odra Channels,
 - B.3. Flood relief through the Widawa Transfer,
 - B.4. Design and supervision,
 - B.5. Resettlement Costs.
- C) Improving Flood Management, Monitoring and Evaluation, and Supervision of the Environmental Management and Resettlement Action Plans:
- C.1. Institutional strengthening for the improvement of flood protection in the basin of the Odra River with the participation of local governments and concerned institutions and individuals,
 - C.2. Further support of activities aiming at improving flood forecasting system in order to ensure the functionality of currently implemented - System of Hydro-Meteorological Forecasting (named SMOK),
 - C.3. Further improvements to flood protection plans and support in preparation of flood protection projects,
 - C.4. Monitoring and assessment EA, EMP and RAP,
 - C.5. Implementation of the tasks indicated in the EMP, which were not planned for implementation as a part of the remaining components (e.g. natural compensation in ecological corridor in the Odra River) and which cannot be funded through other projects.
- D) Project Management, Technical Assistance and Training:
- D.1. Project Management,
 - D.2. Technical Assistance and Training.

Entities responsible for implementation ORFPP

RZGW Gliwice is responsible for implementation of the tasks connected with Raciborz dry polder (Component A). RZGW Wroclaw was responsible for the modernization of the Odra river channels and hydraulic structures in Wroclaw Floodway System (Component B2), as well as for the modernization of embankments in the city and for the construction transfer of the part of flood waters to the Widawa river (B1 and B3) i.e. Component B.

RZGW Wroclaw supervises the preparation of a plan to improve flood protection (Component C1), as the body responsible for this task. Improvement of the flood forecasting system and Monitoring and Protection System (Component C2) is executed by IMGW. Project Coordination Unit, together with the Ministry of Maritime Economy and Inland Navigation implements components C3 and C4. The tasks identified in the EMP (Component C5) are implemented by institutions responsible for implementing individual components. Strengthening of the ecological corridor of the valley of the Odra River, proposed in the EMP shall be implemented by the Regional Directorate of State Forests subject to the Ministry of Environment in collaboration with Regional Directors of Environmental Protection in the provinces of Silesia, Opole and Lower Silesian, marshal's offices, NGOs and universities.

As in the case of ORFPP, the main objective of the OVFMP is to increase access to flood protection for people living in selected areas of the Odra and the Upper Vistula river basins - the two largest rivers in Poland - against summer and winter floods and flash-floods. The OVFMP Project consists of the following main components and their sub-components:

- A) Component 1 – *Flood Protection of the Middle and Lower Odra*²:
 - 1.A Flood Protection of areas in Zachodniopomorskie Voivodship,
 - 1.B Flood Protection on the Middle and Lowr Odra,
 - 1.C Flood Protection of Słubice city.

² All activities for this Works Contract 1B.7, and this associated RAP, falls under Component 1.

- B) Component 2 – *Flood Protection of the Nysa Kłodzka Valley*:
 - 2.A Active protection,
 - 2.B Passive protection.
- C) Component 3 – *Flood protection of the Upper Vistula*:
 - 3.A Flood Protection of Upper Vistula towns and Kraków,
 - 3.B Protection of Sandomierz and Tarnobrzeg
 - 3.C Passive and active protection in Raba Sub-basin
 - 3.D Passive and active protection in San basin
- D) Component 4 – *Institutional Strengthening and Enhanced Forecasting*:
 - 4.A Improvement of the Flood Monitoring and Warning System
 - 4.B Further development of the operations centers at RZGWs Wrocław and Kraków
- E) Component 5 – *Project Management and Studies*.

Entities responsible for implementation OVFMP

Component 1:

- Subcomponent 1A: State Water Holding Polish Waters Regional Water Management Authority in Szczecin
- Subcomponent 1B: (tasks subdivided between following agencies)
 - State Water Holding Polish Waters Regional Water Management Authority in Wrocław (implementation of this RAP for Works Contract 1B.7)
 - State Water Holding Polish Waters Regional Water Management Authority in Szczecin
- Subcomponent 1C: State Water Holding Polish Waters Regional Water Management Authority in Szczecin

Component 2:

- State Water Holding Polish Waters Regional Water Management Authority in Wrocław

Component 3:

- Subcomponent 3A: State Water Holding Polish Waters Regional Water Management Authority in Kraków
- Subcomponent 3B: (tasks subdivided between following agencies)
 - State Water Holding Polish Waters Regional Water Management Authority in Kraków
 - State Water Holding Polish Waters Regional Water Management Authority in Rzeszów
- Subcomponent 3C: State Water Holding Polish Waters Regional Water Management Authority in Kraków
- Subcomponent 3D: (tasks subdivided between following agencies)
 - State Water Holding Polish Waters Regional Water Management Authority in Kraków
 - State Water Holding Polish Waters Regional Water Management Authority in Rzeszów

Component 4:

- Subcomponent 4A:
 - IMGW
- Subcomponent 4B:
 - State Water Holding Polish Waters Regional Water Management Authority in Wrocław

Component 5: PCU, IMGW and all the above mentioned units of the PGW WP.

The State Water Holding Polish Waters Regional Water Management Authority in Wrocław is responsible for implementation of Works Contract 1B.7 which is covered in this RAP.

1.2 Scope of Works for Contract 1B.7

In the scope of the Works Contract 1B.7 "WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoteka, Wisznia Mała and Wrocław", for which this RAP covers, the following elements will be realized:

A) Requiring land acquisition

1. Construction of new flood protection embankments along the right and left bank of the Widawa River with the total distance of approx. 11 km together with engineering infrastructure.
2. Expansion of the left-bank flood embankment of the Widawa River "Przerowa L" at the distance of approx. 2 km together with engineering infrastructure.
3. Construction, extension and repair of internal roads and embankment crossings connected with access to hydraulic structures, including:
 - Internal roads (17 pcs.) – the design width of approx. 3.50 m, road widening/passing bays locally to the width of 5.0 m of the lane. Roads mainly with the pavement made of crushed stone.
 - Crossings through embankments and exit ramps from embankments (22 pcs.) with the crest width and road width adjusted to the parameters of the existing road.
4. Reconstruction of the Przerowa weir to operate as a flooding gate by:
 - Execution of a new weir closure – a gate valve consisting of two parts with the height of 3.0 m (currently 2.0 m)
 - The elevation of the damming structure crest above the flood water level – improvement of the structure class from the 4th to the 2nd class
 - Construction of a service footbridge (bridge) below the weir structure – a single-span reinforced concrete slab with a length of 3.0 m
 - Reconstruction of the upstream and downstream stations to accommodate them to the new shape of the weir and bridge structure.
5. Diversion of water from the Mrówka stream (Graniczny Channel) to the Widawa River by means of sectional regulation (approx. 130 m), construction of a new outlet section (approx. 105 m) and watercourse removal in the place of collision with the planned investment (approx. 55 m). In addition, construction of an embankment culvert (two gravity pipelines with the section of 200x200 cm and length of 23 m), stations of mobile pumps and a dry flood reserve reservoir with the area of approx. 1.0 ha and depth of approx. 1.2 – 1.5 m.
6. Adaptation of Młynówka Kielczowska to the designed flood protection system by the construction of a new bed of Młynówka Kielczowska (approx. 214 m), construction of three embankment culverts on Młynówka, elimination of the Młynówka Kielczowska sections colliding with the investment (approx. 220 m) and construction of the bed (approx. 40 m) linking Młynówka Kielczowska to the bed of Mrówka (Graniczny Channel).
7. Flood protection of Zielona Oliwka (former Sielska Zagroda) in Wilczyce through: construction of a sheet pile wall from steel sheet piles with a reinforced concrete cap with a length of approx. 84 m, execution of bank revetments of the Widawa River at the distance of approx. 99 m, partial removal/backfilling of the existing water reservoir.
8. Extension, reconstruction or relocation of the existing public roads, incl. Wilczycka Street, Topolowa Street, Rieczna Street.

9. Construction of 6 water reservoirs being a compensation for the water ponds/water reservoirs destroyed under the investment.

B) Not requiring land acquisition

1. Flow improvement of the road bridge along Rzeczna Street in Kielczówek by flow improvement of the Widawa Riverbed and construction of new revetments on: the inter-embankment area, slopes of the river banks and road embankment slopes in the region of bridge abutments.
2. Flow improvement of the road bridge along Wilczycka Street in Wilczyce by flow improvement of the Widawa riverbed and construction of new revetments on: the inter-embankment area, slopes of the river banks and road embankment slopes in the region of bridge abutments. In addition, a crossing for animals will be made as part of flow improvement.
3. Construction of revetments of the Widawa riverbed and the inter-embankment area upstream and downstream of the Kielczówek weir by improving the flow of the Widawa River upstream and downstream of the Kielczówek weir and by construction of new revetments on the inter-embankment area and new slope revetments upstream and downstream of the Kielczówek weir.
4. Solution for a collision with the existing land infrastructure, i.e. water supply and sewage disposal systems, fuel pipeline Ostrów Wielkopolski – Wrocław, gas systems, teletechnical and electrical systems.
5. Performing the compensation of forest areas - 7.5 ha of forest, 5,500 plantings in lines and 3.5 ha of bushes.

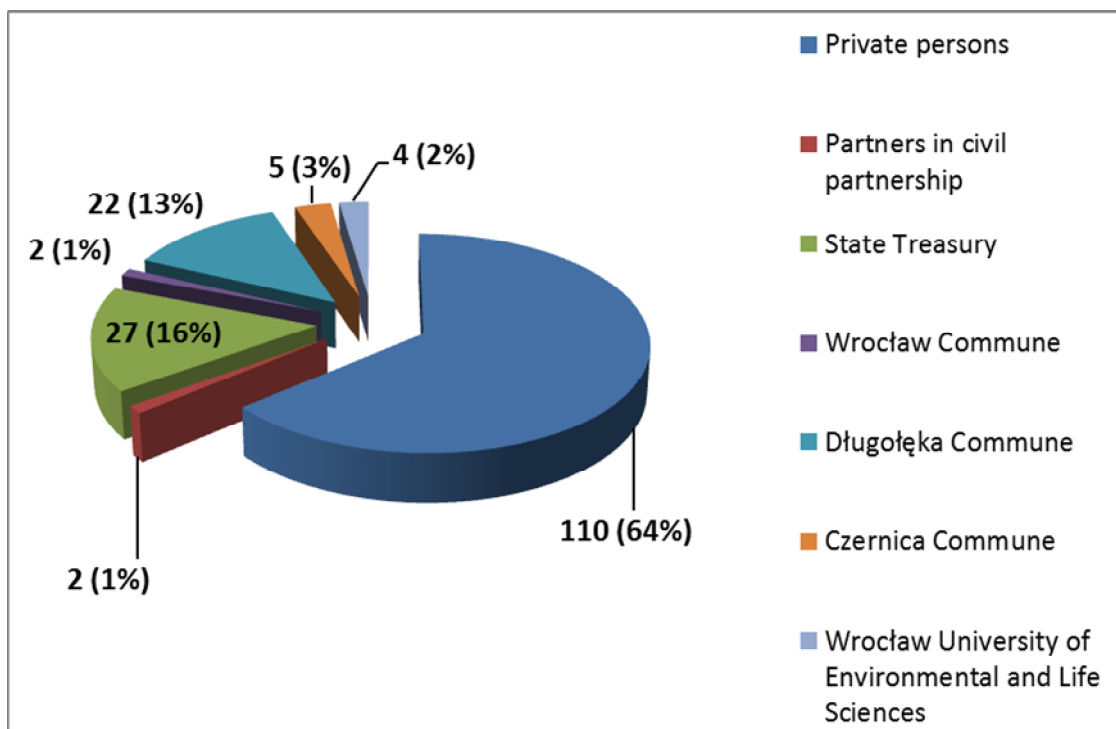
1.3 Identification of the number of people benefiting from the Project's implementation

The aim of the Contract 1B.7 “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław” is flood protection of approx. 5.900 inhabitants of three housing estates of Wrocław: Strachocin, Swojczyce and Wojnów, the villages of Kielczówek in Długoleka Commune, Dobrzykowice and Krzyków in Czernica Commune i.e. the area of approx. 1.109 ha. Within this area there are approx. 1.480 residential buildings and utility buildings, 3 sacral buildings, commercial – service buildings, health care buildings, education buildings, culture buildings, sport and industry buildings. Implementation of the Contract will also contribute to the flood protection (at the transfer of 300 m³/s through the Odra – Widawa channel) of the entire technical and municipal infrastructure located within this area, i.e. power lines, telephone lines, gas pipelines, water supply pipelines and sewage network, as well as to “freeing up” large areas for future building development. Such areas right now are exposed to floods existing in the tributary of the Widawa River, located in the Communes of Wrocław, Długoleka and Czernica.

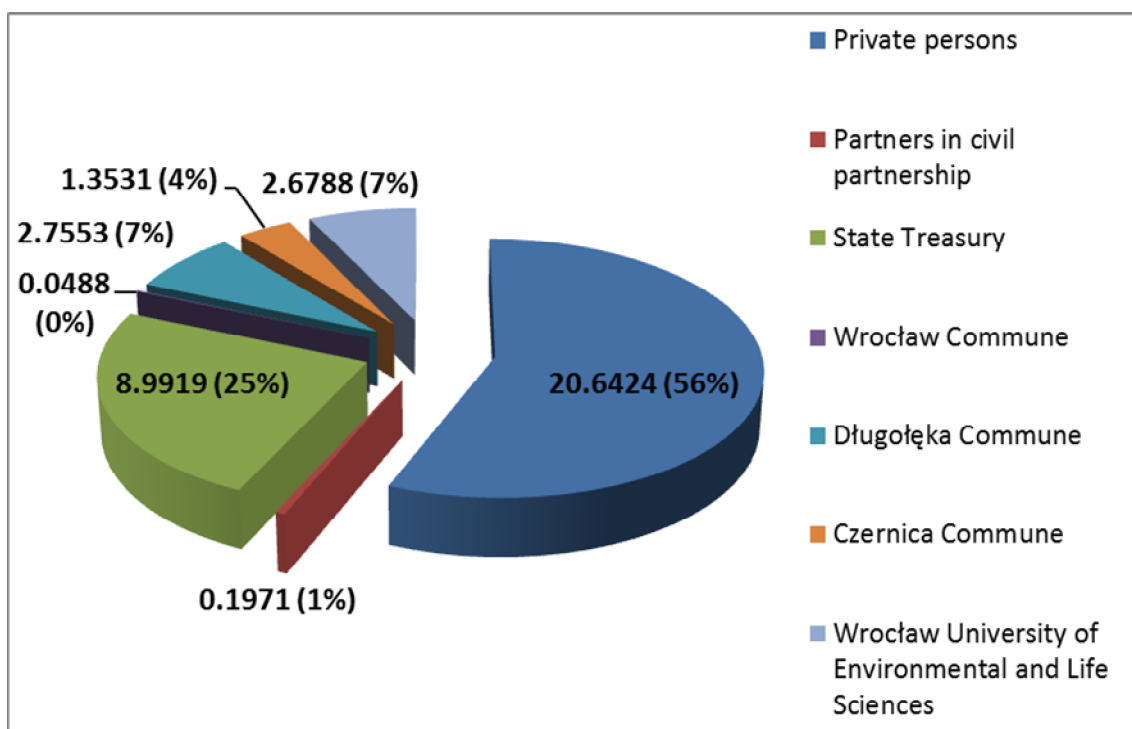
1.4 Description of the area of implementation of Works Contract 1B.7

Due to the implementation of Contract 1B.7 “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław” it will be necessary to permanent occupy 172 properties, out of which 110 plots are owned by private persons and 2 are jointly owned by partners of civil partnership (65%) of the required area, and 60 plots (35%) are in real estate assets of the State Treasury (management by: Starost, KOWR, PGL LP), Wrocław Commune, Czernica Commune, Długoleka Commune and Wrocław University of Environmental and Life Sciences. Analyzing the issue of ownership of plots due to their area, ownership of private persons constitutes 56% of the area of plots necessary for the execution of the Works Contract, and public resources account for 44% (of which 25% is the State Treasury's largest

share in public resources). All properties are located in three communes of the Lower Silesian Province of the Wrocław, Czernica and Długołęka.



