

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

LAND ACQUISITION AND RESETTLEMENT ACTION PLAN

for

ODRA-VISTULA FLOOD MANAGEMENT PROJECT- 8524 PL

co-financed by:

World Bank, Loan Agreement No. 8524 PL

Council of Europe Development Bank, Frameworks Loan Agreement No. LD 1866

Cohesion Fund of the European Union (IEOP 2014-2020) and

State Budget

Component 1: Flood protection for the Lower and Middle Odra
Sub-component 1B: Flood protection of Middle and Lower Odra River

Task 1B.1/1 (b): Reconstruction of the road bridge in Krosno Odrzańskie with access roads.

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Flood Management Project Odra-Vistula Flood Management Project

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Component 1 - Flood protection for the Lower and Middle Odra

Sub-component 1B – Flood Protection on the Middle and Lower Odra;

Task 1B.1/1 (b): Reconstruction of the road bridge in Krosno Odrzańskie together with access roads implemented within the framework of the Odra-Vistula Flood Management Project

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

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PIU OVFMP

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1 Summary

This document presents the Land Acquisition and Resettlement Action Plan (LA&RAP) for Contract 1B.1/1 (b): Reconstruction of the road bridge in Krosno Odrzańskie together with access roads implemented within the framework of the Odra-Vistula Flood Management Project executed as one of the investment elements of the Odra-Vistula Flood Management Project (OVFMP).

The scope of the Task encompasses the reconstruction of the existing road bridge in order to ensure minimum clearance under the structure and to enable effective icebreaking action on the Odra River and the adaptation of the existing crossing in possible aspects to the conditions imposed by the Regulation of the Minister of Transport and Maritime Economy of 30 May 2000 on technical requirements to be met by traffic engineering structures and their location.

Moreover, the Task covers also local extension and adaptation of the road infrastructure to the reconstructed road bridge. Considering the necessity of assuring traffic continuity along the national road No. 29 for the reconstruction period of the existing bridge structure, a temporary bridge will be built. The detailed scope of works will be determined in the Conservatory Works Program.

More than a half (51.4%) of the plots that will be required for the investment constitute urbanised lands owned by the commune, developed or under development, relaxation areas and road plots. The quantitative share of the plots owned by the State Treasury (mainly because of PGW WP – Odra River, and GDDKIA – national road) is 14.3%, while 34.3% belongs to the private owners.

Expropriation of private plots, in the case of the discussed Investment, pertains only to two real properties the permanent seizure area of which constitutes max. 2.8% of the entire plot area and they do not include residential housing areas. The remaining seizures pertain to transfer of ownership for a part of the real properties owned by Krosno Odrzańskie Commune to the State Treasury, as the land intended for the public road section.

Owing to the fact the lands on which the Investment will be implemented are in the city centre of Krosno Odrzańskie and the land development manner will not be changed, the socio-economic costs to be borne by the representatives of the community affected by the expropriation procedure can be perceived as relatively low, if compared to other undertakings of a similar nature.

The main principle adopted in the design of the Investment is to ensure that the permanent occupation of properties should be avoided as far as possible. Where permanent occupation is unavoidable, the procedures and requirements laid down out in this LA&RAP will apply to minimize the impact of real property occupation on the stakeholders. The process of conducting the expropriation will be closely linked to the schedule of the Task implementation so that the expropriated persons are compensated before their properties are physically occupied.

The expropriation and valuation of the properties itself will be carried out in accordance with the principles contained in the following legal acts:

- Constitution of the Republic of Poland of April 2nd 1997 (Dz. U [Journal of Laws] No. 78, pos. 483, as amended).
- The Civil Code act of 23 April 1964 (consolidated text Dz. U. [Journal of Laws] of 2019, pos. 1145, as amended), hereinafter referred to as the CC [Civil Code]
- Act of 10 April 2003 on special rules for preparation and implementation of investments in public roads (consolidated text, Dz. U. [Journal of Laws] of 2020, pos. 1363, as amended),
- Real Estate Management Act of 21 August 1997 (consolidated text Dz. U. [Journal of Laws] of 2020, pos. 65, hereinafter referred to as the road special purpose act.

All the cases of property occupation will be implemented in accordance with the procedures set out in the Bank's operational policy OP 4.12 Involuntary Resettlement.

2 List of abbreviations used in the document

ARiMR	The Agency for Restructuring and Modernisation of Agriculture
AP	Affected Population
World Bank / WB	International Bank for Reconstruction and Development
BKP/ PCU	Biuro Koordynacji Projektu Ochrony Przeciwpowodziowej Dorzecza Odry i Wisły – Project Coordination Unit for the OVFMP
BŚ / WB	See: the World Bank
GDOŚ	General Director for Environmental Protection
GIS	Geographic Information System - a terrain information system comprising a database with terrain information pertaining to a given area as well as procedures and techniques for systematic capturing, updating and presenting data.
GUS	Central Statistical Office
JRP /PIU	Project Implementation Unit - a separate organizational unit appointed within the PIU responsible for Contract/Investment execution
Investor	Państwowe Gospodarstwo Wodne Wody Polskie - Regionalny Zarząd Gospodarki Wodnej we Wrocławiu [State Water Holding Polish Waters - Regional Water Management Authority in Wrocław]
Engineer	See <i>Consultant</i>
Consultant	a Consultant for the State Water Holding Polish Waters Regional Management Authority, Regional Water Management Authority in Wrocław
k.c. [CC]	The Civil Code act of 23 April 1964 (consolidated text Dz. U. [Journal of Laws] of 2019, pos. 1145, as amended)
KOWR	National Support Centre for Agriculture
k.p.a. [CAPA]	The Act of June 14th 1960 – Code of Administrative Procedure (consolidated text Dz. U. [Journal of Laws] of 2020, pos. 256, as amended,
LARAP or PPNiP [LA&RAP]	Land Acquisition and Resettlement Policy Framework
MaxPP	Maximum damming level
LSDP	Local spatial development plan
NBP	Central Bank of the Republic of Poland
NGO	Non-governmental Organisation
SAC	Supreme Administrative Court
OVFM	Odra-Vistula Flood Management
EIA	Environmental Impact Assessment
OP 4.12	Designation of the document which contains the principles for involuntary resettlements required for World Bank financing for Task with the World Bank's loan: Operational Policy 4.12 - Involuntary Resettlements.
PAP	Project Affected Person(s)

OVFMP	Odra-Vistula Flood Management Project
LA&RAP	Land Acquisition and Resettlement Action Plan
Project	See <i>OVFMP</i>
Valuator	A physical person with state professional qualifications within the scope of property valuations
RDOŚ	Regional Director for Environmental Protection
RZGW WR	Państwowe Gospodarstwo Wodne Wody Polskie Regionalny Zarząd Gospodarki Wodnej we Wrocławiu [The State Water Holding Polish Waters, Regional Water Management Authority in Wrocław]
Special Road Act	Act of 10 April 2003 on special rules for preparation and implementation of investments in public roads (consolidated text, Dz. U [Journal of Laws] of 2020, pos. 1363).
PR	permanent restrictions to the manner of real property use
EU	European Union
RPM	The Real Estate Management Act of 21st August 1997 (consolidated text Dz. U. [Journal of Laws] of 2020, pos. 65, as amended,
FGA	The Act of December 13th 2013 on Family Garden Allotments Dz. U. [Journal of Laws] of 2017, pos. 2176, as amended,
PAC	Provincial Administrative Court
Contractor	An Entrepreneur or a consortium of entrepreneurs implementing the Contract for Works under 1B.1/1 (b): Reconstruction of the road bridge in Krosno Odrzańskie with access roads.
Task	Contract 1B.1/1 (b): Reconstruction of the road bridge in Krosno Odrzańskie with access roads.
Employer	Państwowe Gospodarstwo Wodne Wody Polskie Regionalny Zarząd Gospodarki Wodnej we Wrocławiu [The State Water Holding Polish Waters, Regional Water Management Authority in Wrocław]
ZRID [decision on permission for the implementation of a road investment]	Road project implementation permit
GDDKiA	the General Director for National Roads and Motorways

3 Key definitions

The following key definitions are used in this document:

Real property price - the amount negotiated with the property owner payable to the owner for the given real property or part thereof based on the property value as defined by the valuator.

Economic resettlement - loss of benefits, income or livelihood stemming from purchase of land or access obstructions (to land, water or forest) as a result of construction or use of planned structures or associated devices.

Groups of persons requiring special care - people who, due to: gender, ethnicity, age, mental or physical disability, difficult material situation or social position, are more vulnerable to the negative effects of resettlement than other groups, and who may have limited possibility to make claims or benefit from resettlement assistance or to take advantage of the benefits related to the project.

Resettlement cost - the scope of compensation for lost assets/real properties encompassing the market value of the assets/ real properties as well as resettlement costs. (see also 'Replacement Value')

Compensation - paid in cash or in the form of a replacement real property for the real properties, which were acquired or which are affected by the Project. Compensation is disbursed at the time the owner has to hand over the real property to an investor. According to the applicable Polish law, as a rule, compensation may be disbursed from the moment the expropriation decision becomes final and in all cases before acquiring the real properties and their occupation for construction purposes.

OP 4.12 Involuntary resettlements - the Operational Policy contains the main principles and procedures which constitute the basis of IBDR approach to involuntary resettlements associated with investment projects.

Project Affected Person - means every person who, as a result of the project implementation, loses the right to property or is affected by a loss of other benefits associated with built up infrastructure (residential, agricultural or farm), loss of annual perennial harvests and crops or other associated or existing assets, in its entirety or partially, permanently or temporarily.

Involuntary resettlement - resettlement is involuntary when it takes place without consent of the resettled person (against their will) or pursuant to a forced consent (without an option to object to the resettlement) e.g. by expropriation.