Number of plots within respective categories of property ownership, pcs.



Area of plots within respective categories of property ownership, ha and %

The Works Contract will be based on the construction of new (for the most part), as well as on the expansion and sealing of the existing embankment. In addition, the section of the watercourse will

be shifted. All these activities are related to the occupation of large parts of the properties. The area is mainly agricultural areas and meadows situated in the flood areas of the Widawa River. In many cases, it was found that despite the agricultural purpose of this area, plots are not used due to the fear of potential losses caused by the flooding of the Widawa River.

Below is a description of the percentage of permanent occupation of the project in relation to different type and use of plots in the area of whole project footprint without including State Treasury's plots in the Marshal of the province permanent management already built up with the existing and planned for expansion embankment. The data resulting from the actual use of land was analyzed, which differs in some cases from indicating the purpose of the plot in EGIB:

- **8** of the plots (4.65% in the total number of plots) are residential, the total area of the occupation of this type of plots amounts to **1.2386 ha**, which is 3.38% of the project's total area of permanent occupation. In this number, 6 plots are owned by private persons, 1 Wrocław University of Environmental and Life Sciences (industrial development) and 1 belongs to the partners of civil partnership (development company).
- **24** of the plots (13.95% in the total number of plots) are road plots, the total area of the occupation of this type of plots amounts to **1.8888 ha**, which is 5.15% of the project's total area of permanent occupation. These plots are located in the real estate resources of the State Treasury - Starost of the Wrocław Poviát (5 plots) and Długołęka Commune (18 plots) and Czernica (1 plot).
- **75** of plots (43.60% in the total number of plots) are arable plots, the total area of the occupation of this type of plots amounts to **24.2788 ha**, which is 66.21% of the project's total area of permanent occupation. In this number, 65 plots are owned by private persons, 1 is owned by the partners of civil partnership, 2 are in the real estate resources of the Długołęka Commune, 2 in the Czernica Commune, 2 belong to the Wrocław University of Environmental and Life Sciences and three are in the real estate resources of State Treasury National Centre for Agricultural Support (KOWR).
- **18** of the plots (10.47% in the total number of plots) are plots such as meadows and pastures, the total area of the occupation of this type of plots is **2.1714 ha**, which corresponds to 5.92% of the project's total area of permanent occupation. All these plots are owned by private persons.
- **20** of the plots (11.63% in the total number of plots) are plots such as waste grounds, the total area of the occupation of this type of plots is **3.0928 ha**, which corresponds to 8.43% of the project's total area of permanent occupation. In this number, 18 plots are owned by private persons, 2 are in the real estate resources Czernica commune.
- **11** of the plots (6.40% in the total number of plots) are forest plots, the total area of the occupation of this type of plots amounts to **3.1503 ha**, which is 8.59% of the project's total area of permanent occupation. In this number, 1 plot is owned by a private person, 2 are in the real estate resources of the Długołęka Commune, 1 the Wrocław University of Environmental and Life Sciences and 7 the State Treasury (PGL LP).
- **3** of the plots (1.74% in the total number of plots) are waters (ponds), the total area of the occupation of this type of plots amounts to **0.2870 ha**, which is 0.78% of the project's total area of permanent occupation. All these plots are owned by private persons.
- **13** of the plots (7.56% in the total number of plots) are waters (drainage ditches), the total area of the occupation of this type of plots amounts to **0.5597 ha**, which is 1.53% of the project's total area of permanent occupation. In this number, 2 are in the resources of the Wrocław Commune (entrusted with municipal resource management: the Municipal Greenery Management Board), and 11 in the State Treasury (statutory host: Starost of the Wrocław Poviát).

The properties where the embankments' construction/extension will take place includes the properties which are leased (3 plots) or perpetual usufruct (2 plots) and declared for EU subsidies as direct payments and participating in various programs under the Rural Development Program 2014-2020. There are also plots in the real estate resources of the National Centre for Agricultural Support the State Treasury, managed by KOWR (4 properties). There are no plots of land on which the Family Garden Plots would be located.

2. OBJECTIVES AND RULES FOR LARAP IMPLEMENTATION

A key objective of this Land Acquisition and Resettlement Action Plan is to acquire properties required for the implementation of the Contract in compliance with Polish legislature and the World Bank Policy OP 4.12, in such a way as to minimise negative impact on the Project Affected People and improve or at least reinstate their life conditions and ensure the long-term and sustainable use of natural resources within this area.

Another objective in the implementation of LARAP which RZGW in Wrocław will follow as a rule is to ensure that compensation for property expropriated by law or permanently limited in use was and will be disbursed prior to the commencement of construction works.

The objective of LARAP is also to collect basic social and economic data concerning Project Affected People, to identify impacts, to determine mitigating measures and compensating measures for prospective negative impacts, to assess whether the conditions within the scope of further management of properties covered by the Project have been reinstated (it applies both to properties owned by private persons and public entities i.e. the State Treasury and the Czernica, Długoleka and Wrocław Communes as well as Wrocław University of Environmental and Life Sciences). LARAP contains also the procedures, budget and deadlines for achieving the above objectives.

LARAP activities will be continuously monitored, on the basis of established indicators, as well as periodically updated by a team of Engineer - Consultant and by the PIO, as the works progress and new factual and legal circumstances emerge which affect the implementation of its provisions. It will allow among other to provide relevant information to people affected by the Project, early risk identification and implementing the methods that allow for the risk minimization or elimination. Monitoring results will be presented in the monthly and quarterly reports.

The ex-post evaluation will be conducted six months after the RAP is fully implemented and its objectives will be assessed and provide documented evidence that directly impacted PAPs have successfully established a standard of living equal to, or better than, pre-project levels.

3. IMPACT MINIMISATION

Minimizing the impact of the Works Contract 1B.7 on the Project Affected Persons will be by informing at each stage of the Contract about their rights, the date of commencement of works, launching the information desk, reporting complaints and submitting applications, etc. Details of these activities, as well as the minimization measures already implemented are described below.

3.1 Minimising the areas subject to occupation at the design stage and applying for a IPIP

One key principle during the process of designing the component was to minimise the area of permanent occupation.

Such solutions were applied for natural persons and company with limited liability and public entities (i.e. the State Treasury and the Czernica, Długoleka and Wrocław Communes as well as Wrocław University of Environmental and Life Sciences).

In order to mitigate the impact on owners/perpetual users of the properties, which following the construction/reconstruction of embankments will be located within the area of the created inter-embankment zone, such properties will be indicated in the Investor's application for issuing the investment project implementation permit, as properties subject to limited use for the properties intended for flood protection, which are located in the inter-embankment area pursuant to Article 9 point 8(f) of the special flood act.

Such limitations will consist of:

- prohibition to plants trees and shrubs;
- prohibition to erect any building structures and undertake any activity likely to impede or prevent the proper flow conditions of flood waters.

Each investment project or any intended activity will require prior approvals of a competent authority in charge of flood protection.

3.2 Minimising impact during construction stage

Prior to the commencement of works the PGW WP RZGW will conduct a wide-spread information campaign concerning the planned Contract and will open an information centre for Project Affected People, where they will be able to file their proposals and comments regarding construction works and planned occupations. An information brochure will be prepared and sent to all PAPs, advising on a possibility of submitting complaints (in accordance with the provisions of LARAP) and providing contact details (to the PGW WP RZGW, the Engineer – Consultant and the Contractor).

It should be emphasized that during the preparation of the technical concept of this Task and before the start of the EIA procedure, public consultations took place in each of the villages along the investment route (this issue is described in more detail in Chapter 8).

It will be necessary to occupy properties temporarily for the purpose of the Contract implementation (occupation for a site back-up facilities and for storing soil masses and other building materials). The scope and proposed location of temporary occupation will be specified upon the appointment of the Contractor. The Contractor while negotiating conditions of temporary occupation the properties was guided by the rules provided herein in LARAP (this process is on voluntary basis and on the terms set out in the statement granting consent (contract)).

The Contractor will provide the Investor with information about the contracts concluded for temporary occupation, and before the plot is taken up, an inventory of its condition will be carried out along with the preparation of photographic documentation.

After the completion of the works, the plot will be restored to the previous state and returned in good condition.

3.3 Minimising the impacts through informing the parties on their rights

3.3.1. The right resulting from the provisions of the Special Flood Act

1. For immediate release of property by owner or perpetual user, but no later than within 30 days from the date of delivery of the notification about issuing the Investment project implementation permit it will be possible to increase compensation with the amount of 5% of the value the property or the right of perpetual usufruct (under Article 21.7 point 1 of Special Flood Act).
2. Filing an appeal against the decision of the Governor fixing the amount of compensation does not prevent payment of compensation to authorised persons – under Article 21.11 of the Special Flood Act, a party submitting such an application may apply for payment of a compensation specified in the Special Flood Act, and the State Treasury is obliged to pay out this amount despite the appeal filed. Payment of a compensation amount does not affect the appeal proceedings.
3. In the event of permanent restrictions in use of the property the owner or perpetual holder of such property may demand the redemption of such properties by the State Treasury on the basis of an application filed within 90 days of the day of being served with a notification of instituting the proceedings concerning an Investment project implementation permit (under Article 22.2 of Special Flood Act).

As part of mitigations measures minimizing impacts, PAP will be additionally informed about the abovementioned authorizations during the implementation of LARAP (public consultations, brochures, information point, etc.). Additionally, in the case of the right to obtain compensation increased by 5%, the Investor will prepare forms of the real property transfer protocol and will help PAPs to complete these protocols.

3.3.2. The right to buy "remnants"

As part of the information campaign described in item 3.2 above, Project Affected Persons (PAP) will be informed on a possibility of submitting an application for purchasing the remaining parts of the property (i.e. remnants) if as a result of subdivision of the property and occupation of its part for the Project, there is a part left which is not suitable for further usage for current purpose (pursuant to Article 23.2 of Special Flood Act).

If the provisions of Art. 23 sec. 2 of the Special Flood Act will be met (namely that if the part of real property was acquired and the remaining part is not possible to be used for recent purposes) these properties not were acquired by the State Treasury. In accordance with the Bank policy OP 4.12, if the use of the remaining part of the property, which was used for housing or economic purposes, is not viable, it should be compensated by the Project.

3.3.3. Measures aimed to prevent the reimbursement of EU subsidies

The scheme of subsidies / financial assistance for farmers is an relevant issue in the context of investments made based on the principles of WB. As part of the Works Contract 1B.7, there will be some properties expropriated which are owned / hold by farmers who receive EU direct payments or receive subsidies through their participation in various activities covered under the 2014-2020 Rural Development Program (RDP 2014-2020).

Therefore, the expropriation of the subsidised properties will make farmers fail to fulfil their obligations undertaken under individual programmes on the grounds of contracts concluded with the national accredited paying agency i.e. the Agency for Restructuring and Modernisation of Agriculture (ARMA). This, in turn, may have its consequences, i.e. it may be required to reimburse payments received as well as incur administrative fines (ATTENTION: there will be no need to return the subsidies or pay fines if the farmer reports the fact of expropriation to the ARMA).

In order to make farmers appropriately fulfil their contractual obligations and not put them at risk of harm due to that, a variety of mitigation and compensation measures are necessary to be implemented.

At the stage of elaboration of the construction design, there were some properties identified which will be subject to the expropriation for the State Treasury. Due to the fact that a significant part of these properties are lands projected for agricultural purposes, there was a brochure outlining steps to be taken to avoid such reimbursement will be prepared and distributed to the Project Affected Persons (an appropriate application will be attached to the brochure, on which information on expropriation should be submitted to ARMA; moreover an information will be included that if necessary the farmer will get help in completing such an application by an ARMA specialist). Moreover, as part of the Resettlement Action Plan (one of its essential parts covers socio-economic research aimed to identify the socio-economic standing of the Project Affected Persons), a questionnaire was prepared with questions on subsidies and financial assistance to which the expropriated properties are qualified.

ATTENTION:

The reimbursement of all subsidies received may be prevented thanks to the regulation introduced at the EU level which classifies property expropriation in the catalogue of "force majeure" events. Agricultural producers / farmers - in order not to reimburse any subsidies received earlier - are required to report such occurrence of force majeure (i.e. expropriation and / or permanent restriction of land use of a given property) to the District Office Manager of the Agency for Restructuring and Modernisation of Agriculture (ARMA) in writing together with appropriate evidence (a copy of Decision for Investment project implementation permit will do in the analysed case) within 15 working days from the date from which they or any person authorised by them are not able to perform such activities. To get acquainted with the issue of force majeure, please refer to:

http://www.arimr.gov.pl/fileadmin/pliki/PB_2015/WPRN/02_07_2015/Sila_wyzsza_22_07_2015.pdf

The mitigation measures which make farmers avoid the reimbursement of subsidies received by them:

- Carrying out a wide-range information campaign also during the survey (among all the Project Affected Persons) on steps to be taken to avoid the reimbursement of subsidies received.
- Carrying out an additional information campaign addressed to a group of identified farmers (distribution of brochures), who in their questionnaires reported to receive subsidies at the stage of the administrative procedure for issuing the IPIP carried out by the Governor. This action will be aimed to remind the need to report to the Agency for Restructuring and Modernisation of Agriculture the fact of expropriation and / or permanent limitation on the way of using the property. This information will also be provided to the PAP during public consultations of the LARAP project.
- Compensation in cash - a farmer will receive compensation for any expropriated property and may - for such means (money) - purchase (or lease) any other property with similar-level production capacities and submit it for subsidy / assistance (if possible under this measure).
- The amount of compensation (compensation in cash) for any expropriated property will be determined by an independent property appraiser. This property valuation will include, among others, the characteristics and values of a given expropriated property and specified obtaining (or not) any potential subsidy/ support.

3.4 Minimising the impact – organisational activities

Minimising the impacts within the Contract implementation may also take place through organisational activities at the stage of construction and assembly works. The following activities are introduced:

- Hand over of the property will take place after harvest or if not possible due to the construction program, additional compensation for loss will be paid out e.g. from lost crops during that specific harvest.
- Expropriated person will be entitled to free of charge use of the land in the current manner until obtaining a compensation or (if the amount of compensation is not agreed upon) its agreed portion.

- Persons affected by the implementation of the Project (PAP) will be informed by PGW WP RZGW in advance, at least 3 months, on the factual commencement of works which will enable them to complete farming activities on the property.
- All the costs related to activities minimising and compensating negative impact will be included in the costs of ORFPP as eligible expenses.
- Required distances from overhead power lines must be maintained during construction works.
- The earth works in the vicinity of the existing underground utilities documented on maps will be carried out manually in order to prevent their damage.
- The construction works shall be performed from 6:00 a.m. to 10:00 p.m. only.
- Supervision of infrastructure owners will be ensured for the duration of works. Owners of the service networks will be notified in advance of the date of commencement of works.
- The owners of properties which will be occupied temporarily during implementation of the Task shall receive compensation for the temporary occupation (the Contractor shall be responsible for specific activities within this scope; the Contractor shall, by its own endeavours, negotiate land for temporary occupation on voluntary basis (i.e. temporary occupation can not be imposed on people)). Upon completing the works property will be reinstated to its previous condition and return in good condition.
- Assistance provided by the Investor to PAPs in drafting ARMA reports on the occurrence of "force majeure" in the event of expropriation of property covered by subsidies (depending on the needs, preparation of the application, preparation of attachments).
- Assistance provided by the Investor to PAPs in preparing applications for "remnants" (depending on the needs, preparation of the application, preparation of map attachments, etc.).

A more comprehensive description of measures mitigating and minimising negative impacts and protecting valuable natural resources is provided in the document "Environmental Management Plan for Contract 1B.7 "WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław".

4. LEGAL FRAMEWORKS AND VALUATION METHODS

4.1 Property acquisition – binding Polish legislation

The most significant normative acts related to acquiring rights to properties necessary for the implementation of the Project include:

- Constitution of the Republic of Poland of 2 April 1997,
- Law of 21 August 1997 on the real property management,
- Law of 27 March 2003 on space planning and development,
- Law of 23 April 1964 Civil Code,
- Law of 8 July 2010 on particular conditions for preparing flood management projects for implementation,
- Regulation of the Council of Ministers of 14 July 2011 amending the regulation on the evaluation of properties and preparing an appraisal.

Aforementioned legal acts publishing numbers are indicated in the table on pages 5 and 6 of this LARAP.

4.2 Property acquisition – World Bank Operational Policy OP 4.12.

OP 4.12 Involuntary Resettlement is applied whenever the implementation of the Project requires:

- a) involuntary occupation of the property resulting in:
 - (a) relocation or loss of shelter,
 - (b) loss of assets or access to assets,
 - (c) loss of income sources or impoverished standard of living,
- b) the involuntary restriction of access to parks and protected areas resulting in adverse impact on the livelihoods of the persons affected by the Project.

To decrease and mitigate the impacts of these activities, the borrower is obliged to prepare a Land Acquisition and Resettlement Policy Framework or a Land Acquisition and Resettlement Action Plan depending on the fact whether the specific interventions and related impacts have been identified or not.

This detailed LARAP contains obligations specific for the Contract 1B.7 and corresponding to the advancement of the process of preparing the Contract for implementation.

4.3 Property acquisition – rules and procedures within the meaning of the provisions of the Act of 8th July 2010 on specific rules for preparing projects related to flood protection, hereinafter referred to as the “Special Flood Act”.

On 8th July 2010 the Parliament of the Republic of Poland passed the Special Flood Act aimed at simplifying and accelerating procedures related to the implementation of flood protection projects. The provisions of this new act apply to, i.a., issues related to acquisition of properties to the benefit of the State Treasury, Provinces and communes. This act was amended several times in the year 2014, in the year 2015, 2016, 2017 and then in the year 2018.

The substantiation for the Act provides for the aim which is the effective fulfilment of tasks within the scope of flood protection structures with the use of the EU's and international organisations' funds. Before the Special Flood Act became effective, the implementation of flood protection projects required multi-staged proceedings, the necessity for obtaining a range of administrative decisions (e.g. decision on the public purpose project's location, decision on subdivision, construction permit decisions) and conducting proceedings aimed at obtaining permanent or temporary occupations of properties (as part of negotiations with owners or obtaining expropriation decisions). According to the provisions of the Special Flood Act a competent administrative body will issue one integrated decision

concerning the entire flood management Project, known as project implementation permit. Restrictions within ownership rights, which will result from issue of the aforementioned decision, will be compensated through granting compensation to the owners or holders of the properties.

The Governor shall notify all the parties of the commencement of the proceedings concerning the issue of a decision on the Project implementation in accordance with Article 7 of the Special Flood Act.

4.3.1 Decision on the project implementation permit compared to permanent occupation and restrictions in use of such property taking into account the areas of the direct flood hazard and areas of the potential flood hazard or special flood hazard, if such areas are specified.

Upon having processed an application filed by the PGW WP RZGW, a Governor issues a project implementation decision, object of which is a series of issues which have been until now regulated by separate administrative decisions. Obtaining a decision under the Special Flood Act is tantamount to obtaining a decision on development conditions or decision on approving the location of a public purpose Project. This decision also includes, i.a. the specification of lines demarcating the Site and approval of the property subdivision as well as approval of a construction design.

In relation to the properties indicated by PGW WP RZGW in the application, and then determined in the investment project implementation permit decision, such decision will have the following consequences on the day it becomes final, i.e.:

- a) properties, or part thereof, necessary for implementation, become the property of the State Treasury;
- b) properties, or part thereof, being part of the investment, necessary for investment functioning, which will not become the property of the State Treasury, but the method of use will be permanently limited;
- c) properties, or part thereof, intended for flood protection, the use of which, under Article 9 point 8(f) of the special flood act, will be limited by a Governor, if such body considers it necessary, taking into account the areas of the direct flood hazard or areas of a potential flood hazard, or a special flood hazard, if such areas are identified

Such a decision will be a basis for making entries in the Land and Mortgage Register as well as in the Register of Land and Buildings.

In the event of permanent restrictions in use of the property the owner or perpetual holder of such property may demand the redemption of such properties by the State Treasury on the basis of an application filed within 90 days of the day of being served with a notification of instituting the proceedings concerning an Investment project implementation permit. The right under Article 22.2 of the Special Flood Act (in terms of purchase of the property, which permanent restriction of land use) is not entitled to the owner of the property on which there are public roads.

In the event of establishing restrictions in use for the properties under Article 9 point 8 (f) of the Special Flood Act, the owner or perpetual holder of such property could be entitled to, among others, claim for compensation determined by administrative law under Article 30 of the Special Flood Act in connection with Article 124 clause 4 and Article 128 clause 4 of the real property management act or by a civil court.

Under Article 23.2 of the Special Flood Act, if a part of a property is acquired by the State Treasury and the remaining part is not suitable for current use, upon the application submitted by the owner or perpetual holder of such a property, the PGW WP RZGW is obliged to acquire (in the name of and on behalf of the State Treasury) remaining part of the property. Such a regulation solves a problem of so called "remnant" – the remaining part of a property transferred to the ownership of the State Treasury. In such a case, the owner (perpetual holder) of the property is entitled to a claim for PGW WP RZGW to purchase the remaining part of the property.

4.3.2 Compensation for properties acquired under the Special Flood Act

A property owner or perpetual holder is entitled to compensation for transferring the ownership of the property onto the State Treasury.

The amount of compensation is determined separately for each property by negotiating individually between PGW WP RZGW and the current owner or a holder of usufruct right or person, who has other legal limited property right. Such compensation is paid out by the PGW WP RZGW acting on behalf of the State Treasury or a local government, as appropriate. All arrangements are made in writing under pain of nullity.

However, if the agreement in the scope of the compensation amount is not reached within 2 months from the day when the investment project implementation permit became final, the amount of the compensation is determined by the Governor in form of an administrative decision. The principles set out in the Law on Real Property Management are applied to determine the amount of compensation. The amount of compensation is determined by authorised property appraiser on the basis of market value (if this cannot be determined is based on replacement value).

A decision on the amount of a compensation amount as well as a decision on the project implementation permit may be contested by a party through submitting an appeal to a body of higher instance. This procedure in details is described in section 10.2.

Filing an appeal against the said decision does not prevent payment of compensation to authorised persons – under Article 21.11 of the Special Flood Act, a party submitting such an application may apply for payment of a compensation specified in the Special Flood Act, and the State Treasury is obliged to pay out this amount despite the appeal filed. Payment of a compensation amount does not affect the appeal proceedings.

Compensation granted to current owner or perpetual holder is decreased by an amount of restricted rights established on the properties (e.g. usufruct, easement, lien, housing cooperative property right to premises or mortgage). This amount is estimated by an independent property appraiser in compliance with the rules outlined in the Regulation of the Council of Ministers on real property valuation and preparing an appraisal study.

4.3.3 Additional benefits for the owners or perpetual holders of properties acquired as part of the Special Flood Act

The Special Flood Act provides for detailed regulations according to which owners or perpetual holders of properties which become the ownership of the State Treasury are entitled to payment of additional benefits.

In addition, for immediate release of property it will be possible to increase compensation with the amount of 5% of the value the property according to the rules specified in the Special Flood Act.

Current owners or perpetual holders of properties or their parts which became the ownership of the State Treasury may use properties free of charge until the expiry of the time specified in the decision under the Special Flood Act.

4.3.4 Application of the Special Flood Act during the Project implementation

At the request of the PGW WP RZGW, justified by a social or economic interest, a Governor issues a decision under the Special Flood Act under pain of immediate enforcement, which means that current owners are obliged to release properties within 90 days of the date of issue a special decision (under the Special Flood Act) and that the Investor is authorised to take over a property and commence construction works (if, in accordance with OP 4.12 PAPs were paid compensations).

4.4 Analysis of inconsistencies and corrective measures

Given that there are inconsistencies between Polish law and the World Bank's OP 4.12 the corrective actions described below will apply to this Project and its components.

OP 4.12	Polish laws	Corrective action
<p>Lack of legal title to the land should not bar compensation. People without legal title are eligible for compensation.</p>	<p>Polish legal system does not account for the right to compensation of the occupants/users of the land that do not hold legal title to it (except for the people whose legal title to the real estate was lost or who acquired the title by usucaption i.e. title to the property can be gained by possession of it beyond the lapse of a certain period of time according to KC).</p>	<p>In case a project affected person without legal title or legal rights over the land is affected by project-related land acquisition the case will be analyzed individually for the possibility of applying general mechanisms from the Civil Code to achieve the objectives of OP 4.12. As per OP 4.12 affected people without legal titles will be not eligible to receive compensations for the land. However, they will be eligible for compensation for any structures, crops or improvements to the land that were done before the cut-off date and to receive adequate solutions in cases where they have to be physically or economically displaced. In this cases, additional nonfinancial mitigation measures can be applied.</p>
<p>WB Policy requires compensation for the loss of income³ resulting from taking of land that generates the displacement of economic activities (e.g. business, agriculture, etc).</p>	<p>Provisions of polish law do not provide compensation for the loss of income resulting from land take required for a task.</p>	<p>Persons who lost income or employment will receive support (health insurance, professional trainings etc.) from the employment offices.</p> <p>Mitigation measures enacted to restore standard of living.</p> <p>In case of entrepreneurs, it is possible to apply general mechanisms from the Civil Code (covering loss suffered (damnum emergens) and the expected profits which are lost (lucrum cessans)).</p>
<p>Particular attention should be paid to vulnerable social groups, such as the poor, the elderly, single mother headed household, children, ethnic minorities.</p>	<p>Polish law does not require planning specific measures aimed at additionally assisting vulnerable social groups (the elderly, the handicapped, the poor, and other groups with special needs).</p>	<p>The project will grant to the affected people help in obtaining assistance from offices and institutions.</p> <p>Additional measures will be implemented as needed to ensure that the objectives of OP 4.12 are met.</p>

³ In the conditions of the Polish economy understood as revenue.

OP 4.12	Polish laws	Corrective action
<p>WB Policy requires additional compensation for expenses incurred by PAP as a result of physical relocation (i.e. transport of materials) and assistance in implementing the resettlement.</p>	<p>Assistance regarding incurring costs of relocation and other similar costs resulting from the necessity to move to a new location by the citizens and enterprises is not provided in the provisions of law.</p> <p>(in accordance with Article 21 (8) of the Special Act)</p> <p>If IPIP relates to a property built-up with a residential building or a building in which the dwelling has been separated, the amount of compensation to the current owner or perpetual user residing in this building or premises is increased by PLN 10,000 with respect to this property.</p>	<p>In order to cover costs of relocation and other similar costs it is possible to apply general mechanisms from the Civil Code in a manner that achieves the requirements of OP 4.12.</p>
<p>The compensation should be paid prior to physical occupation of the land for the purposes of implementation of the task.</p>	<p>The flood act allows for occupying the land and commencing works before the compensation is paid.</p> <p>In Poland, the payment of compensation for the property taken over is separate from the possibility of commencement of works.</p>	<p>In all cases, no work will begin until there is documented evidence that the project-affected person has been informed well in advance, compensation has been paid and it has granted permission to enter the land.</p> <p>The only exceptions are cases where appeal proceedings have been initiated because negotiations fail or other reason or cases where absentee owners cannot be found.</p> <p>The only exceptions are cases when the negotiations with PAP have failed and the process is taken to the court, inheritance cases are pending or other reason or cases were absentee owners cannot be found or cases where the State Treasury is the owner. In these cases, as per Polish regulations, the compensation amount will be put into an escrow account and the money will be available to affected people once the court makes a decision or the owner is located.</p> <p>To minimize the risk of starting works before compensating for losses the project will plan and conduct land acquisition well in advance of starting construction</p>
<p>Compensation for the loss of assets is based on their replacement cost plus any transaction costs (e.g. taxes and registration fees) and the objective is for the compensation to be enough to effectively replace the affected asset (replacement value).</p>	<p>Standard methods of valuation may lead to lowering the value of the real estate as compared to prices of similar real estate on the local market.</p>	<p>The valuation of the real estate will be conducted by an independent and experienced property appraiser. Property appraiser opinion should be verified by PIO. The expropriated party should be granted proper amount of time to get familiar with the property appraiser's extract from appraisal report. Should there be any doubts regarding the sufficiency of the due amount of compensation, value of the real estate should be estimated by an independent</p>

OP 4.12	Polish laws	Corrective action
		<p>property appraiser in the proceeding with the Governor.</p> <p>In all cases effective replacement value will be achieved without depreciation of asset.</p>
<p>Requires to prepare a socio-economic baseline, Resettlement Action Plan and monitor of compensation, resettlement and livelihood restoration measures as well as evaluation of their efficiency.</p>	<p>Provisions of polish law do not account for obligation to gather a socio-economic baseline and prepare a Resettlement Action Plan as such and there is no obligation of monitoring or evaluation of their effectiveness.</p>	<p>Socio-economic baselines and Resettlement Action Plans will be prepared based on the RPF, monitored and evaluated in line with OP 4.12 and good practices.</p>

4.5 Valuation methods

Current owner, holder of perpetual usufruct right to land or a part of land which is necessary for Contract's implementation is entitled to compensation for the transfer of ownership of the property to the State Treasury.

In all cases compensation must meet the principle of a **replacement value** which means the amount needed to replace asset without depreciation of asset due to age, condition, or any other factor. This tends to be based on market value of the land and related assets (e.g. crops or others elements) increased by a transaction cost required to replace it, such as taxes and other fees. Compensation is determined on the basis of a valuation by property appraiser and other team of property appraisers (e.g. agricultural property appraiser) as required.

According the OP 4.12, with regard to land and structures, a "replacement value" is defined as follows:

- a) for agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes;
- b) for land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes; and
- c) for houses and other structures, it is the market value of the materials to build a new houses and objects replacing houses and object affected by the results of the task implementation, in the quantity and quality similar to or better than those uses in the expropriated houses and objects or partially affected by the results of the task implementation jointly with the cost of transporting building materials to the construction site, the cost of any labour as well as transaction costs, fees and taxes related with the implementation of new objects.

In determining the replacement cost depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Unless Polish law meets the standard of compensation at full replacement cost, compensation under Polish law is supplemented by additional measures so as to meet the replacement cost standard, such as support after displacement for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living (including sources of income), etc.

The amount of compensation paid by the State Treasury or the local government, respectively, is agreed between the PGW WP RZGW and the current owner, holder of perpetual usufruct or other legal holder through negotiations (or established by the Governor if it does not come to determining the amount of compensation as a result of negotiations). In all cases the compensation should, at least, be consistent with a replacement value.

Compensation is subject to indexation as of the day of payment according to the principles applicable in the case of return of expropriated property.

The compensation is established on the basis of the valuation prepared by a professional property appraiser.

NOTE:

The valuation methods are defined in a legal act which is the Regulation of the Council of Ministers of 21 September 2004 on property valuation and preparation of a valuation report, specifying the methods and techniques of compensation estimation.

4.5.1 Property valuation

The amount of compensation is based on the market value of a property. While establishing the market value of a property, the following factors in particular are taken into consideration: its type, location, use and assignment in the local spatial development plan, existing technical infrastructure, overall condition and current market prices. Should the change of zoning and land use for the purpose of the Project decrease the property's value, its market value will be ascertained according to pre-zoning and pre-project use. If the data from the local or regional property market allows an appraiser to ascertain the market value of the property, they should apply one of the approaches, i.e. the sales comparison approach, the income capitalisation approach or the combined approach. Should the zoning in accordance with the purpose of the Project increase the property's value, its market value is ascertained according to the alternative use resulting from the new zoning. If the data from the local or regional property market does not allow an appraiser to ascertain the market value of the property, they should ascertain the replacement value of the property on the basis of the cost approach.