Expropriation - entails a limiting or depriving a given person of their property rights to a defined real property by virtue of an individual legal act.

Purchase/voluntary sale - a transaction entailing a paid acquisition of a right to a real property from its owner/proprietor in exchange for a price accepted by both parties where the owner has a possibility to refuse to execute the transaction. If the project takes recourse to expropriation then the purchase is not considered as voluntary (i.e. willing buyer/willing seller).

Replacement value - compensation for loss of assets valued based on their market value together with any transaction costs (e.g. taxes, registration fees), which aims to constitute a sufficiently effective substitution for the Project affected assets (replacement value). Replacement value is the amount needed to replace lost assets without taking into account the depreciation of assets due to age, condition or other asset-related factor.

Land Acquisition and Resettlement Policy Framework (LARPF) – a document approved by the World Bank, on the basis of which this Land Acquisition and Resettlement Action Plan is established. The formal project frameworks have been defined for the occupation of properties based on the LARPF.

* All real property occupation, both permanent and temporary, will be carried out in accordance with the procedures defined in Polish law, World Bank's OP 4.12. and LARPF.

4 Introduction

4.1 PROJECT DESCRIPTION

The Odra-Vistula Flood Management Project's objective is to enhance protection against flood for people living in selected areas of the Odra and the Upper Vistula river basins and to strengthen the institutional capacity of the public administration to mitigate floods more effectively. The Project assumes the implementation of the most urgent tasks in the field of flood protection within selected parts of river basins of the Vistula River and the Odra River. The Project encompasses 3 development components covering improvement of flood protection within: Lower and Middle Odra River (Component 1), Kłodzko Valley (Component 2) and the Upper Vistula River (Component 3).

The objective of Component 1: The flood protection of the Middle and Lower Odra is to strengthen the flood protection of the towns and villages along the Middle and Lower Odra, including Szczecin, Słubice, Gryfino and other smaller towns against summer and winter floods. The investment tasks include the construction and extension of flood protection embankments and other bank protection (revetments, retaining walls, etc.), the deepening of the Odra riverbed and the channels and harbour in Szczecin, regulatory works, reconstruction, reconstruction and construction of groins and longitudinal dams, reconstruction of bends and protection of banks. In order to facilitate the safe passage of icebreakers for icebreaking operations, it is also necessary to rebuild five bridges and expand the berthing and mooring infrastructure.

All the necessary works were divided into three Subcomponents:

- 1.A. Flood protection of areas in Zachodniopomorskie Province;
- 1.B. Flood protection of Middle and Lower Odra River
- 1.C. Flood protection for Słubice

This document presents the Land Acquisition and Resettlement Action Plan (LA&RAP) for Contract Task 1B.1/1 (b): Reconstruction of the road bridge in Krosno Odrzańskie together with access roads implemented within the framework of the Odra-Vistula Flood Management Project executed as one of the investment elements of the Odra-Vistula Flood Management Project (OVFMP). The Odra-Vistula Flood Management Project (OVFMP) is executed with the aid of international financial institutions, including the International Bank for Reconstruction and Development (also referred to as the World Bank) and the Council of Europe Development Bank (loan agreement no. 8524 EN of 10 September 2015), the Council of Europe Development Bank (CEB) (loan framework agreement no. LD 1866 of 24 May 2016) as well as with the support of funds from the European Union Cohesion Fund (POLiŚ 2014-2020) and the State Budget (2014 - 2020). The Odra-Vistula Flood Management Project's objective is the flood protection of people living in selected areas of the Odra and the Upper Vistula river basins and to strengthen the institutional capacity of the public administration to mitigate floods more effectively. The project will provide three distinct areas of Poland with flood management infrastructure and related technical measures: (I) the Middle and Lower Odra basin; (II) the Kłodzko Valley (the Nysa Kłodzka basin); and (III) the Upper Vistula basin.

In scope of occupation of real properties, the formal framework of the Project is defined in the Land Acquisition and Resettlement Policy Framework available at the web address:

http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwania_Nieruchomosci.pdf

4.2 TASK DESCRIPTION

The scope of the Task encompasses the reconstruction of the existing road bridge in order to ensure minimum clearance under the structure and to enable effective icebreaking action

on the Odra River and the adaptation of the existing crossing in possible aspects¹ to the conditions imposed by the Regulation of the Minister of Transport and Maritime Economy of 30 May 2000 on technical requirements to be met by traffic engineering structures and their location. The minimum required clearance under the facility, above the Highest Navigable Water Level (HNWL), is 5.25 m and must be maintained throughout the entire width of the waterway for the class Va waterway, i.e. at the length of 50.0 m. For the designing purposes, the HNWL specified by the State Water Holding Polish Waters is at 41.150 m a.s.l. level. NN. Moreover, the Task covers also local extension and adaptation of the road infrastructure to the reconstructed road bridge. Considering the necessity of assuring traffic continuity along the national road No. 29 for the reconstruction period of the existing bridge structure, a temporary bridge will be built. The detailed scope of works will be determined in the Conservatory Works Program. The specified task scope will greatly improve the flood protection owing to increasing the possibilities of ice-breaking activities during the winter and spring period.



Photo 1. View of bridge in Krosno Odrzańskie.

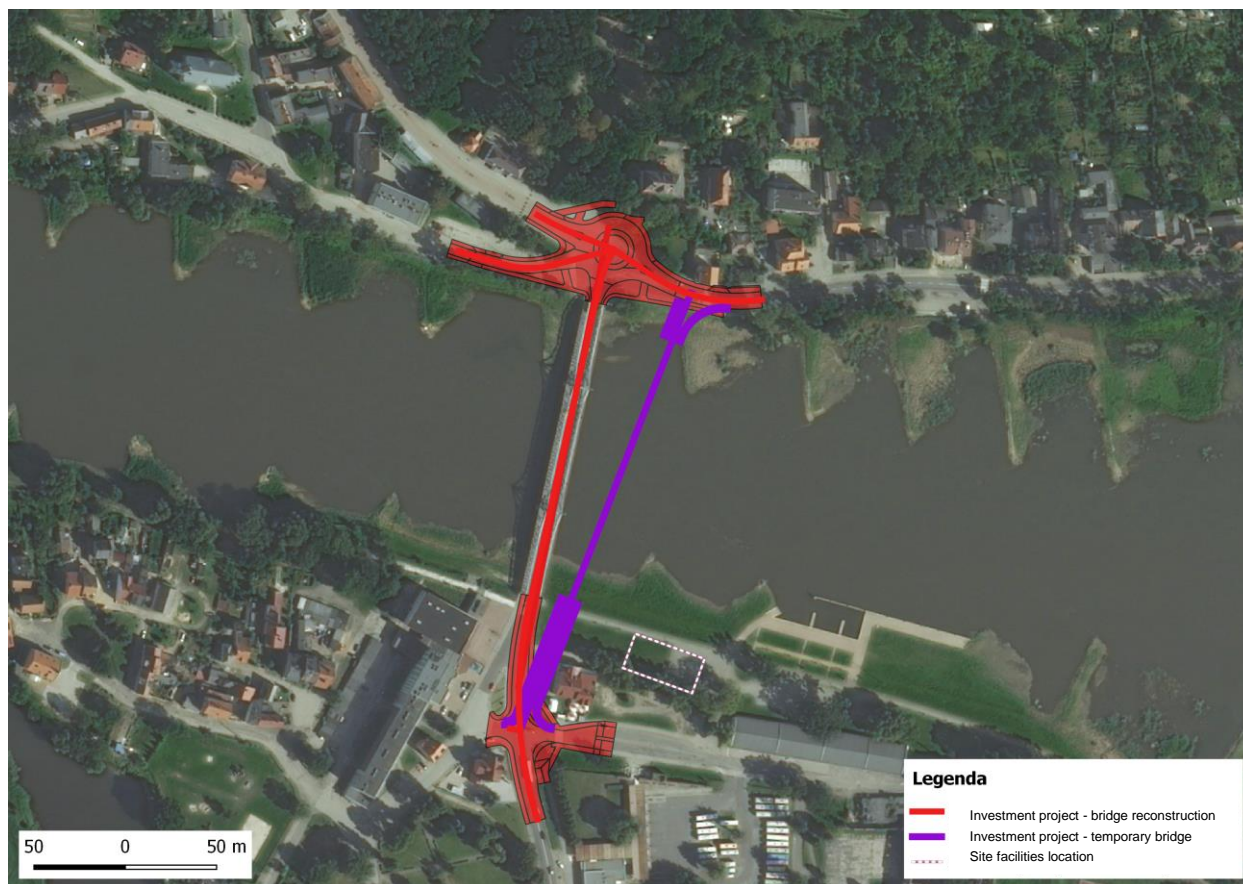
The following scope of works is planned under the Project:
reconstruction of the existing road bridge,

- construction of retaining structures on the access roads to the road bridge,
- construction of a temporary bridge structure,
- extension of the of the national road No. 29 (ul. B. Chrobrego) and ul. Trakt Książęcy),
- extension of the commune road No. 101658F (ul. Nadodrzańska),
- extension of the commune road No. 101659F (ul. Podgórna),
- extension of the commune road No. 101603F (ul. Murna),
- extension of the commune road No. 101654F (ul. Słoneczna),
- expansion of the existing intersections of the national road No. 29 with municipal roads,
- construction of sidewalks,
- construction and reconstruction of individual and public conventions,
- construction of a detour road along ul. Trakt Książęcy of the total length being approx. 255m,
- construction of sidewalks,
- construction of an exit to the receiving chamber,
- construction of a temporary exit from ul. Nadodrzańska to ul. Podgórna.
- construction and reconstruction of a rainwater drainage system,
- construction and reconstruction of sanitary sewers,

¹ Due to the fact that the bridge in Krosno Odrzańskie is subject to conservatory protection, the works performed will not result in achieving all technical parameters required for this type of facilities (e.g. required permissible load of GP class road, distance of drainage axis from the curb).