If a current owner or perpetual holder of a property subject to a decision on the Project implementation permit releases such a property, or releases such a property and empties premises and other rooms not later than within 30 days of the date of delivering a notification of issuing an Investment project implementation permit with immediate effect (this applies to both above mentioned IPIP obtained by PGW WP RZGW), compensation amount shall be increased by 5% of the property value or the value of perpetual usufruct law.

4.5.2 Valuation of plants and crops

The valuation of tree stand or tree cover, if the tree stand includes usable assets, will involve the valuation of timber in the tree stand. If the tree stand includes no usable assets or if the value of timber is exceeded by the costs of reforestation and maintenance of the tree stand, the valuation concerns the costs of reforestation and maintenance of the tree stand until the day of expropriation.

The valuation of fields of perennial plants involves the valuation of the costs of determining the field and its maintenance until the first crop as well as of the lost profit in the period from the day of expropriation until the completion of the full yield. The aggregate of costs and the value of lost profits are reduced by the sum of the yearly depreciation charge resulting from the period of using the field from the first year of yield until the day of expropriation. The valuation of crops, cultivation and other yields of annual plants involves the valuation of the expected yield according to the current market prices, reduced by the value of necessary expenditures related to the harvest of the crops.

The valuation of crops, cultivation and other yields of annual plants involves the valuation of the expected yield according to the current market prices, reduced by the value of necessary expenditures related to the harvest of the crops.

4.5.3 Valuation method for structures

In order to estimate a value of structures which constitute an object of ownership separate from the land, a cost approach could be applied, as well as a cost replacement method and an indicator technique.

A cost approach consists in determining a value of a property assuming that such a value corresponds with the costs of its replacement.

A value of land constituents is assumed as an amount equivalent to the costs of their replacement or substitution.

A key of a cost approach is assuming that a property acquirer will not pay for such a property more than the costs of erecting such a property in the same technology or function in the same location.

A consequence of the above assumption is the specification of two types of costs:

- replacement cost,
- substitution cost.

In order to apply a replacement cost method it is necessary to be in possession of technical data on the structures under valuation, data on the prices for materials and construction works.

A replacement cost means a cost of erecting an identical structure (exact copy) to a structure under valuation. While estimating a value of such a structure, a property appraiser takes into consideration the same design, equipment, quality of construction works and takes into account all defects, shortcomings as well as required elements of equipment or construction, or materials which are out of use. Replacement costs also include the costs of building additional installations strictly connected with the structure under valuation, preparation and ordering of the area and the costs of drawing-up design documentation and construction supervision. Therefore, while estimating structure replacement costs, it is necessary to provide the costs valid as of the day of valuation of building its copy. If materials which were used to build such a structure are no longer available on the market, while estimating a value, it is necessary to consider the prices for material as similar to the materials used as possible.

4.6 Special procedures

4.6.1 Payment of compensation for permanent limitations and limitations under Article 9.8 (f)

Real properties required for the implementation of the Contract were acquired under two IPIPs issued in compliance with the provisions of the Special Flood Act.

Furthermore, the IPIP issued indicate 2 real properties, constituting a part of the Task, which are indispensable for its functioning, but which do not become the property of the State Treasury and towards which the use manner is permanently limited (hereinafter referred to as: TO), or properties intended for flood protection outside the Task area, the use of which was limited, taking into account the areas of the direct flood hazard or areas of a potential flood hazard, or a special flood hazard, if such areas were identified.

Such real property will not be involved by the permanent change in the management manner and basically they may be used by the owner (perpetual usufructuary) like before the development implementation; nevertheless, after fulfilling the task – with some functional limitations.

Such limitations and related inconveniences (e.g. prohibition to build, to plant trees, etc.) may adversely affect the properties' market value and then must be compensated with fair compensation. In an extreme case where a property becomes unusable for the owner (perpetual user), one may seek to have such properties, subject to a permanent restriction, purchased (under Article 22(2) of the Special Flood Act). Also, for properties intended for flood protection, in relation to which their manner of use has been limited, the owners or users could be entitled to a claim to buy back such properties, if the further correct use of the property as hitherto or according to the hitherto use is impossible – i.e. provided a civil court decides that a basis for such claim may be Article 9 point 8(f) of the Special Act and Article 30 of the Special Act in connection with Article 124(5) of the real property management act.

Regardless the above claims, the owner or perpetual user of the above-mentioned properties should have the possibility to receive compensation for failure to restore the property to the previous condition, also due to excessive difficulties or costs. The compensation should correspond to the value of losses suffered. If the property value is decreased due to such events, the compensation is increased by an amount corresponding to such decrease. A legal basis for the above-mentioned compensation could be, respectively, Article 9 point 8(b) or Article 9 point 8(f) and Article 30 of the Special Flood Act in connection with Article 128(4) of the real property management act. It should be additionally highlighted that public administration bodies share the view that for properties subject to permanent restrictions in use, the owners or perpetual users of such properties are only entitled to a claim to buy them back, as mentioned in Article 22(2) of the Special Flood Act.

The right under Article 22.2 of the Special Flood Act (in terms of purchase of the property, which permanent restriction of land use) is not entitled to the owner of the property on which there are public roads.

The Special Flood Act does not define the use manner permanent limitation (TO) and does not indicate an administrative body, competent in terms of the subject matter, to establish compensation in administrative proceedings. Such a state, i.e. lack of clear legal provision indicating content-related competence of a body is caused by an obvious legal loophole and it authorises to apply in the administrative proceedings an iuris analogy (road special act - ZRID) referred to the Decision of the Supreme Administrative Court in Warsaw of 9 November 2012 (I OW 142/12). The Court, indicating a Governor as a competent body, unambiguously decides that [cited] *A body competent for establishing compensation is a body which issued a Road Investment Project Implementation Permit (RIPIP)... It is not possible to accept that a legislator distributed competences for establishing compensation for the effects of the same decision depending on the object of compensation.*

In consequence, with reference to the determination of compensation towards TO, the competent body will be the Governor which issued IPIP and compensation will be determined under terms and conditions specified herein.

As regards potential temporary occupation outside the Task area, the exact scale of which cannot be determined at the current stage of Contract progress, this will be conducted outside the regulations of the Special Flood Act (i.e. without limitations in property use, to perform the works/activities defined in

the building design, under Article 9 point 8(f) of the Special Flood Act). The Contractor will conclude on its own voluntary agreements with the owners or perpetual users of the properties or other eligible entities entitled to the legal title in them (e.g. dependent property owners), and such agreements will define the rules of temporary availability of such properties for the purpose of Contract execution. In each case, owners or perpetual users or other eligible entities entitled to the legal title in them will be informed effectively of the planned Contract and of their rights.

4.6.2 Depositing funds in the court account if paying out of compensation is not possible

Pursuant to the Art. 133 of the act on property management, the Investor submits the amount of compensation to the court deposit in accordance with the decision of the Governor obliging the Investor to pay the compensation to the deposit, which is equivalent to fulfilling the obligation. The above can take place only in the following two cases: if an authorised person rejects accepting compensation or its payment is hindered significantly (lack of capacity of a creditor, its longer absence in the country, lack of appointing a proxy, natural disasters, marital law) and when compensation for expropriation applies to properties with an unregulated legal status (Decision of the Province Court of Administration in Lublin 2005-02-25, case ref. No II SA/Lu 884/04).

Depositing compensation in the court account entails the same effects as disbursing such a compensation and obliges a creditor to reimburse depositing costs to the debtor. However, according to OP 4.12, a PAP does not incur any costs within this scope. If the Court overrules such an application, such a fee shall not be subject to reimbursement and if a creditor (as a party to the proceedings) is represented by a legal counsel or attorney, the Court may impose the payment of the amount of PLN 120 for representation remuneration.

PROCEDURE

STEPS	ACTIONS TO BE TAKEN	YES	NO	COMMENTS
Step 1	Issue by the Governor of a decision on establishing the compensation obliging to pay the compensation to the court deposit	Step 2	Not taking any actions	
Step 2	Filing a motion for placing the benefit object in the court deposit	Step 3 or Step 4	-	
Step 3	Accepting a motion by the Court	Step 5		
Step 4	Overruling a motion by the Court	Complaint		
Step 5	Paying the funds to the deposit account indicated by the Court			Thanks to the fact that the basis for the payment of funds to the deposit is the decision of the Governor - payment of funds to the account takes place at the moment of submitting the application to the court in accordance with the regulation of art. 6932 §2 and §3 of the Code of Civil Procedure
Step 6	Proceedings concerning releasing the deposit			
Step 7	Paying the funds to the deposit account indicated by the creditor			

5. SOCIAL-ECONOMIC SURVEY

A basic source of information concerning the development and use of occupied properties is the analysis of GIS data, excerpts from the Register of Land and Buildings and on-site verification. The status of ownership (owners/co-owners, holders of perpetual usufruct rights and owners-like possessors without legal land titles) of the occupied properties has been determined on the basis of the Register of Land and Buildings and Land and Mortgage Register. The presence of infrastructure has been determined on the basis of the analysis of detailed land survey drawings and on-site verification.

As far as a social impact is concerned, a basic source of information was data obtained on the basis of available registers (e.g. register of economic activity, National Court Register) as well as details obtained during on-site inspection. Also GUS data were used and materials posted on the Internet (information from Municipal websites, Internet forums, etc., local press releases).

In addition, in February and in March 2018, Consultant acting on behalf of and for the Investor conducted a questionnaire among PAPs within the scope of viewing the justification of the Works Contract 1B.7 implementation and its impact on their life quality and economic situations (impact on the income level). Target respondents included primarily owners of plots under expropriation where permanent occupation areas exceeded 10% of the initial area of the plot under occupation. For conducted studies, a more restrictive impact indicator than 20% of occupation was assumed. There were no full socio-economic studies due to the fact that the preliminary research carried out showed that in none of the cases the following circumstances exist - expropriated persons lose more than 10% of their total production assets or have to physically displaced (in accordance with OP 4.12).

The results of the study were described in detail in a separate study entitled "Socio-economic study for the Works Contract 1B.7"(this study is not disclosed due to the protection of personal data in accordance with the EU regulation). The conclusions from this study are given below.

The Investment is positively perceived by the majority of PAPs. On the other hand, a group of people identified in the course of the research was against the implementation of this Contract (5 people) or at the moment of conducting the survey they described themselves as undecided (2 people) - with these people, meetings were held to clarify any doubts and reach a consensus. It is due to the fact that the Project includes the construction of new embankments with the total length of 9.73 km, which requires permanent occupation of the land in the area which until now had no flood protection facilities. Most of these areas have never been flooded before, therefore the residents of this area did not have traumatic experience of the residents whose houses and farms were flooded and damaged during the flood of 1997 or 2010.

However, in case of this Project it is difficult to talk about its significant impact on the wider community, and the overall socio-economic cost incurred by the local community in the area of the Project may be considered as possible for compensation. Final satisfaction from the Project's implementation will be a derivative of the amount of compensation paid out or the use of compensating measures that are satisfactory to PAPs.

Low socio-economical cost of this Project are also a result of the fact that there are no public buildings in this area, such as schools, municipalities, industrial buildings, or churches, or other religious buildings, which means that the expropriation procedure in no way will affect people other than owners of affected properties.

Despite all this, while assessing the socio-economic cost of the Project, the attention should be paid to inconvenience caused to individual households by the Project, first of all Household No. 34, which will experience the most of the inconvenience related to the execution of the construction works such as noise, vehicle and machinery traffic of the Contractor.

The issue which was revealed during the research and the consultation and which has to be emphasized is the dissatisfaction of part of the respondents from the previously agreed arrangements as to the amount of the compensation received for the expropriated properties. This applies to the arrangements carried out during the implementation of Contract B3-1. Lack of PAP's consent to accept the amount of compensation proposed by the Investor resulted in the cases being submitted to Lower Silesia Governor, and this authority took several months to issue a decision on the amount of the compensation, despite the 30-day period specified in Special Act. In addition, the compensation awarded by the Governor were often higher than the once proposed by the Investor, which did not contribute to the creation of a good climate in relation between PAP – Investor either.

Six persons indicated that they are interested in receiving compensation in the form of "land for land", while this expectation limited only to the nearest neighborhood of the location of their own plots or conditioned this form of compensation by replacing the entire plot, not only the fragment that will be expropriated. These conditions are difficult to meet, especially since the Investor does not have its own land resources and it is located in the immediate vicinity in relation to the planned Investment. After analyzing all cases of PAP's expectations and own legal and technical possibilities, the Investor continuing efforts to provide replacement properties as an alternative form of compensation, but also allowing those people the opportunity to obtain compensation in the form of cash payment compensation.

Data concerning properties

The data concerning the use of properties occupied for the Contract are presented in Point 1.4. Their actual development corresponds to type of lands listed in the Register of Land and Buildings (EGiB).

In the case of some agricultural plots, they are set aside and are wasteland that is subject to ecological succession, i.e. covered with shrubs or trees of various ages. However, a large part of agricultural plots is actively cultivated. In these cases, the valuation of plots will be an important issue in accordance with the principles described in this LARAP.

The Task will also not affect or hinder access to natural resources (the Investment includes in part the extension of the existing embankment together with existing embankments' crossings, which will also be rebuilt, in part the construction of new embankments, where adequate infrastructure is provided to enable efficient communication between the areas of the inter-embankment and behind-embankment). On the newly designed inter-embankment, there are no residential or commercial buildings, or public buildings such as a nursery, kindergarten, school, church, etc. After the implementation of the flood protection infrastructure, it will perform its current economic functions. The owners of these properties will be exempt from the obligation to pay property tax every year after submitting the relevant application to the Communes. This authorization together with the provision of appropriate legal grounds will be described in detail in the information brochures.

On the basis of the analysed information sources, it has been determined that it is not necessary to conduct any detailed social-economic survey with the use of questionnaires dedicated for specific people. The initial survey demonstrated that due to the nature and location of the proposed Contract as well as the planned extent of property occupation, in the event of the project under consideration there will be only minor sections of land area to be acquired and no physical or economic displacement will take place.

The analyses carried out demonstrated that there will be no physical or economic resettlements, and that social and economic impacts of this Contract will not be significant. The prevailing number of PAPs have been indicated that cash is the best compensation form.

The insignificant social and economic impacts of the Contract also result from the fact that on the proposed site there are no public utility institutions, such as schools, offices, work establishments, churches or seats of other religious associations, as well as no family allotment gardens.

The date of obtaining IPIP is considered to be a cut-off date for social and economic survey. This cut off date is the end of the socio-economic study for the Contract 1B.7 (30/03/2018).

6. GENDER EQUALITY

In Poland there is a legal ban to discriminate and it is expressed in the Polish Constitution of 1997. The Article 32 says that nobody may be discriminated in political, social or economic life due to any reason. Women discrimination means any differentiation, exclusion or limitation due to gender and which causes or aims at diminishing or making it impossible for women, regardless of their marital status, granting, implementation or use, equally with men, human rights, basic freedoms in the scope of political, economic, social, cultural, citizen life and others (Art. 1 of the Convention on liquidating any forms of women discrimination of 1979).

When Poland wanted to be a member of the European Union, it had to adjust its legislation to the regulations binding in the EU, also in the scope of gender equality. It resulted mainly in the changes in the Labour Code but also in a change of attitude of politicians and public administration in this subject.

In accordance with Human Development Index (HDI) of the United Nations Development Programme (UNDP) for 2012, Poland is among the countries with a very high social development index. It is ranked as 39th among 187 countries i.e. above the average of the countries from the region of EBOR's operations and on a similar level to the average for the countries of Middle Europe and Baltic States. Human Development Index covers three elements: health, education and standard of living. In terms of the Gender Inequality Index (GII) of UNDP Poland ranks even higher and is placed on 24th position in the world's ranking. Gender Inequality Index is a measurement that reflects loss of development possibilities within the area of a given country caused by unequal treatment of genders and covers three elements subject to evaluation: reproduction health, increase of entitlements and participation in the labour market.

As far as women's participation in public life is concerned, the participation of women in the composition of public bodies is little. Among others, the low percentage of women being Members of Parliament (Sejm) as well as Members of Senate is indicated here. Similarly, negative trends characterise other elective bodies: commune councils, county councils or voivodeship assembly (women constitute about 1/4 of all councillors). It is also worthwhile to emphasize a noticeably small percentage of women among heads of communes, mayors of towns and cities. Whereas the attention is drawn to the progressing demasculinization of the function of a village head (sołtys) which is one of the most significant function in the context of civil activity and building social capital. Experiences also show that women are equal participants of public consultations and frequently their local involvement and activity cause that they play a leading role in such consultations. Finally, it shall be indicated that in order to promote women and increase their representation in decision making bodies and management in business, numerous civil initiatives are initiated, declarations of political parties are made, the examples set by other countries are popularised, the European Commission undertakes their own initiatives ex officio etc. which shall translate into the improvement of gender equality of women and men in the fields of participation in the labour market or decision making bodies. The analysis of the research results for the last 10 years anyway shows a gradual progress in this field.

7. ELIGIBILITY AND MATRIX OF RIGHTS

Taking into account the size and extent of the Contract which is the extension of the existing embankment and rebuilding of accompanying flood management structures as well as the construction of the new embankments, the Contract implementation is not expected to cause any significant adverse social impact.

Nonetheless the above, a priority objective of all the institutions engaged into the extension and operation of the embankment is to reach an agreement with the public.

Achieving such an objective is possible through:

- conducting a policy of consultations and dialogue with public,
- detailed identification and listing of all the problems which may occur during the extension and operation of the embankment.

On the basis of the analyses carried out, it is possible to indicate social groups and problems arising from the location of properties near the embankments.

PAPs identified within the area of execution of Works Contract 1B.7 eligible for compensation due to impacts arising from its implementation:

- legal land owners and co-owners of properties covered by the Contract and holders of perpetual usufruct rights;
- owner like possessors who without any legal land title cultivate the land and benefit from harvesting on such lands, if they occur (on the cut-off date, i.e. on 30/03/2018 no such PAPs have been identified).

PAPs will be entitled to receive compensation for the following categories of effects/losses:

- compensation for the lost ownership title to a part of property under permanent occupation – it is anticipated to pay out a compensation in cash in the amount of replacement value of a respective property under expropriation. In the vast majority of cases “Land for land” exchange is not anticipated due to the fact that permanent occupation on properties of private persons is not affect the loss of “residence and source of income” and the Investor does not have adequate land in the area of Investment implementation.
- compensation for the lost rights (e.g. perpetual usufruct, lease, etc.) to the part of a property under permanent occupation. PAPs who are not owners but who hold a legal title to a property shall receive compensation in money corresponding to the value of expropriated rights.
- compensation for non-residential structures and constructions – PAPs will receive compensation in money for the permanent loss of such an infrastructure element at replacement cost without depreciation of asset based on age, condition, or any other factor.
- compensation for lost plants (plants, trees, etc.). The loss of plants will be compensated in cash, considering the costs of starting and caring for plants as well as the value of lost benefits in the period from an expropriation day to the day of finishing of full yielding, in the event of trees – on the basis of estimating a value of timber which may be obtained. Persons holding a legal title to a property as well as owners like possessors who without any legal land shall be entitled to receive compensation for plants. Such elements will be estimated in appraisals, which will be prepared by the independent property appraisers.
- compensation for permanent limitation of use the land (if any) will be paid on the basis of an appraisal report prepared by the property appraiser prior to the time of the actual occupation of property;
- compensation towards temporary occupation shall be excluded from the PGW WP RZGW's actions (it has been implemented by the Contractor) in compliance with the provisions of LARAP, as indicated above. However, the PGW WP RZGW will be responsible for ensuring that the Contractor meets the provisions.

All the cases (properties) with a lack of legal title or legal will be submitted to the Dolnośląski Governor in order to determine due compensation by the said Body.

No vulnerable groups were identified which would require specific support from PGW WP RZGW.

Additional rights, indicating a social group and providing minimising activities, as well as the assistance offered are indicated in Table No. 1.

Table No. 1. Social groups, (PAP), impacts resulting from the implementation of Contract and compensations / assistance offered

Impacts / losses	PAP identification	Compensation ⁴
Permanent property loss	Owners, perpetual users, owner-like possessors	<ul style="list-style-type: none"> • compensation in money, • covering all transaction costs
	Holders of properties	<ul style="list-style-type: none"> • compensation in money for the loss of the right to the property, • assistance in starting the usufruct of a similar property.
	Tenants, leaseholders	<ul style="list-style-type: none"> • compensation in money for the losses incurred in connection with the agreement expiration, • covering transaction costs
	Illegal possessors of properties	<ul style="list-style-type: none"> • lack of compensation for the property loss • support in obtaining adequate institutional support if the loss of property causes the loss of income (necessity of additional diagnosing and monitoring of such cases)
	Illegal possessors of servitude (if identified)	<ul style="list-style-type: none"> • for illegal possessors of servitude - support in finding a solution enabling the use of a given property.
Permanent limitations in the use of the property (if any)	Owners	<ul style="list-style-type: none"> • compensation in money for the loss of rights to property usufruct, • covering transaction costs
Non-residential facilities and structures (stables, fencing, technical infrastructure etc.)	Owners, perpetual users, owner-like possessors of facilities and structures	<ul style="list-style-type: none"> • compensation in money in the amount of the replacement value for the lost assets, • transfer or reconstruction of the assets lost.
	Holders	<ul style="list-style-type: none"> • compensation in money in the amount of the replacement value for the lost assets, • transfer or reconstruction of the assets lost.
	Illegal possessors of facilities and structures (if identified)	<ul style="list-style-type: none"> • compensation in money in the amount of the replacement value for the lost assets, • transfer or reconstruction of the assets lost.
Loss of plants	Owners, perpetual users, owner-like	<ul style="list-style-type: none"> • compensation in money, including the costs of seeding and caring for

⁴ All compensation will be based on replacement cost without depreciation of asset based on age, condition, or any other factor.

Impacts / losses	PAP identification	Compensation ⁴
	possessors	<p>the plants as well as the crops lost,</p> <ul style="list-style-type: none"> enabling harvesting
	Holders	<ul style="list-style-type: none"> compensation in money, including the costs of seeding and caring for the plants as well as the crops lost, enabling harvesting
	Tenants, leaseholders	<ul style="list-style-type: none"> compensation in money, including the costs of seeding and caring for the plants as well as the crops lost, enabling harvesting
	Illegal possessors of properties (if identified)	<ul style="list-style-type: none"> enabling harvesting
Loss of trees	Owners, perpetual users, owner-like possessors	<ul style="list-style-type: none"> compensation in money, including the costs of seeding and caring for the tree stand as well as the trees and crops lost,
	Holders	<ul style="list-style-type: none"> compensation in money, including the costs of seeding and caring for the tree stands as well as the trees and crops lost,
	Tenants, leaseholders	<ul style="list-style-type: none"> compensation in money, including the costs of seeding and caring for the tree stands as well as the trees and crops lost,
	Illegal possessors of properties (if identified)	<ul style="list-style-type: none"> enabling trees felling and collecting timber
Impact on business and employment due to land acquisition	Sole traders (if identified)	<ul style="list-style-type: none"> cash compensation for lost income⁵ during the period of transition, institutional support for people liquidating their business activity. granting “land for land” compensation on the conditions enabling the continuation of agricultural/orchard activity or compensation in money (in case of physical or economic displacement), compensation in money enabling starting an agricultural/orchard activity on a new property.
	Non-government organisations (if any)	<ul style="list-style-type: none"> granting compensation in money compensation in money enabling starting a business activity on a new property.
	Micro-entrepreneurs (employing to 10 workers) (if identified)	<ul style="list-style-type: none"> granting compensation in money compensation in money enabling starting a business activity on a new property.
		<ul style="list-style-type: none"> compensation in money, institutional support for people liquidating their business activity. granting indemnity in the form of compensation in money

⁵ In the conditions of the Polish economy understood as revenue.

Impacts / losses	PAP identification	Compensation ⁴
		<ul style="list-style-type: none"> • compensation in money enabling starting an agricultural/orchard activity on a new property.
	Small-entrepreneurs (employing to from 10 to 50 workers) (if identified)	<ul style="list-style-type: none"> • compensation in money,
	Workers on civil law contracts (if identified)	<ul style="list-style-type: none"> • granting the entrepreneurs with compensation enabling the maintenance of as many job positions as possible, • institutional and social support for the unemployed
	Employees on job contracts	<ul style="list-style-type: none"> • granting the entrepreneurs with compensation enabling the maintenance of as many job positions as possible, • institutional and social support for the unemployed
Loss or limitation of access to social infrastructure	All PAP residing on the area affected by the Contract implementation	<ul style="list-style-type: none"> • reconstruction of social infrastructure on a different area, • if infrastructure reconstruction on a different area is impossible or unfounded – providing access to the existing social infrastructure.
		<ul style="list-style-type: none"> • temporary ensuring of recreation sites.
Commune property	Commune	<ul style="list-style-type: none"> • reconstruction or replacement of destroyed facilities upon consultations with the commune.
Temporary property occupation (measures to be implemented by the Contractor)	Owners, perpetual users, owner-like possessors	<ul style="list-style-type: none"> • compensation in money or in another form agreed with the right holder, • recovering the property to its initial condition.
	Illegal possessor of a property	<ul style="list-style-type: none"> • recovering the property to its initial condition.
	Lessees, holders of properties	<ul style="list-style-type: none"> • compensation in money or in another form agreed with the right holder, • recovering the property to its initial condition.

Table No. 2. Listed monuments, cultural assets and archaeological sites – problems and preventive measures

Listed monuments and cultural assets / archaeological sites	Problems arising from the Contract implementation	Prospective effects of the Contract implementation	Preventive measures
Listed monuments, cultural assets	None	None	None
Identified archaeological site	Risk of damage during construction and installation works	Damage	Archaeological supervision during works with particular emphasis on known archaeological sites.
Archaeological sites (discovering current unknown and unrecognised archaeological sites).	Risk of damage during construction and installation works	Damage	Archaeological supervision during works. If an archaeological site is discovered, it is necessary to immediately stop works, alert PIU and relevant government agencies, and to conduct archaeological rescue excavations following WB policy on Physical Cultural Resources.

List of persons entitled to compensation is included in Attachment No. 2 to this document (personal details have been anonymized).

8. PUBLIC CONSULTATIONS

This document draft was subject to a public consultation procedure carried out in compliance with the World Bank Operational Policy OP 4.12.

After completion of the works on draft of the LARAP and obtaining acceptance of the World Bank to start the public disclosure procedure this document was subject to public consultation carried out in accordance with the Bank's Operational Policy OP 4.12. The purpose of public consultation was to allow individuals, institutions and all interested parties to view the document and to have an opportunity to submit comments, queries and requests regarding its contents.

Public disclosure of the Draft of Land Acquisition and Resettlement Action Plan (draft of LARAP) commenced on 3rd December 2018 in accordance with Operational Policy OP 4.12, when an announcement was published in Gazeta Wrocławska (daily newspaper with local wide coverage).

Any interested party could, in the period from 03/12/2018 until 17/12/2018 (inclusive), get familiarized with the DRAFT of LARAP (in paper version) at the seats of State Water Holding Polish Waters Regional Water Management Authority in Wrocław, 91B Kochanowskiego Ave., 51-602 Wrocław, on working days between 8:30 a.m. and 2:30 p.m. or with the digital version of the document via a websites:

- PGW WP RZGW in Wrocław, address – www.wroclaw.gov.pl,
- Project Office, address – www.odra-wroclaw.pl/aktualnosci,
- Wrocław City Office, address – bip.um.wroc.pl,
- Długoleka Commune Office, address – www.gmina.dlugoleka.pl,
- Czernica Commune Office, address – www.czernica.pl,
- Odra – Vistula Flood Management Project Coordination Unit, address – www.odrapcu.pl.

Any interested party could submit remarks and motions referring to the DRAFT of LARAP in writing form and oral form to the minutes to the addresses mentioned above or in a digital form to the following e-mail address: jrp.wroclaw@wody.gov.pl in term as indicated above. PGW WP RZGW in Wrocław was a competent institution to consider the remarks and motions. Contact persons in PGW WP RZGW in Wrocław were Mr. Jacek Chojnacki and Mr. Bogdan Hoć (telephone number: +48 71 32-40-953).

Announcement of public consultation was also posted on notice boards of PGW WP RZGW in Wrocław, as well as on the websites of the below indicated institutions:

- Project Office, address – www.odra-wroclaw.pl/aktualnosci,
- Wrocław City Office, address – bip.um.wroc.pl,
- Długoleka Commune Office, address – www.gmina.dlugoleka.pl,
- Czernica Commune Office, address – www.czernica.pl,
- Odra – Vistula Flood Management Project Coordination Unit, address – www.odrapcu.pl

and on notice boards in Wrocław Municipal Office, Długoleka Commune Office and Czernica Commune Office as well as at the sites of construction works (notice boards commonly used).

During the 14-day period when questions regarding publicized Draft of the Land Acquisition and Resettlement Action Plan could be submitted to the WPW WP RZGW in Wrocław, three letters with questions and one request for disclosure of public information have been received. No-one appeared in person at the RZGW headquarters in Wrocław to view printed document, but there was a significant interest in the digital copy of this document.

After completion of the 10 working days period of publicizing the DRAFT of LARAP:

- at 5p.m. on December 17th, 2018 at the Community Center in Śliwice (Śliwice, Topolowa St.)
and

- at 5p.m. on December 18th, 2018 at the Primary School at 15. Wrocławska Street,
public meetings took place regarding public consultations on the draft of the Document – Land Acquisition and Resettlement Action Plan for Works Contract 1B.7 WFS Widawa - the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław, implemented as part of the Odra – Vistula Flood Management Project.

The persons interested in Project implementation were present at the meeting. Among the participants were representatives of local government as well as the representatives of units directly involved in implementation of OVFMP: Project Implementation Unit of PGW WP RZGW in Wrocław and Engineer – Consultant Team (JV SWECO).

At the meeting (open to anyone interested in Project implementation), during the public discussion each participant could submit oral and written comments / remarks on the Draft of LARAP to the protocol / report.

During the meeting, many additional questions were asked, some required a written response because technical issues had to be analyzed or additional information could be obtained. The questions asked during the meeting concerned issues described in detail in the LARAP, they were discussed and explained during the meeting and do not require the completion of the LARAP. Questions asked in writing or sent/submitted during the consultation period and the application were also answered in writing. One question asked during the meeting, where PAP left only the contact phone number, was answered by phone.

After meeting a report was prepared that it was sent to the World Bank. The report is attached as Attachment No.10 to the LARAP.

Final LARAP document after obtaining “no objection” clause from WB will be available to interested parties i.e. by publishing on PIU or PCU OVFMP websites and will remain there until the completion of the Works Contract. Any updates of LARAP document will be also available for the interested parties on the PIU and PCU OVFMP websites.

Table No. 3. Preliminary identification of interested parties participating in public consultations, entities influencing LARAP preparation and implementation.

Interested Outside Party	Type of the influence on LARAP
Ministry of Investment and Development	<ol style="list-style-type: none"> 1. Consideration of an appeal against IPIP 2. Consideration of an appeal against a decision on a compensation amount
Dolnośląski Governor	<ol style="list-style-type: none"> 1. IPIP issuance 2. Issuing a decision determining a compensation amount
Wrocław President	<ol style="list-style-type: none"> 1. Assistance in recognising the needs of local community 2. Direct participation in public consultations
Wrocławski Starost	<ol style="list-style-type: none"> 1. Assistance in recognising the needs of local community 2. Direct participation in public consultations
Mayor of Długołęka Commune	<ol style="list-style-type: none"> 1. Długołęka Commune Representation as the entity subject to expropriation 2. Informing PAP on public consultations 3. Direct participation in public consultations
Mayor of Czernica Commune	<ol style="list-style-type: none"> 1. Czernica Commune Representation as the entity subject to expropriation 2. Informing PAP on public consultations 3. Direct participation in public consultations
Councils of the Communes as above	<ol style="list-style-type: none"> 1. Commune (as above) representation as the entity subject to expropriation 2. Informing PAP on community consultations 3. Direct participation in public consultations
Village leaders	<ol style="list-style-type: none"> 1. Informing PAP on community consultations 2. Direct participation in public consultations
Entities subject to expropriation	<ol style="list-style-type: none"> 1. Determining the needs and losses incurred in connection with the planned expropriation 2. Choice of a type and amount of compensation 3. Direct participation in public consultations 4. Participation in the inventory
Residents of Czernica, Długołęka and Wrocław communes	<ol style="list-style-type: none"> 1. Direct participation in public consultations

Public consultations during the stage of issue of Environmental Decision

Local community was informed about the planned Contract during the process of issue of administrative procedure connected with the Environmental Decision (in a period 24.02.2017 – 29.12.2017), by way of notices posted on websites of the authorities conducting the proceedings (Regional Director for Environment Protection in Wrocław) and as is customary, on publicly available notice boards in areas where the Contract will be implemented.