- construction and reconstruction of a water supply system,
- construction and reconstruction of the gas pipeline,
- construction of a temporary rainwater drainage system for the construction period,
- construction of the water-piping main by jacking under the bottom of the Odra River,
- construction and reconstruction of lighting,
- construction of temporary street lighting for the construction period,
- reconstruction of the LV and MV networks,
- reconstruction of the temporary LV and MV grid for the construction period,
- construction and reconstruction of the telecommunications network,
- construction of a temporary telecommunications network for the duration of construction.

Figure 1 - Location of investment



4.3 TASK IMPLEMENTATION AREA

4.3.1 Planned Task implementation area.

The road bridge located at km 53+067 of the national road No. 29 (street: Trakt Książęcy in Krosno Odrzanskie), running from the national border with Germany, in Słubice, to Połupin near Krosno Odrzanskie (to DK 32), is the river crossing on the Odra River. The bridge administrator is GDDKiA [General Directorate for National Roads and Motorways], branch in Zielona Gora.

The bridge is located on the Odra Waterway administered by the State Water Holding Polish Waters in Wrocław. The bridge is located at km 514+100 of the Odra River.



Figure 2. Project location

The Task implementation requires changes to the existing road lane. For the plots where the State Treasury (GDDKiA, SWH Polish Waters) does not have the right to dispose of the properties for construction purposes, it will be necessary to expropriate them partially under the Act on special rules for preparation and implementation of investments in public roads (i.e. Dz. U. [Journal of Laws] of 2020, pos. 1363, as amended).

The bridge and road infrastructure planned for reconstruction are located in the center of Krosno Odrzańskie and connects its right- and left-bank part. As far as spatial development is concerned, the vicinity of the planned investment location is represented by areas of surface water, areas of hydrotechnical structures and facilities, areas of roads and car parks, areas of service and residential buildings, areas of greenery, areas of public service buildings, as well as areas of commercial facilities. Most of the Project area is located within Zone A of the conservatory protection of the historic urban and landscape complex entered in the register of monuments under no. 102 from 1958 and no. 2179 from 1975, and only the northern part is located within zone B of the conservatory protection - the surroundings of the urban system of Krosno Odrzańskie, which is under strict landscape protection.

Permanent seizure and temporary seizures will be necessary for the Task implementation purposes. What is important, however, only small parts of the real properties will be occupied (both on a permanent and temporary basis). The scope of seizures is presented in the table below.

permanent seizures (real properties to be taken over for the benefit of the State Treasury - after division)			
number of plots subject to permanent seizures	21	a private entity/ a legal person - an LTD (Sp. z o o.o.)	2
		a public entity (Krosno Odrzanskie Borough)	19
temporary real property seizures (real properties or their parts the use of which will be restricted - after division)			
number of plots subject to temporary seizures	27	a private entity	9
		a legal person - an LTD (Sp. z o o.o.)	3
		a public entity (Krosno Odrzanskie Borough)	15

4.4 ADMINISTRATIVE DECISIONS ISSUED

The following administrative decisions have been issued for the Task:

- decision of the Mayor of Krosno Odrzańskie of March 2nd 2020, ref. GN.6220.10.13.2019.MKu stating that there is no need to perform an environmental impact assessment and laying down the conditions of environment use and environmental protection requirements for the investment entitled "Reconstruction of the road bridge in Krosno Odrzańskie together with access roads implemented within the Odra-Vistula Flood Management Project", "Task 1B.1 (b)"

5 Basic principles of LA&RAP

Unless appropriate mitigation and preventative measures are planned and implemented, the occupation of real properties may cause and strengthen social inequalities, cause social exclusions and result in permanent environmental damages. Therefore, the following principles should be followed when designing and implementing the process of acquiring real properties and resettlement:

1. Ensure that the permanent occupation of real properties is avoided as far as possible. Where permanent occupation is unavoidable, the procedures and requirements laid down out in this LA&RAP will apply to minimize the impact of real property occupation on the stakeholders.
2. Expropriation procedures should not deteriorate the living conditions of the population, but should ensure, at the least, a restoration of the pre-Project levels.
3. All project affected persons take part in social consultations at equal basis, considering the needs of particularly vulnerable groups. They will also be presented with an opportunity to actively participate in the Project development and access to the grievance redress mechanism.
4. Project Affected Persons have the access to a fair, unbiased and affordable appeal procedure before an independent authority or before a court, and may perform this procedure without undue delay.
5. All cases of real property occupation, both permanent or temporary, will be executed under the procedures defined in Polish law and OP 4.12. LA&RAP in accordance with the LARPF.
(see:
http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwania_Nieruchomosci.pdf).
6. The LA&RAP applies to permanent or temporary real property occupation, as well as to permanent or temporary restrictions of the access to real properties, in particular resulting in the loss of business income (permanent or temporary) or deterioration of standards of living.
7. The Implementation of the LA&RAP will be monitored and documented, and after completion it will be evaluated by the World Bank.
8. The social participations process, protective and mitigation measures will be conducted with the assumption of the need to provide equal treatment regardless of age, gender or disability of project affected persons. Particular attention should be paid to those households whose member(s) remain a part of particularly vulnerable social groups.
9. LA&RAPs are planned and implemented as an integral part of the Project. All the costs associated with the necessity to plan and implement compensation measures will be included in the Project costs and benefits.
10. Compensation for persons affected economically by the project implementation effects should be paid prior to the commencement of construction works on the expropriated real property.
11. A priority for compensation activities is given to the compensation on the "land for land" basis by granting a real property with a similar production potential. Cash compensation will be used where occupation of the real property or its part has no impact on the use of land for its former purposes, as well as where persons affected economically by the Project's consequences express their will to receive cash compensation. Cash compensation will also be applied wherever there is no suitable replacement real property.
The conducted socio-economic research and analysis of real property development reveal that acquisitions have a negligible impact on PAP's revenues.
Due to the small area of the real properties taken over, the lack of agricultural and non-agricultural use and the negligible impact on PAP's revenues, compensation will be made in cash.

12. The real properties that are subject to temporary occupation after the completion of the works will be restored to their original state so as to enable their owners or users to use the properties in the way they did before the Project implementation.
13. The Contractor will obtain the area for temporary occupation by his own efforts, when negotiating the terms of the temporary occupation of the real property he will be guided by the rules set out in this LA&RAP (this process will be monitored by the PIU and the Consultant and will take place on a voluntary basis and on the principles defined in the agreement concluded between the owner of the real property and the works Contractor.
14. The Contractor will agree upon and provide the Investor with information on all concluded contracts for temporary occupation. The temporary occupation of real properties for the purpose of the Contract is possible only with the voluntary consent of the property owner. Prior to the temporary occupation of the real property, the Contractor will carry out a detailed inventory and prepare photographic documentation of the above-mentioned real property.
15. The permanent restrictions in the use of real properties, indicated in RPIP, as a rule, will be compensated in cash. The amount of such compensation will consider the market value loss of the real property.
16. All PAPs, without regard to the legal status of the real property, will receive support of various kinds, as per the principles set out in the Entitlement Matrix included in this LA&RAP. The lack of a legal title to a real property should not be an obstacle to receiving compensation and/or different kind of support. The detailed Principles of land acquisition, social participation and mitigation, prevention, protection and compensation measures will be established in the LA&RAP.

If needed, the LA&RAP will be updated together with the project progress as new factual and legal circumstances appear.

6 Impact minimization

6.1 SOCIAL IMPACTS

In the light of OP 4.12, the social impacts connected with expropriation is considered to include all direct economic and social losses deriving from the real property expropriation, permanent restriction in the existing real property use or restriction in access to a real property. Hence, to evaluate the relevance of social impacts, the basic criterion is assumed to be the percentage ratio of the whole real property to its expropriated part. Data obtained during the socio-economic research should also be considered during the comprehensive assessment.

The following criteria were adopted in line with OP 4.12 to estimate the social impacts for the purpose of this LA&RAP:

- secondary impacts - impacts where less than 20% of the land or resources belonging to a given PAP are lost, with no physical relocation, are considered to be secondary impacts.
- significant impacts - impacts where more than 20% of the land belonging to a given PAP are lost are considered to be significant impacts.

When evaluating the significance of impacts, the information was considered obtained during the socio-economic research, at the stage of designing and at the stage of processing the application for the issuance of the decision on environmental conditions of the consent for the execution of the project, in particular with regard to the expected impact on the elements of the environment that may affect the current use of the real property.

6.1.1 Existence of significant impacts

No significant impacts have been identified. No physical and economic displacement is expected as a result of the investment execution.

6.2 MINIMISING ACTIONS

1. The works under the project are conducted so as to minimize the number of plots which have to be acquired.
2. The amount of compensation for the lost real property will be agreed upon based on appraisal studies. The valuation constituting the basis for determining the amount of compensation will be reliable, objective and independent, so that the current owner receives a price for the real property corresponding to the actual loss, and thus minimizes the negative impact of real property ownership loss on their financial situation.
3. All costs associated with the performance of protective measures shall be included into the compensation package. No protective measures are currently foreseen, but this may change during the project.
4. Each expropriated person will be entitled to the unpaid use of the land in the existing manner until receiving compensation or (in the event of a failure to reach agreement as to the compensation amount) its undisputed part.
5. For the duration of the works, investment supervision will be provided in consultation with the owners of the infrastructure network. The owners of these networks will be notified in advance by the Contractor of the date of commencement of the works.
6. As part of the information campaign, PAPs will be informed about the possibility of applying for purchasing the remaining part of a real property, i.e. the so-called "remnants", if, after the division of the real property and acquisition of its part for

the execution of the Contract, the remaining part is not suitable for further use for the existing purposes (in accordance with Art. 13.3 of the Special Road Act).

7. Wherever the real properties remaining following expropriation will not be suitable for use for the existing purpose in accordance with the intended use ("remnants"), the Investor, following analyses in this respect, will acquire these real properties by way of a civil-law agreement in accordance with the procedure described in this LA&RAP. The compensation for acquiring the "remnants" will be disbursed under a civil-law agreement concluded with the real property owner.
8. In connection with the Contract execution, it will be necessary for the Contractor to temporarily occupy the real property for the purpose of its execution. The scope and ultimate location of temporary occupation will be determined after selecting the Contractor. When negotiating the conditions of temporary property occupation, the Contractor will be guided by the rules laid down in this LA&RAP (the process will take place on a voluntary basis).
9. The PAPs will be informed about the planned temporary seizure of their real property at least two weeks in advance
10. Temporarily occupied real properties will be restored to their original state after the completion of works. Real properties will be acquired for the purpose of temporary occupation in consistency with the principles defined in this LA&RAP.
11. The Consultant, if necessary, will provide assistance to PAPs in preparing, in particular, map attachments to the applications for the purchase of "remnants".
12. During the works execution the real properties adhering the construction site will have guaranteed access to the public road, so that the property could be taken advantage of in accordance with their intended purpose.
13. Traffic along the temporary bridge will be taking place in both directions.
14. Prior to proceeding with the investment the Contractor will prepare a photo survey of the real properties located in direct vicinity of the construction site, to enable elimination of possible doubts concerning possible damages due to the construction works.
15. In a situation when due to the construction works a damage is done to the property, it shall be made up for/compensated for in a way chosen by the aggrieved individual who has suffered the damage, unless it has occurred due to a Force Majeure or solely because of the aggrieved individual or a third party for whom the Investor or the Contractor are not responsible

7 Socio-economic study

7.1 SOURCES AND METHODOLOGY

The data and conclusions presented in this document were prepared on the following bases:

- local inspection of the expropriated real properties,
- extracts from the land and buildings cadaster,
- Construction Design,
- data from the geoportal,
- statistical data by GUS,
- data from the County Labour Office in Krosno Odrzanskie,
- data from the National Court Register,
- data included in the strategic document: Socio-economic development strategy for Krosno Odrzanskie Commune for the years 2016-2025,
- generally available data from the websites of the business entities,
- surveys and questionnaires.

Owing to the restrictions resulting from announcing the state of pandemic, the research team prepared survey forms to conduct the research by means of standardised questionnaires. The surveys were delivered to PAPs in May 2020 - 4 responses were received.

Owing to the fact that seizures (both permanent and temporary) will pertain to small parts of the real properties and the lands on which the Investment will be implemented, located in the city centre of Krosno Odrzanskie, and the land development manner will not be changed, the socio-economic costs to be borne by the representatives of the community affected by the expropriation procedure can be perceived as relatively low, if compared to other undertakings of a similar nature. Actions will be taken to reduce the impact on community, including construction of temporary bridge to ensure continued access. Considering the aforementioned, carrying out the in-situ tests in order to update the socio-economic study will be recommended if a need for such appears, during the public consultations stage.

In order to avoid cumulated impacts of the planned Task with the impacts generated by the Task 1B.8 Flood protection of Krosno Odrzanskie City, data obtained within the course of the works concerning this LA&RAP were verified and compared with those obtained for the purpose of LA&RAP development for the Task titled Flood protection of Krosno Odrzanskie City.

7.1.1 Problems

As a result of the announced state of SARS-CoV-2 epidemic, it was problematic to carry out the field method research, or such possibility was limited, and direct contact with the private owners of the real properties. In order to collect information, it was decided to take advantage of the correspondence method. Packs of documents were sent to the real properties' owners by Poczta Polska to enable them cost-free return of the questionnaire form. Out of 11 questionnaires sent to directly impacted persons, two PAPs returned the questionnaires and two more completed questionnaires were obtained after PAP's contact with the Consultant after the EMP was made public. The main problem in getting to the owners by correspondence are the missing updated address data (domicile address) in the lands and buildings cadaster.

7.2 SOCIAL-ECONOMIC DATA

7.2.1 Demographic and economic characteristics of Region

Urban and rural commune - Krosno Odrzanskie - is located in lubuskie province, Krosno county, 30 km from the PL-DE border, in the Middle Odra Valley, on the Odra River at the Bobr river estuary. The communes neighbouring Krosno Odrzanskie are: Bobrowice, Bytnica, Czerwieńsk, Dąbie, Gubin and Maszewo.

Krosno Odrzańskie is a strategically located city, through which traffic towards and along the PL-DE border takes place. This results from the fact of having the only bridge over the Odra river per 100 kilometre section, from Słubice to Cigacice (the bridge was built in 1905 and is now under protection by the Province Monument Conservator and the GDDKiA [General Directorate for National Roads and Motorways], yet there are no restrictions regarding its load-bearing capacity).

Pursuant to the data specified in the socio-economic development Strategy for Krosno Odrzańskie Commune for the years 2016-2025, the bridge planned for reconstruction is of crucial importance for the city functioning. It is indicated the bridge is currently extensively trafficked (daily traffic along the bridge is approx. 13.5 thousand vehicles, what converts into some 560 vehicles an hour) and a significant chance for the city development is sought in the planned bypass of Krosno Odrzańskie (within the national road No. 29), which is covered by the National Programme of Roads Construction for the years 2014-2023 (with prospects until 2025).

Since 2010 the population has decreased by 3.7%, while in the urban area the population has decreased by 5.0% and in the rural area by 1.2%. This means the city population more frequently decide to change their place of residence than the rural population from Krosno Odrzańskie area (source: Socio-economic development strategy for Krosno Odrzańskie Commune for the years 2016-2025).

Krosno Odrzańskie itself is a small town inhabited by 11 319 people of whom 51.8% are female and 48.2% male (as on 30 VI 2019, acc. to GUS [Central Statistical Office]). With reference to the previous half-years data, the population has been successively decreasing from 0.5% to 1%.

59.2% of Krosno Odrzańskie population is in productive age, 16.6% in pre-productive age and 24.2% constitute inhabitants of post-productive age (acc. to GUS, 2018).

2 entities will be affected by expropriation of real properties, none of which will be subject to physical or economic resettlement.

Krosno Odrzańskie is the seat for Nadodrzański Oddział Straży Granicznej [the Odra Border Guard Unit], its range covering the following provinces: lubuskie, wielkopolskie and a part of dolnośląskie and zachodniopomorskie, as well as Krosno Odrzańskie garrison composed of 44 Wojskowy Oddział Gospodarczy [economy branch of military unit] and 5. kresowy batalion Saperów [borderland sapper battalion] im. płk Konstantego Pierewoza-Markiewicza. It also houses the seats of public utility buildings: Starostwo Powiatowe, [County Starost Office], Tax Office, County Labour Office, Social Insurance Institution, Notary's Office, County Police Office, County Office of the National Fire Brigade, County Sanitary and Epidemiological Station, the Agency for Restructuring and Modernisation of Agriculture, Pre-Secondary Schools Complex, as well as communal schools, kindergartens and cultural units, etc.

The investment implementation will not have a negative impact on functioning of the aforelisted public institutions and will not worsen access to the services provided by the institutions for the local community.

If compared to the national and province data, unemployment in Krosno county is considerably greater. The unemployment rate measured as the registered unemployed ratio to the number of the professionally active population in Krosno county in 2019 was 8% (GUS). This is substantially more than the value for lubuskie province (4.9%) and significantly more than the value for Poland (5.8%).

Despite a systematic reduction in the unemployment rate, it is still significantly higher than the average for the region.

The unemployment rate in Krosno Odrzańskie is lower among male than female - out of 165 of the unemployed in Krosno Odrzańskie equals to 57% of women and 43% of men (acc. To the County Labour Office in Krosno Odrzańskie, 2019). Long-term unemployment in Krosno

Odrzańskie pertains to 39% of the unemployed (acc. to the County Labour Office in Krosno Odrzanskie, December 2019).

As far as the economy is concerned, Krosno Odrzanskie Commune relies mainly on the wood industry, forestry, individual and large-scale agriculture, metal industry, as well as commerce and services (more than 1000 registered business entities). The following wood-based production plants function in the Commune: HOMANIT Krosno Odrzańskie Sp. z o.o., STOLHAUS Sp. z o.o., PHU MEBLOSTYL and Zakład Produkcyjny POLSET. Moreover, the following are seated in Krosno Odrzanskie: Fabryka Maszyn i Urządzeń Gastronomicznych KROMET Sp. z o.o. and KROSNO METAL (Rilling) – leaders on the national gastronomy equipment market. Also the largest mid-west gas propane-butane gas distribution plant (PETROGAZ) functions there. The economic sector in Krosno Odrzanskie Commune is dominated by small enterprises employing up to 9 people, what constitutes 99.3% of all the registered economic entities in Krosno Odrzanskie Commune. Enterprises employing from 50 up to 249 people in Krosno Odrzanskie Commune constitute 39.3% of such enterprises in krosno county, while 3 out of 5 enterprises employing from 250 to 999 people are located in Krosno Odrzanskie. (source: Socio-economic development strategy for Krosno Odrzanskie Commune for the years 2016-2025).