In addition notice was posted on websites and notice boards at Wrocław Municipality and Długołęka Commune Office and Czernica Commune Office.

The local community was informed of submitting relevant applications as well as of issue of Environmental Decision and Project Implementation Permit. This provided the parties with the opportunity to comment on all matters relating to the planned Contract.

On issue of the decision the parties were also informed by the authorities about the possibility to appeal those decisions. No appeals have been filed.

Public consultations at the stage of preparing the Concept and during the design work

The consultations took place on 15.03.2017 at the offices of the Investor. The consultations included representatives of the Communes, Starost and Crisis Management Committee. During the meeting the purpose and main foundations of the proposed Project were presented, including the initial routing of the embankments.

Then a series of meetings took place in May 2017, directed at the residents of the villages which will be located closest to the constructed of refurbished embankments.

The first information meeting took place on 8th May 2017 at a Primary School in Kielczówek. The meeting was announced using information channels of the interested Municipalities. It was a general information meeting, where the purpose and the scope of the Project were presented to the residents, and the detail Programme of consultation meetings with residents of specific cities was established.

The Meeting Schedule was as follows:

15th May 2017 – meeting with the residents of Wilczyce,

18th May 2017 – meeting with the residents of Kielczówek,

22nd May 2017 – meeting with the residents of Śliwice,

25th May 2017 – meeting with the residents of Kielczów.

These meetings were dedicated to discussing and consulting detailed routes of the specific sections of the embankments. Everyone interested could see how the design will look like near his property. The comments of individual interested parties were gathered and they were later taken into account in detail design.

The next information meeting (at the stage of completion of the design works) took place on 22nd January 2018. The meeting was held at the Project's Office, and the representatives of the Wrocław Municipality and Czernica Commune, General Directorate for National Roads and Motorways office in Wrocław, Wrocław Development Office, Roads and City Maintenance Board in Wrocław, residents were invited. Details of the design were discussed at the meeting. The meeting was also attended by representatives of the Contractor, who is building Wrocław's Easter Bypass near the Project's Site (the Bypass crosses the planned construction of embankments at km 25 + 600 of the Widawa river).

9. INSTITUTIONAL STRUCTURE AND IMPLEMENTATION TEAM

The Diagram below presents the institutional structure of a team preparing this LARAP:

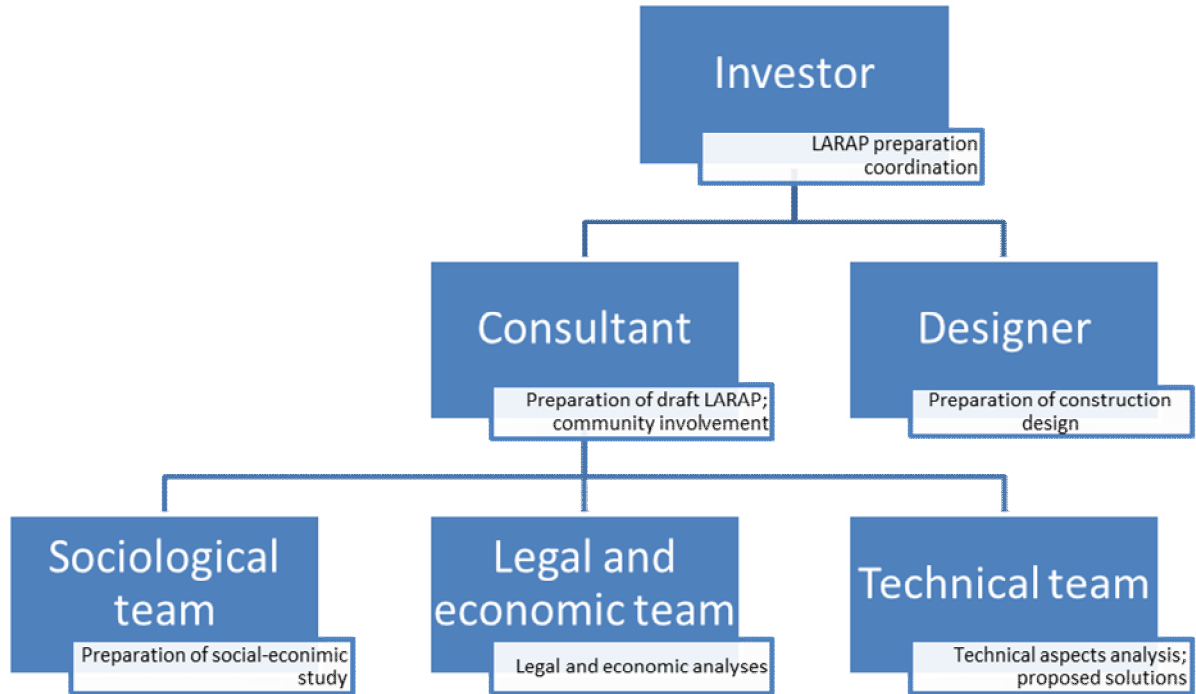


Diagram 1. Institutional structure of LARAP.

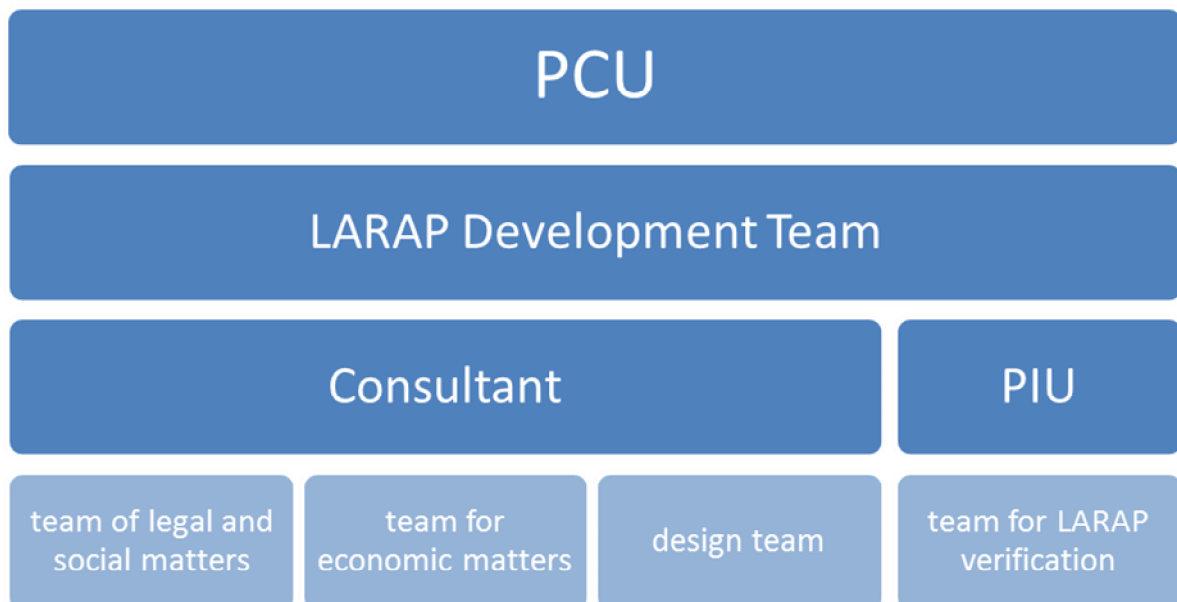


Diagram 2. Institutional structure of LARAP indicating location of PCU in the structure

Consultant for this document is Joint Venture Sweco Consulting Sp. z o.o./ Sweco Nederland B.V./ Artelia Ville & Transport SAS/Artelia Sp. z o.o. /Ekocentrum Sp. z o.o.

The scope of competences of LARAP preparation team is as follows:

1. PGW WP RZGW – coordination of LARAP preparation:
 - a. Supervision over LARAP preparation,
 - b. Monitoring the process of LARAP preparation.
2. Consultant – LARAP project preparation:
 - a. Obtaining administrative decisions, including Environmental Decisions and IPIP,
 - b. Conducting social-economic survey and preparation of social and economic study,
 - c. Collection and analysis of data concerning the development and use of property,
 - d. Designing the plan of community involvement and public consultations; coordination of a public consultation process,
 - e. Preparing the proposal for impact minimisation and technical analysis of such proposals; submitting change proposals concerning the construction design to the PGW WP RZGW,
 - f. Eligibility analysis,
 - g. Preparation of compensation packages,
 - h. Preparation of draft LARAP document,
 - i. Conducting public consultation.
3. Designer
 - a. Preparation of Building Permit Design,
 - b. Technical analysis of proposed changes in PB presented by the Consultant.
4. Project Coordination Unit
 - a. Provide PIU support and assistance in the application of World Bank requirements and procedures, also during preliminary works relating to LARAP.

LARAP preparation team on the part of Consultant is not included in the Investor’s organisational structure.

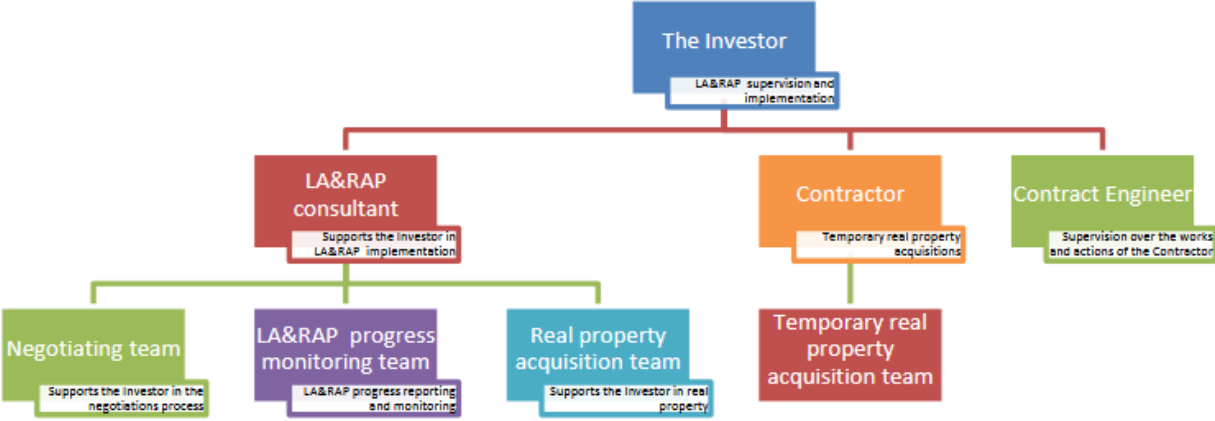


Diagram 3. Institutional structure of LARAP implementation during Works Contract realization.

Institutional structure of LARAP implementation indicating place in PCU structure is the same as on the Diagram 2.

The scope of competences of LARAP implementation team is as follows:

1. PGW WP RZGW
 - a. Facilitating supervision over LARAP implementation,

- b. Concluding agreements on compensation,
 - c. Payment of compensation,
 - d. taking over the properties with the support of the Engineer – Consultant,
 - e. ensuring no impact on land not acquired and compensated for use by project.
2. Consultant (Key Expert in the team of the Engineer – Consultant)
- a. Planning negotiations and participation in negotiations (if needed)
 - b. Verification of valuations conducted by property appraisers (if needed),
 - c. LARAP implementation monitoring by the Contractor and Engineer – Consultant,
 - d. Proposing remedial activities in the event of problematic situations.
3. Engineer
- a. Supervision of the commencement and execution of works,
 - b. Supervision over the fulfilment of obligations by the Contractor.
4. Contractor
- a. Obtaining access to properties for temporary occupation,
 - b. Payment of compensation for the properties acquired for temporary occupation,
 - c. Execution of works on the property under permanent occupation,
 - d. Reinstatement of properties acquired for temporary occupation to the condition prior to the Contract implementation.
5. PCU
- a. Coordinate activities carried out by the PIU as part of the implementation of the Project, also during implementation of LARAP recommendations.

10. COMPLAINTS AND PROPOSALS MANAGEMENT MECHANISM

For the LARAP project purposes, the rule was accepted that the Project Implementation Unit (PIU) will undertake all measures to settle all complaints regarding the Contract in an amicable manner.

10.1. Overall rules for complaints and proposals management

General mechanism for complaints and proposals management will be applied for the following complaints and proposals:

- a) submitted during the public consultations regarding the draft of this LARAP,
- b) submitted before the Investor has applied for the IPIP,
- c) submitted during IPIP proceedings or the decision about the amount of the compensation directly to the Investor,
- d) submitted after the IPIP issuance and/or the decision about the amount of the compensation for the expropriated property.
- e) submitted directly to PIU, PCU, PGW WP, or other entity working on behalf of PAP.

With regards to this mechanism, the general rule adopted by the PIU is the right for submission of the complaint or motion regarding this Contract for each person, irrespectively of the fact whether property, rights or assets are placed on the area designed for the implementation of the Contract.

Submission of the complaints and proposals is free of charge. Additionally, the person who submits a complaint or motion cannot be exposed to any harms or allegation because of the fact of submission.

All complaints and proposals can be submitted in a written, electronic or oral form to the minutes. They can be submitted directly at the Investor seat or sent by post to the address State Water Holding Polish Waters Regional Water Management Authority in Wrocław (34 C.K. Norwida Str., 50-950 Wrocław) or by e-mail to: sekretariat@wody.gov.pl or the Consultant (62a Podwale Str., 50-010 Wrocław; sekretariat@odra-wroclaw.pl).

All complaints and proposals will be archived in the appropriate register, with the submission dates, response dates and examination manners.

If the examination of a complaint or motion requires the examination and explanation of the case, all needed materials will be collected and all necessary analyses, tests, etc. will be performed. In such case, the response to the complaint or motion will be given within 14 days of the date of its submission to PGW WP RZGW. In case, when the explanatory proceeding will not be needed, the response to the complaint or motion will be given within 7 days of the date of its submission.

In case of very complicated matters and in cases, when the examination of the complaint or motion needs to introduce some changes to the LARAP, the term of the response for the complaint or motion will be extended up to 30 days. If such a term is too short, the interested party will be informed about the reason that the substantive response could not be given within this term and provided with the new term, during which such response will be given.

In the event of the negative settlement of the case, the person submitting a complaint or motion will be comprehensively informed about the reasons of the negative settlement of the case.