7.2.2 Gender equality

Poland has a legal prohibition of discrimination, which is expressed in the Constitution of 1997. Article 32 states that no one shall be discriminated against in political, social or economic life on any ground whatsoever. Discrimination against women means “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field” (Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979).

In order to become a European Union member state, Poland had to adjust its legislation to the regulations binding in the EU, including the scope of gender equality. It resulted mainly in changes to the labour law, but also in the change of the attitude of politicians and public administration to this topic.

According to the Human Development Index (HDI) of the United Nations Development Programme (UNDP) for 2012, Poland is among countries with a very high Human Development Index. It is ranked 39th out of 187 countries, i.e. above the average value for the countries in the EBRD area of activity and close to the average value for the countries of Central Europe and the Baltic states. The Human Development Index includes three elements: health, education and standard of living. Concerning the Gender Inequality Index (GII) of the UNDP, Poland is placed even higher in the worldwide ranking in the 24th place. The Gender Inequality Index is a measure which reflects the loss of development possibilities in the area of a given country as a result of unequal gender treatment and includes three assessed elements: reproductive health, empowerment and labor market participation.

As concerns the participation of women in public life, their share in elected public authorities is small. The low percentage of women as Members of Parliament and senators is one example here. Similar, negative tendencies are noticed in other elected authorities: municipality councils, powiat councils and province councils (approx. one fourth of all councillors are women). One should also stress the long-term small percentage of women as municipality heads and city/town mayors. However, the progressive demasculinization of the village leader position attracts attention as this position is one of the most significant concerning civil activity and building social capital. Experience also shows that women participate in the conducted public consultations on equal terms and often their involvement and local activity make them play a leading role in those consultations. To conclude, one must highlight that in order to promote women and increase their participation in decision-making bodies and business

management, various civil initiatives are taken, declarations are made by political parties and examples of solutions from other countries are popularized, while the European Commission takes its own initiatives ex officio. This should translate into an improvement of equal treatment of men and women concerning labour market participation and the participation in decision-making bodies. An analysis of survey results for the last 10 years actually shows a gradual progress in this area.

7.2.3 Land use

Owing to the local character and relatively small range of the investment project, the land intended for the bridge reconstruction in Krosno Odrzańskie is not greatly diversified, both with regard to its ownership structure, intended use and way of using.

More than a half (51.4%) of the plots that will be required for the investment constitute urbanised lands owned by the commune, developed or under development, relaxation areas and road plots. The quantitative share of the plots owned by the State Treasury (mainly because of PGW WP – Odra River, and GDDKIA – national road) is 14.3%, while 34.3% belongs to the private owners.

Expropriation of private plots, in the case of the discussed Investment, pertains only to two real properties the permanent seizure area of which constitutes max. 2.8% of the entire plot area and they do not include residential housing areas. The remaining seizures pertain to transfer of ownership for a part of the real properties owned by Krosno Odrzańskie Commune to the State Treasury, as the land intended for the national road section. Thus, as far as permanent seizures area concerned, it needs to be stated that the Investment's impact on the private ownership is relatively small.

Temporary seizures of the plots, as required for the investment implementation, are related, first and foremost, to construction and reconstruction of the land utilities system and involve the restricted use of the real properties, concerning making the real properties available after the system reconstruction, in order to carry out maintenance activities and eliminate failures occurring within the reconstructed system. So-called small expropriation procedure applies to 12 private plots (perpetual leasehold pertaining to one of them).

All the plots' areas subject to the restriction procedure in relation to the bridge construction constitute fragments of the plots which in the lands and buildings cadaster run by the Krosno Starost have been classified as developed and urbanised lands. Such state of affairs shows that, as a result of the Investment impact, permanent loss of income and other profits resulting from running a household will not occur. The project will not result in the necessity of households relocation and will not influence access of the local community to the services and, also, will not impact the environmental services. What is more, it will add to increased comfort of the city inhabitants and improve communication availability for the PAPs.

7.2.4 Access and communication

Street Bolesława Chrobrego/ul. Trakt Keynesian running through Krosno Odrzańskie is the national road No. 29 of GP technical class. The road has a single carriageway, two-lane section with a bituminous surface and a total width of approx. 7.3 m to approx. 9.2 m. The road is equipped with sidewalks on the both sides located at the edge of the road with a width of about 3 m.

At the southern side of the bridge there is an intersection with ul. Słoneczna (DG No. 101654F) of D technical class and ul. Murna (DG No. 101603F) of D technical class.

At the northern side of the bridge there is an intersection with ul. Nadodrzańska (DG No. 101658F) of D technical class and ul. Podgórna (DG No. 101659F) of D technical class.

7.2.5 Social infrastructure

There are no facilities of social infrastructure (in particular schools or facilities providing health care services) in the investment implementation area, as well as in the area of the project's impact.

7.2.6 Cultural and historic sites

The bridge was built in 1905 by Beuchelt & Co.'s Bridge and Steel Construction Factory in Zielona Góra, replacing the previous wooden crossing, located below, obliquely to the riverbed. Since then, it has been rebuilt and renovated several times; in 1948 it was rebuilt from war damages when one of the pillars was damaged and the suspended span was destroyed. The bridge, on the basis of entry no. L-600/A of 13.08.2013, is under the protection of the Lubuskie Provincial Monuments Conservator based in Zielona Góra.

The road bridge in Krosno Odrzańskie is a monument within the meaning of the Act of 23 July 2003 on the protection and care of monuments (i.e. Dz.U. [Journal of Laws] of 2020, pos. 282) and is subject to legal protection regardless of the state of preservation. The spatial layout of the town of Krosno Odrzańskie, within which the planned expansion is located, is also a monument. There are 32 historic buildings within 500 m of the planned project borders. The list of sites is presented in Table 1.

Table 1. List of monuments located in the vicinity of the Project's site.

Pos.	Monument	Chronology	Address	Distance	Impact
1.	The bridge on the Odra River L-600/A	1904 – 1905	Krosno Odrzańskie, Trakt Książęcy	0	Impacts assessment of the planned works on the facility value will be possible at the construction design stage, or the architectural concept for its reconstruction.
2.	House 2505	2nd half of the XIX century	Krosno Odrzańskie, ul. Bolesława Chrobrego 2	approx. 2 km	Facility within the direct neighbourhood of the works.
3.	House 2504	2nd half of the XIX century	Krosno Odrzańskie, ul. Bolesława Chrobrego 14	approx. 225 m	None
4.	House 2503	2nd half of the XIX century	Krosno Odrzańskie, ul. Bolesława Chrobrego 15	approx. 255 m	None
5.	House 2572	2nd half of the XIX century	Krosno Odrzańskie, ul. Bolesława Chrobrego 17	approx. 320 m	None
6.	St. Andrew's Church L-27	1887	Krosno Odrzańskie	approx. 125 m	None
7.	House K.I.K.I-766/64	XVIII/XIX century	Krosno Odrzańskie, ul. Żeromskiego 10	approx. 210 m	None
8.	House K.O.K.I-748/64	XVIII/XIX century	Krosno Odrzańskie, ul. Prusa 12	approx. 180 m	None
9.	House K.O.K.I-749/64	XVIII/XIX century	Krosno Odrzańskie, ul. Rybaki 2	approx. 105 m	None
10.	Defensive walls K.O.K.I-248/61	XIV century	Krosno Odrzańskie	approx. 2 m	Facility within the direct neighbourhood of the works.
11.	House K.O.K.I-769/64	XVIII/XIX century	Krosno Odrzańskie	approx. 120 m	None

Pos.	Monument	Chronology	Address	Distance	Impact
12.	House K.O.K.I-747/64	XVIII/XIX century	Krosno Odrzańskie, ul. ZBOWiD 10	approx. 120 m	None
13.	House 2581	2nd half of XIX century	Krosno Odrzańskie, ul. ZBOWiD 14	approx. 140 m	None
14.	A post-monastic building K.O.K.I-741/64	XVII century	Krosno Odrzańskie, ul. Szkolna 4	approx. 145 m	None
15.	St. Andrew's Church Jadwigi Śląskiej	1st half of XIII century	Krosno Odrzańskie	approx. 120 m	None
16.	House K.O.K.I-742/64	XVIII/XIX century	Krosno Odrzańskie, ul. Pocztowa 9	approx. 170 m	None
17.	Castle K.O.K.I.46/58 (L-81/1/2/A)	XIV century	Krosno Odrzańskie ul. Szkolna 11	approx. 180 m	None
18.	House 2506	2nd half of XIX century	Krosno Odrzańskie, ul. Pocztowa 28	approx. 235 m	None
19.	House 2507 (L243/A)	2nd half of XIX century	Krosno Odrzańskie, ul. Pocztowa 26	approx. 245 m	None
20.	House 2508 (L712/A)	2nd half of XIX century	Krosno Odrzańskie, ul. Wąska 5	approx. 305 m	None
21.	House K.O.K.I-750/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 1	approx. 225-275 m	None
22.	House K.O.K.I-751/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 3		
23.	House K.O.K.I-752/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 5		
24.	House K.O.K.I-753/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 7		
25.	House K.O.K.I-754/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 9		
26.	House K.O.K.I-755/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 11		
27.	House K.O.K.I-756/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 13		
28.	House K.O.K.I-757/64	XVIII/XIX century	Krosno Odrzańskie,		

Pos.	Monument	Chronology	Address	Distance	Impact
			ul. Walki Młodych 15		
29.	House K.O.K.I-758/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 17		
30.	House K.O.K.I-759/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 19		
31.	House K.O.K.I-760/64	XVIII/XIX century	Krosno Odrzańskie, ul. Walki Młodych 21		
32.	Cityscape	half of XIII century	Krosno Odrzańskie	0	According to the local spatial development plan, ² within the area of both zones it is required to "preserve the historic geometry of the street courses, with their irregular width, variable width of the roadway and cobbled and stone surface". A detailed assessment of the impact of planned works on the site's value will be possible at the stage of construction design or architectural concept of reconstruction.

Source: own study based on <https://mapy.zabytek.gov.pl/nid/>

7.2.7 Technical infrastructure and structures located on the real properties

The following networks are present in the area of planned works in connection with the reconstruction of DK29 section:

- stormwater drainage system,
- water supply system including the mains,
- sanitary sewerage system,
- gas pipeline,
- road lighting,
- power supply system (overhead and cable LV lines, MV cable lines, street lighting),
- district heating system,
- teletechnical network.

The following external utilities are located on the bridge:

- ø230 water pipeline (steel pipe), insulated in a bipartite steel sheet metal pipe, under the pavement support from the tailwater, water pipes corroded, pre-failure condition,
- ø230 water pipeline (steel pipe), under the pavement support from the tailwater, water pipes corroded, pre-failure condition,
- ø100 steel casing pipe of unknown use, under the pavement support from the tailwater,
- PE casing pipe of the LV network supplying the lanterns on the facility, under the pavement support from the tailwater,
- PE 4ø85 casing pipes for telecommunication cables under the pavement support from headwater,
- a steel casing pipe laid partially in a middle span under the pavement support, probably the residue of the dismantled pipes,

² Resolution no. VI/46/15 of the Municipal Council of Krosno Odrzańskie of 27 April 2015 on the adoption of a local spatial development plan for the left-bank side of Krosno Odrzańskie between the Odra River, the Odra Canal, and the polders of the Odra River within Krosno Odrzańskie.

- PE casing pipe of the LV power supply network of the lantern on the left-bank abutment,
- PE casing pipe of the LV power supply network of the lantern on the right-bank abutment.

7.2.8 Natural resources

There are no natural resources important from the point of view of the socio-economic study in the investment implementation area as well as in the project impact area.

7.3 PAP CHARACTERISTICS

As it was not possible to conduct field interviews and as no PAPs participated in the correspondence survey, it is not possible to fully characterize the PAPs being private individuals.

However, it should be pointed out that for PAPs not carrying out economic activity, the Investment implementation and the associated temporary and permanent occupation and constant restrictions will not have a significant impact on the socio-economic situation (this impact can be described as negligible). Also for PAPs conducting business activity, the impact of the Investment on this activity will be negligible due to the scope of occupation and the nature of the activity.

In terms of quantity, there are 11 PAPs, including:

- 8 private individuals
- 1 Spółdzielnia Mieszkaniowa [housing cooperative] in Krosno Odrzańskie
- 2 legal persons (LTD companies - Spółki z o.o.)

Permanent seizures will pertain to one developed plot, with beer and wine garden, owned by a private individual (seizure area 2 m²) and one developed plot owned by a legal person (seizure area 28 m²), yet it needs to be stated that the planned permanent seizures will not impact restrictions in running the current business of the said entities.

Temporary seizures are planned for 12 private plots, of which one seizure will depend on the works execution technology by the Contractor performing the works involving redevelopment of the land utilities system. In many cases the seizure and redevelopment may be related to blocking the existing infrastructure, without the necessity of entering the private property.

The investment conducted may have a temporary impact on the business activity in two cases. In the case of plot 68/26 (temporary seizures), the planned works include a fenced area in front of the hotel (car park), what will limit the parking space for the hotel guests - the photo is shown below.



Photo 2. Plot 68/26 (source: own study)

In the case of plot 141/2, due to the business activity conducted, the property owner will be forced to limit the area of the gastronomic garden for the period of temporary occupation (photo below).



Photo 3. Plot 141/2 (source: own study)

7.4 THE NEED TO UPDATE THE SOCIO-ECONOMIC STUDY

Considering the state of epidemic, problems with carrying out in-site tests have occurred. The data for the socio-economic research were obtained using different methods (described in chapter 7.1 Sources and methodology). This made it possible to obtain the data sufficient for the purpose of carrying out this socio-economic study. Considering this state of affairs, currently there are no bases for updating the socio-economic research, yet one cannot rule out that a necessity for such update will occur as a result of the public consultations.

8 Regulations as in force at present and valuation methodologies

This LA&RAP for the Task *1B.1/1(b) Reconstruction of the road bridge in Krosno Odrzańskie along with access roads* is based on the provisions of Polish law, and also, on account of the financing, inter alia, from a World Bank loan, also on the World Bank's Operational Policy OP 4.12 Involuntary Resettlements.

The Loan Agreement between Poland and the World Bank is an act of international law, and through its conclusion Poland undertakes to apply the World Bank's policies.

If there are differences between Polish regulations and WB policies, the provisions most beneficial for the affected population apply.

8.1 OBLIGATIONS STEMMING FROM OP 4.12³

OP 4.12 is applicable if the Project performance requires the following:

- a) the involuntary occupation of land resulting in:
 - (a) relocation or loss of the place of residence,
 - (b) loss of assets or access to assets,
 - (c) loss of income sources or reduction of the standard of livelihood
- b) the involuntary restriction of access to parks and protected areas resulting in adverse impacts on the livelihoods of the project affected persons.

OP 4.12 sets forth the following obligations:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs, and where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed so as to minimize their scale and impact;
- Resettlement process should be planned and implemented as development activity providing means and assets allowing PAPs to participate in benefits resulting from implementation of the Project. Support should be offered to social groups affected by resettlements in order to improve their economic status, income and livelihood, or at least restore their status;
- The resettled should receive compensation at replacement value, assistance in relocation and support in the transition period;
- Lack of a legal title to the ground should not bar compensation;
- Particular attention should be paid to vulnerable social groups and individuals (e.g. single mothers, the handicapped, the poor);
- The communities should be given an opportunity to participate in planning, implementation and monitoring of the resettlement process;
- The resettled should be assisted in integration with the host community;
- Process of resettlements should be closely linked to the schedule of the main investment so that the resettled people receive compensation before the construction or other activities covered by the Project begin;
- Monitoring of resettlement is required as well as evaluation of its efficiency;
- As regards rural or farming lands, even when it is possible to apply financial compensation, land-for-land compensation is recommended, if economically feasible. Farm that lost their fixed assets entirely and became entirely unprofitable should receive compensation in the amount equal to the value of the entire farm;
- For losses that are hard to compensate for financially, such as access to public services, access to clients or suppliers, fishery areas, access to pastures and forest

³ Chapter in accordance with the LARFP

areas, an attempt should be made to grant access to equivalent and culturally relevant resources and income opportunities.

8.2 POLISH LEGAL REQUIREMENTS

The most important normative acts associated with acquiring rights to properties required to perform the Task are:

- Constitution of the Republic of Poland of April 2nd 1997 (Dz. U [Journal of Laws] No. 78, pos. 483, as amended).
- The Civil Code act of 23 April 1964 (consolidated text Dz. U. [Journal of Laws] of 2019, pos. 1145, as amended), hereinafter referred to as the CC [Civil Code]
- Act of 10 April 2003 on special rules for preparation and implementation of investments in public roads (consolidated text, Dz. U. [Journal of Laws] of 2020, pos. 1363), hereinafter referred to as the road special purpose act
- Real Estate Management Act of 21 August 1997 (consolidated text Dz. U. [Journal of Laws] of 2020, pos. 65, hereinafter referred to as the road special purpose act.

The Civil Code regulates the legal relations between physical persons and legal persons, including pertaining to concluding property sale agreements. Here the principles of the freedom to draw up the wording of the agreement and freedom to decide whether and with whom to conclude such an agreement are effective. Unanimous declarations of the parties dictate conclusion of an agreement. The Civil Code sets forth a particular form for concluding agreements, the subject-matter of which constitutes real property. Under pain of nullity these should be concluded in the form of a notarial deed.

Mechanisms for involuntary acquisition of rights to real property are set forth in the Special Road Act and the RPM.

8.2.1 Acquiring real property by virtue of the Special Road Act

Pursuant to the Special Road Act, the expropriation of real property or a part thereof, as well as permanent and temporary limitation of manner of use of real property or part thereof is set forth in the RPIP. For national roads, this decision is issued by the Province Governor. Expropriation takes place the moment the RPIP becomes final.

On account of a transfer of real property ownership for the benefit of the State Treasury, the real property owner or its perpetual usufruct holder are entitled to financial compensation or of the “land for land” type. The Special Road Act does not indicate a particular preference as to the disbursement of compensation in the “land for land” form; rather financial compensation is foreseen under an assumption that it facilitates purchase of a similar real property at market prices.

The amount of compensation is determined by the authority which issued the RPIP by way of a separate decision determining the compensation. The decision determining the compensation is issued separately for each real property on the basis of an independent and objective valuation by a valuator with the appropriate license (professional state authority to appraise the real property). What is important, in the proceedings to determine the amount of compensation, an expropriated person has the right to present a valuation of the real property prepared by their own valuator. In such a case, the authority competent to decide on the compensation must also refer to the valuation submitted by the party. In addition, if a party submits observations and conclusions in proceedings to determine the amount of compensation, the competent authority must refer substantively to those observations and conclusions at the stage of the proceedings and subsequently in the decision determining the amount of compensation.

The amount of compensation is determined for the real estate in the condition as of the date of issuing the RPIP, but in reference to real estate value as of the date on which the amount of compensation is determined.

The decision establishing the amount of compensation is issued within 30 days from the date on which the RPIP became definitive. However, if the RPIP has been made immediately enforceable, the decision establishing the amount of compensation is issued within 60 days from the date of making the RPIP immediately enforceable.

A party has the right to appeal against the decision issued by the Province Governor establishing the amount of compensation to a higher authority (in case of RPIP issued by the Province Governor - to the Minister of Development).