Diagram of the general mechanism of the complaints and proposals management is presented below:

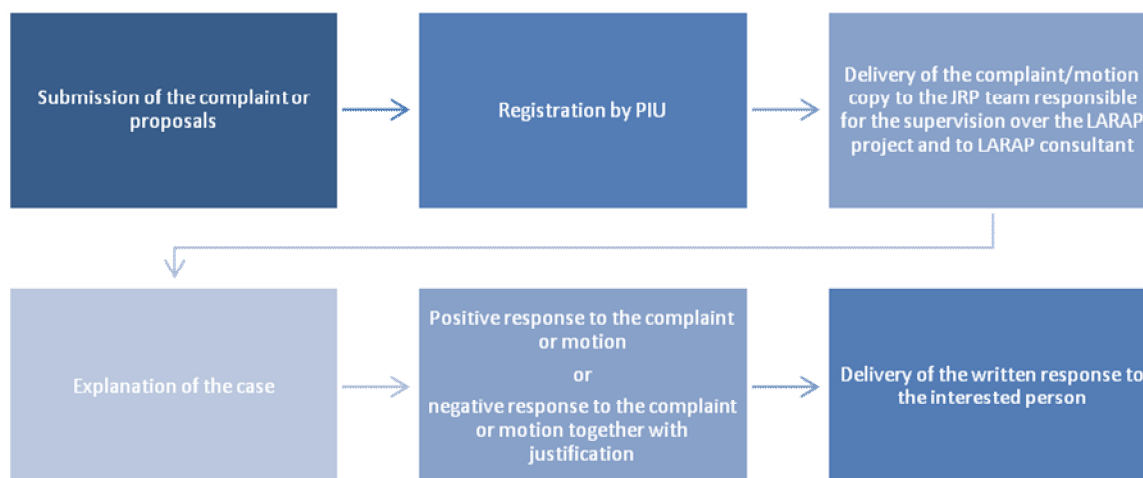


Diagram 4. General mechanism of the complaints and proposals management.

10.2. Detailed arrangements concerning the complaints and proposals mechanism for the Investment Project Implementation permit (IPIP)

Special complaint and motion management mechanisms are directly connected with the IPIP issue proceedings as well as the determination of compensation for the lost right to the real property and related assets (e.g. civil profits, appurtenance or devices and machines unfit for use in a different location). They shall be applied during the IPIP issue, negotiations on the determination of compensation conducted after the release of IPIP in the proceedings on the issue of the decisions fixing the amount of compensation by the Lower Silesian Governor and in appeal and court proceedings concerning IPIP and compensation.

5 applications for the IPIP will be submitted for this Works Contract. Applications for the issue of the IPIP will be addressed to the Lower Silesian Governor, hence the specific mechanisms for managing complaints and applications will be related to proceedings conducted by this Authority. The party to proceedings has the right to appeal against the issued IPIP decision.

Persons whose real properties are situated in the investment implementation area are parties to the IPIP issue proceedings. They have the right to actively participate in the IPIP issue proceedings free of charge, including the right to submit remarks and motions concerning the case directly to the Lower Silesian Governor. One should mention that the remarks and motions submitted during the proceedings do not always require the Investor's answer. In the event that such response is required, the Investor shall immediately take a decision and forward it to the Lower Silesian Governor. The Investor's responses will be served on the parties by the Lower Silesian Governor.

Appeal from the issued IPIP shall be submitted to the Authority issuing the decision in question, i.e. the Lower Silesian Governor, within the time specified in the decision. The Governor forwards an appeal to the Minister of Investment and Development. Below in Diagram 5, further appeal levels have been identified in the matter of filing complaints about the decisions issued by the Governor and subsequent Authorities.

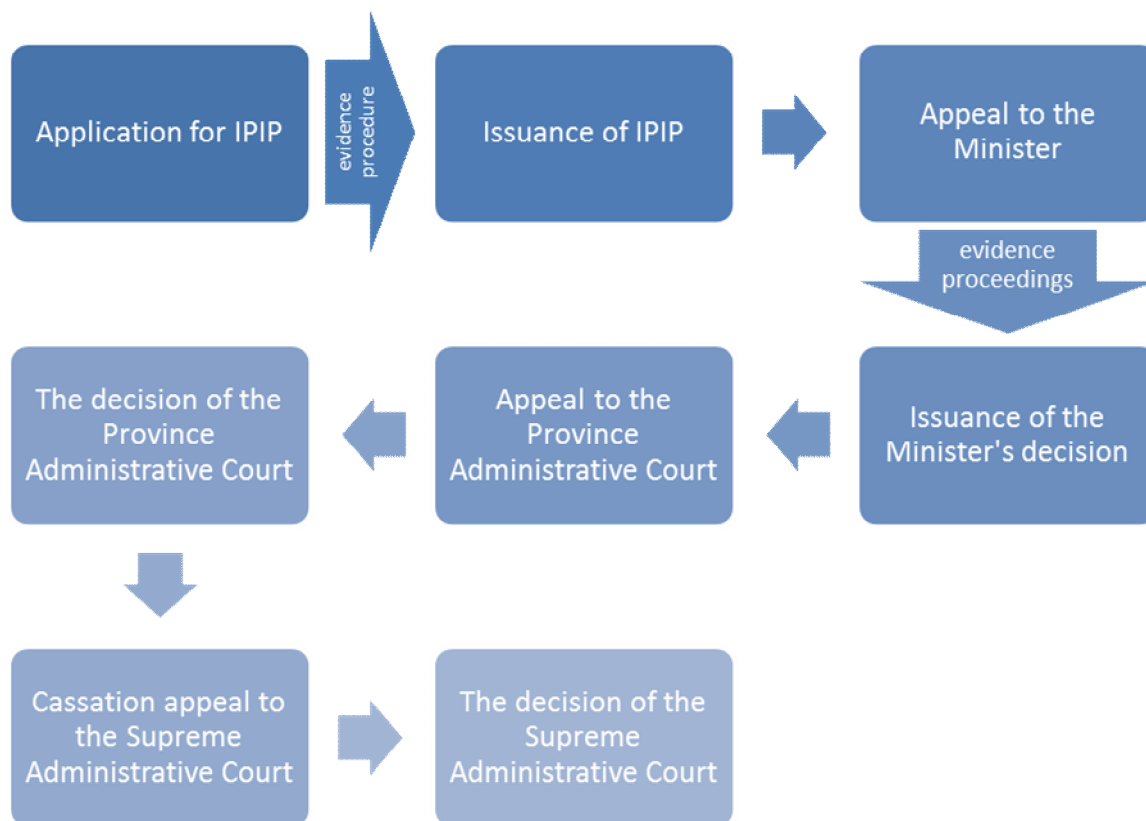


Diagram 5. Appeal management scheme at the stage of IPIP.

A property owner or perpetual holder is entitled to compensation for transferring the ownership of the property onto the State Treasury. The amount of compensation is determined by negotiating individually between PGW WP RZGW and the current owner or a holder of usufruct right or person, who has other legal limited property right. The amount of this compensation is determined by authorized property appraisers. All arrangements are made in writing under pain of nullity.

However, if the agreement in the scope of the compensation amount is not reached within 2 months from the day when the investment project implementation permit became final, the amount of the compensation is determined by the Lower Silesian Governor in form of an administrative decision.

The decision on determining the amount of compensation, like the IPIP, may be appealed by the party by submitting an appeal to the higher-level authority, i.e. the Minister of Investment and Development (hereinafter the Minister).

However, filing an appeal against this decision does not preclude the payment of compensation to entitled persons - pursuant to Art. 21 par. 11 of the Special Flood Act, the party submitting the appeal may submit an application for payment of compensation specified in the compensation decision, and the State Treasury is obliged to pay this amount despite the appeal. The payment of the compensation does not affect the appeal proceedings.

A mechanism of complaints and applications used in the course of proceedings pertaining to the issue of a decision by the Lower Silesia Governor determining the amount of compensation and appeal proceedings before the Minister and before the administrative court regarding compensation set by the Governor and any complaints related to these issues:

A) procedure for determining the amount of compensation

If, in the course of negotiations made between PGW WP RZGW and the current owner or a holder of usufruct right or person, who has other legal limited property right, the amount of compensation is not agreed, the amount of such compensation shall be determined by the Lower Silesian Governor by way of an administrative decision. If respective parties are dissatisfied with a decision issued by Lower Silesia Governor, they shall be entitled to appeal against such a decision to the Minister.

B) procedure for determining the legality of the proceedings of the authorities

In case of dissatisfaction with the decision of the Minister, the parties enjoy the right to submit an appeal to the competent Province Administrative Court in Wrocław within 30 days of the date of receiving a decision duplicate. The Court shall examine if the minister has conducted the procedure in this scope in a relevant and reliable manner, taking into account remarks, proposals and evidence reported by the parties to the procedure. In accordance with binding legal regulation, the appeal is subject to the court fee. Moreover, the losing party is obliged to refund to the other party the cost of court proceedings.

In case when the decision of the Province Administrative Court is not satisfactory to a party, they enjoy the right of the cassation appeal to the Supreme Administrative Court. The said court shall examine not only the correctness and legality of the procedures run by the Governor and the Minister, but also the decision of the Province Administrative Court. The cassation appeal is subject to a court fee. Moreover, the losing party is obliged to refund to the other party the cost of court proceedings.

The fees:

1. An appeal to the Voivodeship Administrative Court for a decision determining the amount of compensation is subject to a relevant fee, which depends on the amount of the monetary claim covered by the contested decision and amounts to:

- ✓ up to PLN 10,000 - 4% of the value of the appeal subject, however not less than PLN 100;
- ✓ over PLN 10,000 to PLN 50,000 - 3% of the subject of appeal, however no less than PLN 400;
- ✓ over PLN 50,000 to PLN 100,000 - 2% of the subject of the appeal, however, no less than PLN 1,500;
- ✓ over PLN 100,000 - 1% of the subject of the appeal, however not less than PLN 2,000 and not more than PLN 100,000.

2. The fee from the cassation complaint to the Supreme Administrative Court amounts to half of the entry from the complaint to the Administrative Court, however, not less than PLN 100.

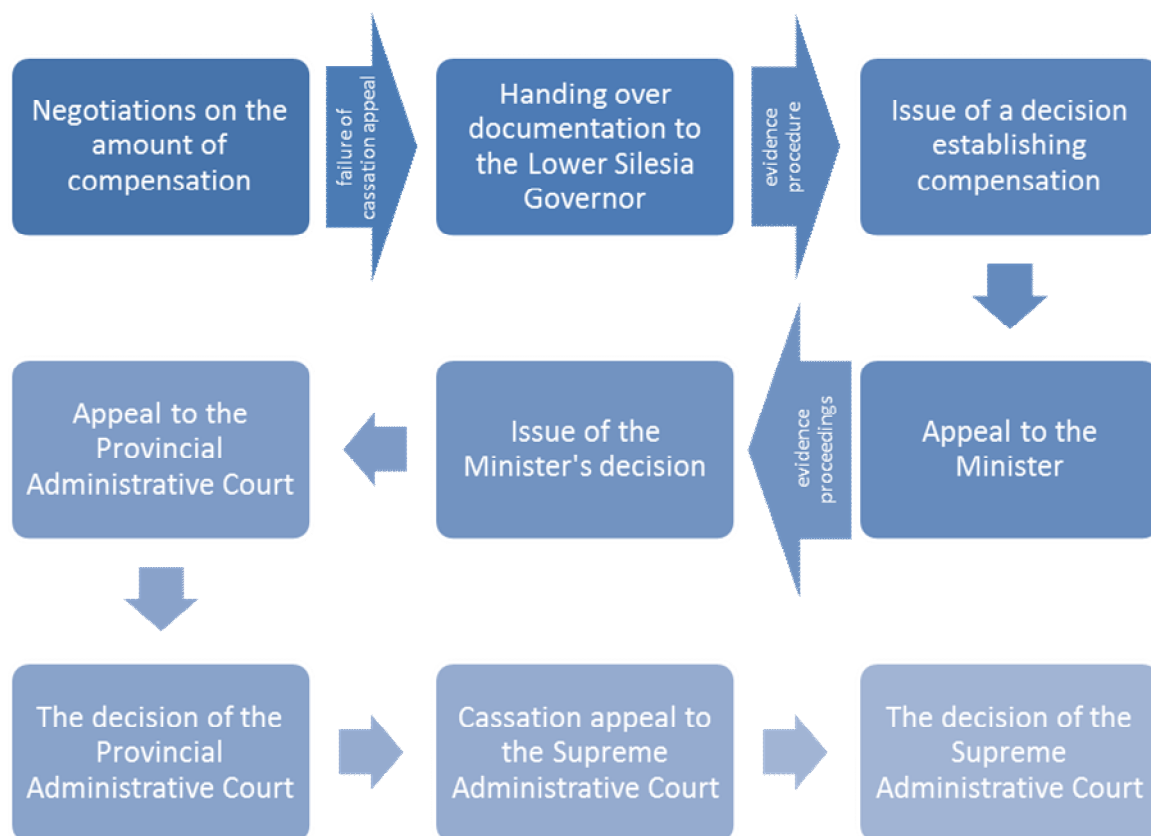


Diagram 6. Complaint management mechanism at the stage of issue a decision on a compensation amount (upon issuing IPIP and its finality).

10.3. Mechanism of submitting complaints and proposals concerning execution of the Contract

Mechanism of submitting complaints and proposals concerning construction and assembly works carried out by the Contractor shall be implemented at the beginning of the entire process and shall be binding throughout the implementation, operation and conclusion of the Contract.

10.3.1 Location and means of submitting complaints and proposals

A complaint or a proposal may be submitted by a party in one of the following two locations:

1. Directly at the Project Office which will function as an information centre:

Project Office
62 a Podwale Str. Room 103
50-010 Wrocław, Poland
Mrs. Marta Rak, tel. (71) 360 18 83

2. Directly in the seat of the Investor:

State Water Holding Polish Waters
Regional Water Management Authority in Wrocław
34 C.K. Norwida Str., 50-950 Wrocław, Poland
Mr. Bogdan Hoć, tel. (71) 32 40 953
Mr. Jacek Chojnacki, tel. (71) 32 40 953

In addition, complaints and proposals may be submitted:

- By means of post to the above provided address, or
- Via Internet:

website <https://wroclaw.rzgw.gov.pl>;
e-mail: sekretariat@wody.gov.pl or
sekretariat@odra-wroclaw.pl

- Info line – complaints may be submitted under the following telephone number:
 - +48 (71) 32 40 953 (Mr. Bogdan Hoć – PGW WP RZGW in Wrocław, Senior real estate specialist PIU OVFMP)
 - +48 (71) 32 40 953 (Mr. Jacek Chojnacki – PGW WP RZGW in Wrocław, Real estate specialist PIU OVFMP)
 - +48 (71) 360 18 83 (Mrs. Marta Rak – JV SWECO, Consultant)
- fax: +48 (71) 328 50 48

10.3.2 Due dates for considering complaints and proposals

Due dates for considering complaints and proposals:

- confirmation of receiving a complaint: within 7 days of the incoming date of a complaint.
- proposed solutions: 14 days of the date of complaint submission, with more complicated cases 30 days of the incoming date of a complaint.

The rules for considering complaints and proposals, referred to in Point 10.1, shall be binding also in the case of such complaints.

The mechanism of considering complaints is presented in Diagram 4.

Proposed form of complaint registration is presented in Point 14.1.

10.3.3 Persons responsible for considering complaints and proposals

A unit (Community Consultant) has been appointed within the Contract organisational structure of PGW WP RZGW which will be responsible for contacting the public and processing complaints. This unit shall also include one person from the Engineer - Consultant's team with competences and experience needed within this scope and the Engineer responsible for technical matters.

10.3.4 Audits and independent appeal mechanism

It is anticipated to conduct periodical (once per six months) internal audits of the effectiveness of the “mechanism of complaints” for the purpose of assessing the effects of the system implemented.

10.4 Personal data protection policy for the Project

The purpose of the rules below, applied for implementation of this Task, is to ensure transparency, protection and safety of collection of personal data of PAPs.

WHO IS THE PERSONAL DATA MANAGER

The manager of the personal data is the State Water Holding Polish Waters, Regional Water Management Authority in Wrocław, ul. C.K. Norwida 34, 50-950 Wrocław. It is responsible for using the data safely and in accordance with the valid law - especially in accordance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

CONTACT DETAILS TO THE INSPECTOR OF PERSONAL DATA

If you have questions about the manner and scope of processing your personal data regarding the work of the PGW WP, as well as your rights, you can contact the Personal Data Protection Inspector at PGW WP using the address: iod@wody.gov.pl

LEGAL BASIS FOR PROCESSING

The legal basis for the processing of personal data is art. 6 par. 1 (e) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC in connection with Article 3 of the Law of 8 July 2010 on particular conditions for preparing flood management projects for implementation.