In case the expropriated party files an appeal from the decision establishing the amount of compensation, an advance payment of 70 % of the compensation established by the body of first instance in the decision establishing the amount of compensation shall be made at that person's request. The advance payment shall be paid once within 30 days from the date of submitting such application.

The decision issued in the appeal proceeding may be further contested to the Provincial Administrative Court within thirty days from the date of delivery of judgement to the complainant. A party has the right to lodge a cassation appeal with the Supreme Administrative Court against the judgement of the provincial administrative court within thirty days from the date of delivery of a copy of the judgement with substantiation to the party.

8.2.2 Determining permanent restrictions to real property management

Instigating the proceedings to issue the RPIP requires a request by the Investor who is obligated to, amongst others, indicate the real property or parts thereof which constitute a part of the investment, are indispensable for its functioning, but which do not become property of the State Treasury, which are subject to permanent restrictions applied to its use (hereinafter PR). Such a request has to be considered and, pursuant to the findings of the administrative body, disclosed in the RPIP decision issued by the Province Governor (Article 11d(1)(3b) of the Special Road Act).

These restrictions and the associated inconveniences, restrictions to the real property's economic and market potential (e.g. building prohibition, prohibition to plant trees, to conduct agricultural activity, etc.) have a negative effect on the real property's market value and have to be compensated by way of an appropriate compensation. If, as a result of the performance of the works, the real property is not suitable for further proper use of the real property in a manner consistent with its previous intended use, the owner or holder of perpetual usufruct may demand that the property be purchased for the benefit of the State Treasury by way of civil law (Article 11f(2) in connection with Article 124(5) of the RPM).

The Special Road Act does not define what PR entail and does not identify the administration authority which is competent to determine the compensation on that account pursuant to an administrative procedure. Such a state of affairs, that is the lack of clear provisions of law identifying the competent authority, is caused by an evident legal gap. The decision of the Supreme Administrative Court in Warsaw of 9 November 2012 is relevant in this respect (file ref. I OW 142/12), in which the Court, in identifying the Province Governor as the competent authority, unambiguously states that "*The authority competent to determine the compensation is the authority, which issued the permit to perform the road investment (...). As it is impossible to accept for the legislator to split the competence for determining compensation for the consequences of that same decision depending on the subject-matter of that compensation.*".

As a result, with reference to PR compensation, procedures and valuation principles described in this LA&RAP will be applicable, pertaining to determining and disbursing compensation for expropriation of real property or part thereof.

8.2.3 Temporary occupation of real property on the basis of the Special Road Act

In accordance with the Special Road Act, if necessary, the RPIP may also specify temporary restrictions on the use of the real property which is not transferred to the State Treasury (Article 11f(1)(8)(i) of the Special Road Act). A temporary restriction on the use of real property may be established due to the necessity of:

- construction and use of temporary buildings,
- demolition of existing building structures not intended for further use and temporary building structures,
- construction or reconstruction of a network of land utilities,
- construction or reconstruction of water installations or specific water amelioration equipment,
- construction or reconstruction of other public roads,
- construction or reconstruction of descent roads.

After completing of the above-mentioned activities (e.g. after the construction of technical infrastructure facilities) and after the expiry of the period for which the permit for temporary occupation of real property has been granted, the real property should be restored to its previous state. If it is not possible to restore the real property to its previous state, compensation for the losses incurred in this respect is payable corresponding to the value of the damage suffered (Art. 128(4) of the RPM). If, as a result of failure to restore the real property to its previous state, the value of the real property decreases, the compensation shall be increased by the amount corresponding to that decrease.

If the performance of works for the performance of which the real property has been temporarily occupied has resulted in the inability to continue the proper use of the real property in a manner consistent with its current or former purpose, the owner or holder of perpetual usufruct may demand that the real property be purchased for the benefit of the State Treasury by way of civil law.

8.2.4 Special procedures

Pursuant to Article 133 of the RPM the Investor deposits the compensation amount in a court deposit pursuant to a Province Governor's decision obliging the Investor to pay the compensation into the deposit. That is considered tantamount to the satisfaction of the payment. This is applicable solely in two cases: when the entitled person refuses to accept the compensation or its disbursement encountered obstacles difficult to overcome (e.g. lack of legal capacity of the creditor, their prolonged absence from the country with no authorized representative established, natural disasters, marital law), and when the compensation for expropriation pertains to real property with an unsettled legal status (see a ruling by the Provincial Administrative Court in Lublin dated February 25th 2005, case ref II SA/Lu 884/04).

Payment into a court deposit carries the same consequences as satisfaction of the payment and obliges the creditor to refund the costs of payment to the debtor.

In the event of a court overruling the request, the fee shall not be refundable and additionally if the creditor (as a participant of the proceedings) will be represented by a legal advisor or an advocate, the court may demand that the Investor pays a fee on account of remuneration for court representation.

8.2.5 Purchase of “remnants”

If part of a real property is acquired, and the remaining section is not suitable for the correct use for existing purposes (the so called “remnant”), the Investor upon a request of its owner or

perpetual usufruct holder is obliged to purchase that part of the real property (pursuant to Article 13(3) of the Special Road Act).

The request for the purchase of a remnant may be submitted before the RPIP is issued, however the purchase of the real property itself may only take place following issue of the RPIP.

Remnants will be acquired by way of civil-law agreements after the RPIP is issued for the Task pursuant to the following procedure:

1. The owner / perpetual usufruct holder of the real property submits a request including:
 - a. a justification indicating why the part of the real property remaining after the acquisition is not suitable for the existing purposes,
 - b. indication of the remnant on the land register map attached to the request or the topographic map or property division.
2. Evaluation of the submitted application by the commission appointed by the Investor. The commission should include a representative of the team for LA&RAP monitoring and implementation, and experts in technical issues and in real property management issues. A representative of the Consultant for LA&RAP may attend meetings of the commission and has advisory competences.
3. The decision on purchasing or refusal to purchase the real property immediately, but no later than before issuing the RPIP. A prerequisite for efficient processing of the application is its completeness.
4. Notification of the applicant on the decision pertaining to purchase / refusal to purchase the remnant.
5. Preparation of a valuator's report establishing the value of the "remnant".
6. Negotiations with the owner/perpetual usufruct holder as to the compensation amount.
7. Conclusion of a real property purchase agreement (purchase of the remnant) in the form of a notary deed.
8. Compensation disbursement.
9. In case the real property is not qualified for purchase under the "remnant" procedure, the owner has the right to demand the purchase by means of an action before a common court.

8.2.6 EU subsidies

Among the real properties expropriated for the investment execution purposes, there are no farm/forest properties covered by subsidy programs, i.e. such the owners/holders of which gain subsidies or aid.

8.3 ADOPTED MECHANISM FOR ACQUIRING RIGHTS TO REAL PROPERTY⁴

LARPF identifies a number of inconsistencies between OP 4.12 and the Polish law: OP 4.12	Polish law	Corrective actions
Lack of a legal title to the land should not bar the receipt / disbursement of compensation. People without legal title are eligible for compensation.	The Polish legal system does not account for the right to compensation for land owners/users who do not hold a legal title to it (with the exception of people whose legal title to a real property was lost or who acquired the right to the real property through usucapion, i.e. a method for gaining ownership of property by uninterrupted possession of the real property for a period defined in legislation).	For persons who do not hold a legal title to a real property affected by the consequences of Task performance, each such case should be considered in accordance with its own merits, in terms of possibilities to apply the general mechanisms stemming from the Civil Code to achieve OP 4.12 objectives. According to OP 4.12, project affected persons who do not hold a legal title to the property are not entitled to receive financial compensation for the real property. However they are entitled to receive compensation for all objects, crops and real property improvements performed before the cut-off date and for appropriate solutions in cases where they will have to be physically or economically displaced. In such cases appropriate mitigating measures can be applied.
WB Policy requires compensation for the loss of income (e.g. from business or agricultural activity, etc.) in conjunction with real property acquisitions for the needs of the planned Task.	Provisions of Polish law do not foresee compensation on account of a loss of income as a result of Task performance.	Persons who lost income or employment will receive support (health insurance, vocational training etc.) from job centers. For businessmen, apart from the civil code mechanism it is possible to apply general Civil code mechanisms (compensation for the incurred loss and lost profit).
Particular attention should be paid to vulnerable social groups, such as the poor, the elderly, single mothers, children and ethnic minorities.	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).	The project will grant to the affected people help in obtaining assistance from offices and institutions. Additional measures will be implemented as needed to ensure that the objectives of OP 4.12 are met.
WB Policy requires additional compensation of expenses incurred by PAP (as a result of physical relocation i.e. transport of materials) and assistance in implementing the resettlement.	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.	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.

⁴ The table in this chapter is consistent with the LARFP

LARPF identifies a number of inconsistencies between OP 4.12 and the Polish law: OP 4.12	Polish law	Corrective actions
The compensation should be paid prior to physical occupation of the land for the purposes of implementation of the investment.	The Special Road Act allows for occupying the land and commencing works before the compensation is paid.	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. The only exceptions are cases where the process is taken to the courts because negotiations fail or other reason or cases were absentee owners cannot be found. * In such a case, the amount will be transferred to a court deposit and placed in a court's escrow account. 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.
Compensation for the loss of assets is based on their market 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).	Applied methods of valuation may lead to lowering the value of the real estate as compared to prices of similar real property on the local market.	The valuation of the real estate will be conducted by an independent and experienced valuator. Expert opinion should be verified by PIU. The expropriated party should be granted proper amount of time to get familiar with the valuator's opinion. 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 valuator in the proceeding with the Province Governor. In all cases effective replacement value will be achieved.
It is required to prepare a socio-economic study, LA&RAP, and monitor of compensation, resettlement and livelihood restoration measures as well as evaluation of their efficiency.	Provisions of Polish law do not account for obligation to gather a socio-economic study and prepare a LA&RAP as such and there is no obligation of monitoring or evaluation of their effectiveness. There is no obligation to monitor and evaluate their implementation.	Socio-economic research and Resettlement Action Plans will be prepared based on the LA&RAP in line with OP 4.12 and good practices.