WHAT PERSONAL DATA MAY BE COLLECTED AND FOR WHAT PURPOSE

Personal data is any information of personal character, allowing to identify a particular person. **PGW WP RZGW Wrocław** collects only such data as necessary for execution of the investment tasks carried out by **PGW WP RZGW Wrocław** (in this case it relates to execution of the Works Contract 1B.7 “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław”). Such data is processed solely to the extent provided for by PAPs, with their voluntary consent expressed with a relevant form and may include:

- a) data determining identity: full name and surname and date of birth,
- b) contact details: telephone number, address of registration and/or residence, e-mail address,
- c) data connected with payment of compensation for permanent occupation of property, limitations in use: PESEL number, series and number of the identity document, parents' names, bank account number.

The consent to store and process personal data is voluntary, lack thereof may however prevent payment of compensations or information to PAPs about commencement of works and their progress.

PGW WP RZGW Wrocław stores current personal data of PAPs only, and should inform RZGW Wrocław of any changes to PAP data.

WHAT PERSONAL DATA WERE OBTAINED UNLESS OTHER THAN FROM A PERSON WHO APPEAR AND FROM WHICH SOURCE / SOURCES

In order to identify owners / perpetual usufructers / of properties that will be subject to permanent occupation or limitation in the use of **PGW WP RZGW in Wrocław**, it obtained personal data from the Register of Lands and Buildings and the electronic system of Land and Mortgage Registers. The obtained data is:

- a) data specifying the identity: full name and parents' names (in those cases where they were indicated in the EGIB), PESEL number (in those cases where it was indicated in the KW)
- b) contact details: registered address (in those cases where they were indicated in the EGIB).

TO WHOM PERSONAL DATA MAY BE MADE AVAILABLE

PAPs' personal data may only be disclosed to:

- a) entitled public entities for the purpose of procedures they conduct, when **PGW WP RZGW Wrocław** is so obliged under relevant regulations and documents (e.g. a court summons, injunction order or another legal procedure),
- b) the agencies involved in execution of the Works contract 1B.7 “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław”, only as far as necessary for performance of particular activities.
- c) postal operators, in order to inform PAPs,

- d) representatives of the Consultant and lawyers in order to support the implementation of the Works Contract and compensation payments.

Personal data will not be transferred to third countries or to international organisations.

THE RIGHTS OF THE PERSON TO WHICH DATA APPLIES

Each PAP has the right to:

- a) access his/her personal data and to update and correct it,
- b) delete his/her personal data ("right to be forgotten") or to move it to another data manager,
- c) limit the processing of one's personal data - some data may be marked as limited to processing in certain cases only,
- d) bring a claim concerning the processing of his/her data by **PGW WP RZGW Wrocław** to a relevant body supervising personal data processing, when PAP considers, that the processing of personal data infringes on the provisions of the general Regulation on the protection of personal data of 27 April 2016 (indicated above),
- e) withdraw consent, at any time, to process his/her personal data by **PGW WP RZGW Wrocław**.

PAP data will not be subject to automated decision-making processes (profiling).

CONTACT TO THE SUPERVISORY AUTHORITY, TO WHICH YOU CAN BRING A COMPLAINT

President of the Office for Personal Data Protection
ul. Stawki 2
00-193 Warsaw
Tel. 22 531 03 00
fax. 22 531 03 01

Office opening hours: 8.00 - 16.00

Hotline: 606-950-000 open on working days from: 10.00 - 13.00

CONTACT PERSONS AT PGW WP RZGW WROCŁAW FOR PRIVACY POLICY

Tel.: +48 (71) 32 40 953 (Mr. Bogdan Hoć – PGW WP RZGW in Wrocław, Senior real estate specialist PIU OVFMP)
+48 (71) 32 40 953 (Mr. Jacek Chojnacki – PGW WP RZGW in Wrocław, Real estate specialist PIU OVFMP)

E-mail: bogdan.hoc@wody.gov.pl
jacek.chojnacki@wody.gov.pl

THE PERIOD BY WHICH PERSONAL DATA WILL BE KEPT

Personal data will be kept until the statute of limitation of PAP compensation claims.

11. MONITORING AND ASSESSMENT

Monitoring of the LARAP implementation is the integral part of the contract monitoring and management system. For this reason, tools for contract implementation monitoring that are used for reporting to the financial institutions and providing actual information about the problems, random events and irregularities will be used for the needs of the LARAP implementation monitoring. LARAP is an integral part of the Contract implementation process ensuring the immediate decision in case of problems or irregularities. The provision of proper communication between a Consultant and PIU is also fundamental.

Diagrams of information flow as part of monitoring are presented below.



Diagram 7. Information flow as part of monitoring

Key indicators which will be monitored in reference to Contract fulfilled by RZGW:

Table No. 4. Monitoring Indicators for the Contract fulfilled by PGW WP RZGW⁶

Indicator	Information source	Monitoring frequency	Progress indicator
Assumed parameters			
Number of people at risk of flood	Data from model tests	One time at the investment preparation stage	Number
Number of hectares of land threatened by flood	Data from model tests	One time at the investment preparation stage	Quantity (ha)
Number of properties subject to expropriation	IPIP	One time upon issuing the decision	Quantity (pcs.)
Number of properties subject to permanent limitation	IPIP	One time upon issuing the decision	Quantity (pcs.)
Number of properties subject to limitation in use according to art. 9 point 8 (f) of Special Flood Act	IPIP	One time upon issuing the decision	Quantity (pcs.)
Number of PAP: - Legal land owners - Perpetual users - Owner – like possessors of properties that can receive title - Others (if any)	Land and Mortgage Register, excerpted from Register of Land and Buildings, IPIP decision	One time upon issuing the decision On-going updating in the period of determining and paying compensation	Number
Amount of all the expenditures on resettlement, among other compensation (planned)	Registers of RZGW / Consultant	Monthly / Quarterly	PLN
Number of acquired properties	Registers of RZGW / Consultant	Monthly / Quarterly	Quantity (pcs.)
Achieved parameters			
Number of people protected against the flood	Registers of RZGW / Consultant	Once upon completion of the Contract	Number
Number of hectares of land protected against the flood	Registers of RZGW / Consultant	Once upon completion of the Contract	Quantity (ha)
Amount of all the expenditures on compensation (expenditures)	RZGW financial registers	Monthly / Quarterly	PLN
Number of acquired properties	Registers of RZGW / Consultant	Monthly / Quarterly	Quantity (pcs.)
Effectiveness indicators			
Number of complaints	Registers of RZGW / Consultant	Monthly / Quarterly	Quantity (pcs.)
Number of examined complaints	Registers of RZGW / Consultant	Monthly / Quarterly	Quantity (pcs.)
Compensations paid, other	RZGW financial registers	Monthly / Quarterly	PLN

⁶ Due to the fact that there will be no physical and economic displacements, PAP will remain in their households and no impact on the level of income is expected

NOTE: The process of acquiring properties for temporary occupation will be the sole obligation of the Contractor, but ensuring compliance with the requirements under this LARAP will be the responsibility of PGW WP RZGW.

Monitoring results will be presented in the monthly and quarterly reports.
The ex-post evaluation will be conducted six months after the LARAP is fully implemented and its objectives will be assessed and provide documented evidence

12. COSTS AND FINANCING SOURCES

Item	Unit	Unit Price	Quantity	Total, PLN
Area of land occupied permanently: cultivation, plants and infrastructure*	Hectare	No data***	36.6817 ha	No data***
Temporary limitations in the property use	Number	No data***	No data***	No data***
Permanent limitations in the property use	Hectars/Number	No data***	No data***	No data***
Limitation in use according to art. 9 point 8 (f) of Special flood act	Hectars/Number	No data***	No data***	No data***
Purchase of remnants	Hectare/Number	No data***	No data***	No data***
Court fees	Number	not applicable	No data	No data
Implementation costs of LARAP**	not applicable	not applicable	not applicable	PLN 35,000.00
TOTAL				PLN 35,000.00

** costs of an information campaign (correspondence with PAP), cost of postal orders, in the case of payment of compensation to persons without a bank account, etc.

*** the amount will be determined by an independent property appraiser.

Compensations are paid by the Investor, i.e. PGW WP RZGW. The funds are guaranteed by the State Treasury and are distributed through the Ministry of Finance and the Ministry of Maritime Economy and Inland Navigation to the Polish Waters.

PAP receives compensation by bank transfer from the PGW WP RZGW account to the indicated bank account or in the event that PAP does not have a bank account, the payment is made by check, based on which PAP picks up the cash directly to the bank.

13. RAP IMPLEMENTATION SCHEDULE

Particular steps necessary for preparation and implementation of LARAP, on the basis of LARPF are presented below. Detailed schedule in this scope is included in the Appendix No 3 hereto. No impact on asset or on PAP until compensation has been provided.

RAP DEVELOPMENT			
Steps	Action	Responsibility	Verification
1	Preliminary assessment of the Task's social impact	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
2	Determining the final scope of expropriation and drawing up a building permit design	Designer/Consultant	PGW WP RZGW – LARAP verification team
3	Specifying the frames in the scope of LARAP implementation with relevant government administration bodies	PIU, PGW WP RZGW	PGW WP RZGW – LARAP verification team
4	Collecting extracts and map extracts from EGIB and spatial area development plans	PIU, PGW WP RZGW	PGW WP RZGW – LARAP verification team
5	Assessment of the Task's social impact	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
6	Verification and update of collected materials, impact analyses and economic analyses	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
7	Drawing up a draft LARAP	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
8	Social consultations of LARAP after obtaining the Bank's approval	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
9	In the scope resulting from taking into account remarks and motions of LARAP - verification and update of collected materials, impact analyses and economic analyses	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
10	In the scope resulting from taking into account remarks and motions of LARAP	Consultant - Law and Social Matters Team	PGW WP RZGW – LARAP verification team
11	Submitting LARAP to the World Bank	PIU, PGW WP RZGW	PCU
12	World Bank's no objection	WB	-
13	Making LARAP public	PIU, PGW WP RZGW	-

IMPLEMENTATION OF RAP			
Steps	Action	Responsibility	Verification
1	Establishing a detailed schedule of LARAP implementation	Consultant - Law and Social Matters Team in the team of Consultant - Engineer	PGW WP RZGW – LARAP monitoring and implementation team
2	Submitting an application for IPIP	PIU, PGW WP RZGW	PGW WP RZGW – LARAP monitoring and implementation team
3	Obtaining IPIP	PIU, PGW WP RZGW	PGW WP RZGW – LARAP monitoring and implementation team

IMPLEMENTATION OF RAP

Steps	Action	Responsibility	Verification
4	Handing over to the PAP information on obtaining IPIP and its consequences and planned further actions of the Employer	Consultant - Law and Social Matters Team in the team of Consultant - Engineer	PGW WP RZGW – LARAP monitoring and implementation team
5	Valuation of real property by independent property appraisers , in accordance with binding regulations and price verification	Consultant - Law and Social Matters Team in the team of Consultant - Engineer	PGW WP RZGW – LARAP monitoring and implementation team
6	Delivery to expropriated people of the prepared property appraisal reports and negotiations	Consultant - Law and Social Matters Team in the team of Consultant - Engineer	PGW WP RZGW – LARAP monitoring and implementation team
7	In case of negotiations' failure - obtaining a decision of the Voivode on the amount of compensation	Consultant - Law and Social Matters Team in the team of Consultant - Engineer	PGW WP RZGW – LARAP monitoring and implementation team
8	Payment of compensations or handing over swap property, start of implementation of other compensation and mitigation actions as planned in RAP	PIU, PGW WP RZGW	PGW WP RZGW – LARAP monitoring and implementation team
9	Physical taking over of expropriated real property and commencement of works	PGW WP RZGW powered by Engineer - Consultant	PGW WP RZGW – LARAP monitoring and implementation team
10	RAP implementation evaluation	Consultant - Law and Social Matters Team in the team of Consultant - Engineer	PGW WP RZGW – LARAP monitoring and implementation team
11	Acquiring properties by the Contractor for temporary occupation	Contractor	Contractor

CYCLICAL TASKS

Step	Action	Responsibility
1	Internal constant monitoring of LARAP implementation	Consultant - Law and Social Matters Team in the team of Consultant - Engineer PGW WP RZGW – LARAP monitoring and implementation team
2	Reporting to the World Bank	PGW WP RZGW – LARAP monitoring and implementation team PCU
3	Constant coordination with government and local government administration bodies	PGW WP RZGW – LARAP monitoring and implementation team PCU
4	Constant communication with PAP	Consultant - Law and Social Matters Team in the team of Consultant - Engineer PGW WP RZGW – LARAP monitoring and implementation team

POST IMPLEMENTATION TASKS

Step	Action	Responsibility
1	LARAP implementation evaluation	Independent external auditor

14. APPENDICES

14.1 Form for submitting complaints to the Consultant (based on the WB guidelines)

Case Ref. No:	
Name and surname <i>Note: a complaint may be submitted anonymously or an applicant may demand not disclosing its personal details to any unauthorised persons without such an applicant's consent</i>	Applicant's name _____ Applicant's surname _____ <input type="checkbox"/> I want to place a complaint anonymously I request not disclosing my personal details without my consent
Contact details Please indicate how to contact the Applicant (by e-mail, telephone, post)	By post (please provide a correspondence address): _____ _____ _____ _____ By telephone: _____ By e-mail: _____
Preferred communication language	Polish German English Other (please provide such a language)
Description of the object of a case or complaint	Object of a case / complaint, date of occurrence, location, people involved, effects
<hr/>	
Date of the occurrence of the object of a complaint / case	Single occurrence / complaint (date _____) Occurred more than once (provide the number: _____) Pending (existing problem)
<hr/>	
According to the Applicant, what activities would ensure solving such a problem?	
Signature: _____ Date: _____	
Please submit this form to: [Name] _____ OHS Inspector [Company name] _____	
Address _____	Phone: _____ or E-mail: _____

14.2 Drawing – Contract’s Location

Attach. No. 1 - Attached in an electronic version on a CD.

14.3 List of properties

Attach. No. 2 - This table is attached in an electronic version on a CD.

14.4 Property acquisition schedule

Attach. No. 3 - This schedule is attached in an electronic version on a CD.

14.5 Monitoring of properties acquisition – permanent acquisition

Attach. No. 4 - This table is attached in an electronic version on a CD.

14.6 Monitoring of properties acquisition – temporary acquisition

Attach. No. 5 - This table is attached in an electronic version on a CD.

14.7 Land Development plan (LDP) - maps with demarcation lines on the Project’s area (21 sheets)

Attach. No. 6 - The said maps are attached in an electronic version on a CD.

14.8 Socio-economical study

Attach. No. 7 – Socio-economical study is attached in an electronic version on a CD. This study is not published due to the protection of personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

14.9 Map with properties situated in the inter-embankment zone

Attach. no. 8 – Maps attached in electronic version on a CD.

14.10 Flood hazard maps with water depth (4 sheets)

Attach. no. 9 – Maps attached in electronic version on a CD.

14.11 Report of public consultations of DRAFT of LARAP

Attach. no. 10 – Maps attached in electronic version on a CD.

15. LIST OF APPLICABLE DOCUMENTS

1. WB Policy on Disclosure of Information, Section III, Paragraph 34; and Operational Policy 4.12: Involuntary Resettlement (December 2001) (<http://www1.worldbank.org/operations/disclosure/policyIII.html>; <http://wbIn0018.worldbank.org/Institutional/Manuals/OpManual.nsf/OPolw/CA2D01A4D1BDF58085256B19008197F6?OpenDocument>) July 2 2005.
2. BUILDING DESIGN named: “WFS Widawa – the rebuilding of the flood management system of the communes and municipalities Czernica, Długoleka, Wisznia Mała and Wrocław”.
3. Handbook for Preparing a Resettlement Action Plan, INTERNATIONAL FINANCE CORPORATION A Member of the World Bank Group, 2001.
4. GUIDELINES FOR THE PREPARATION OF A Resettlement Action Plan, MINISTRY OF LANDS June 2003.