Due to the formal and legal conditions for the task Extension of the national road No. 29 under the task entitled: Reconstruction of the road bridge in Krosno Odrzańskie with access roads. mechanisms for acquiring real property will be applicable stemming both from the Special Road Act, as well as the civil code (with reference to remnants).

In accordance with the provisions of the Special Road Act, plots are acquired within the scope of the expropriation procedure. In any case, the Investor's priority will be to obtain an agreement with a PAP concerning the terms of real property acquisition (form of compensation, date of property acquisition, terms of use after issuing the RPIP, etc.). As in the case of the Special Road Act the compensation will be determined by decision of the Lubuskie Province Governor, negotiations will be conducted as to the form of compensation and the conditions for taking over the real property.

The GDDKiA will have the status of an applicant in the administrative proceedings to issue a road project implementation permit (RPIP). For this reason, the compensation amounts paid by SWH Polish Waters RZGW in Wrocław will be transferred to PAP via GDDKiA. The detailed mechanism of transferring the funds to be disbursed by GDDKiA and the deadlines for making the funds available will be stipulated in the agreement. The method of payment will ensure that the requirements of the WB described in this LA&RAP are met.

An owner of power lines, gas lines and telecommunication lines intended for disassembly will receive compensation in the form of a new transmission device (transmission network) constructed on other real properties in place of those dismantled. On real properties where the new transmission devices will be constructed, the TO will be introduced for managing this real property or transmission servitude will be determined for the benefit of the transmission operator, who owns the dismantled and reconstructed network. In accordance with Article 305¹ CC the essence of transmission servitude is encumbering the real property with the right to use that real property within the scope defined by the transmission devices purpose. Such encumbrance includes access, use by existing exploitation, performance of controls, inspections, maintenance, upgrades, refurbishments, fault repairs, replacement of equipment located on the given real property within the scope required to ensure correct and uninterrupted operation of the transmission network of the operator (cf. SC ruling dated 18 April 2012V CSK 190/2011, LexisNexis no. 3971510).

The primary method for determining transmission servitude is an agreement between the real property owner and the operator. Real property owner may demand an appropriate remuneration in exchange for agreeing to establish transmission servitude. If the real property owner refuses to conclude an agreement, then transmission servitude may, upon the operator's request, be established by a court of law in exchange for appropriate remuneration, by ways of non-judicial proceedings, similar to right of access servitude. The remuneration is determined by the court, unusually aided by an expert, guided by the type of equipment and the associated manner of real property use by the entitled and the impact these devices have on restricting the business activity on the real property. The same right is due to a real property owner if the operator refuses to conclude an agreement to establish distribution servitude required to use the devices in question. The Act does not define whether the remuneration is to be one-off or regular, which means an opportunity to select an equivalent payment for the benefit of the owner.

All temporarily acquired real properties will be restored to their original states. Restoration of the original state does not, however, consist in removing the reconstructed networks from the real properties, but in restoring the development of the real properties and the structure of their land as it had existed before the reconstruction was undertaken, taking into account the fact that the reconstructed land development networks remain on the real properties.

Only when restoring the real property to its original state is not possible or causes excessive difficulties or costs, then the owners and holders of perpetual usufruct of these real properties are entitled to claim compensation for damages resulting from the performed reconstruction, e.g. lack of reconstruction of objects existing before the reconstruction or planting. In addition, a claim for damages may also include the fact that the value of the real property has decreased as a result of the reconstruction.

If the networks of land utilities reconstructed on certain real properties make it impossible for the owner or holder of perpetual usufruct to continue the proper use of the real property in a manner consistent with its current or former purpose, the owner or holder of perpetual usufruct may demand that the real property be purchased for the benefit of the State Treasury by way of civil law by the competent authority (Starost), by way of a contract, the ownership or perpetual usufruct of the real property. This claim is of a civil law nature and therefore cannot be pursued administratively by requesting to issue a relevant a decision, but can only be pursued before a civil court.

8.4 VALUATION PRINCIPLES ⁵

The owner, holder of perpetual usufruct of real property or a part of real property, on which the flood management investment is carried out, is entitled to compensation for the transfer of ownership of the real property to the State Treasury or a local government entity.

OP 4.12 provides for that in all cases compensation must meet the principle of replacement value, which means the market value of the real property and related assets (e.g. crops) plus any transaction costs required to replace it, such as taxes and registration fees. Compensation is determined on the basis of a valuation by a valuator or by a team of valuers (including e.g. an agricultural expert) as required.

According to the OP 4.12, with regard to land and structures, "replacement cost" 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 productive 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 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 cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.

With reference to real property expropriated for the needs of Task implementation, principles as set forth in let. a) and b) shall be applicable.

According to OP 4.12, when determining the replacement value, neither the degree of wear and tear of the real property nor the value of benefits resulting from the Project and deducted from the valuation of the assets affected by the Project should be taken into account.

Therefore, where Polish legislation does not take into account the need for compensation corresponding to the replacement value in the standard required by OP 4.12, if such a need arises, the compensation will be supported by additional measures ensuring that the compensation is carried out in the standard of compensation according to the replacement value.

Compensation shall be payable at the amount decided by the competent authority. The compensation amount determined on the RPIP issuance date is subject to indexing as on disbursement day, according to the principles applicable for return of expropriated real property.

NOTE:

Valuation methods are determined by a legal act of resolution rank, i.e.: Regulation of the Council of Ministers dated 21.09.2004 on valuating real property and drawing up a valuation (Journal of Laws No. 207, item 2109 as amended), the valuation methods and techniques are contained therein.

⁵ Chapter content according to LARFP

8.4.1 Real property valuation⁶

In accordance with Polish law, the amount of compensation is determined on the basis of the market value of the real property. While ascertaining the market value of the real property, the following factors in particular are taken into consideration: its type, location, use and zoning, existing technical infrastructure, overall condition and current market prices. The market value of a property is determined according to its current use, if the use of the property, consistent with the purpose of the investment, does not increase its value. If the data from the local or regional real property market allow the valuator to ascertain the market value of the property, they should apply one of the market approaches, i.e. the sales comparison approach, the income capitalization approach or the combined approach. Should the zoning in accordance with the purpose of the investment increase the real 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 real property market does not allow the valuator to ascertain the market value of the property, they should ascertain the replacement value of the real property on the basis of the cost approach.

If the current owner or holder of perpetual usufruct of the real property covered by the RPIP releases this real property or releases the real property and empties the rooms and other premises not later than within 30 days from the day of:

- delivery of the RPIP notification,
- delivery of the decision to make the RPIP decision immediately enforceable,
- in which the RPIP decision became final,

the amount of compensation is increased by an amount equal to 5% of the value of the real property or the value of the right of perpetual usufruct, on the terms specified in the Special Road Act.

8.4.2 Valuation of movable assets

Movable assets will also be compensated in cases where:

- a) they are not fit for the purposes of the new location, and/or
- b) the affected persons will no longer use it as a result of the resettlement (e.g. moving from a rural to an urban dwelling).

Currently no structures permanently attached to the real property have been identified, which will not be suitable for use at a new location or due to the expropriation.

8.4.3 Valuation of plants and crops⁷

The valuation of tree stand or tree cover, if the tree stand includes usable resources, will involve the valuation of timber in the tree stand. If the tree stand includes no usable resources 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 establishing 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. When determining the value of sowings, crops and other annual harvests, the value of the forecast

⁶ Chapter content according to LARFP

⁷ Chapter content according to LARFP

yields at marketable prices is estimated, reducing it by the value of the inputs needed for harvesting such crops.

When determining the value of sowings, crops and other annual harvests, the value of the forecast yields at marketable prices is estimated, reducing it by the value of the inputs needed for harvesting such crops.

8.4.4 Assessment of remaining assets

The remaining assets related to real property are civil profits, that is income from real property gained on the basis of a legal relationship. When valuating rights under contracts (including the rights of lease, usufruct, tenancy, lending and life annuity) and their impact on the real property, the valuator may in particular consider the following elements:

- type, nature, scope and duration of the contract,
- relevant provisions of the law,
- form of payment,
- type and amount of other payments,
- method and dates of payment of rent and other payments,
- rights and obligations arising out of contracts,
- the parties' claims related to the settlement of expenditures on the real property, and
- available information concerning the valuated real property and the particular section of the market involving obligations.

9 Eligibility criteria and entitlement matrix

9.1 ELIGIBILITY⁸

According to the Policy of the World Bank, the following two groups of people are eligible for compensation and assistance in connection with land acquisition resulting in loss of assets and economic and/or physical displacement:

- (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets - provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;
- (c) and those who have no recognizable legal right or claim to the land they are occupying.

The persons specified in item (a) and (b) above should receive compensation for the land they lose, and other assistance. The persons specified in item (c) should be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of OP 4.12, if they occupy the project area prior to a cut-off date. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All the persons specified in item (a), (b), or (c) are provided with compensation for loss of assets other than land.

Thus, the lack of a title in land as such should not preclude the eligibility for compensation or other assistance offered in connection with the acquisition of land.

It should be emphasized that in this case there is no group of people considered as a part of the group without a legal title to land.

When it comes to assessing the impact on PAP, it is described in chapter 5.1.

9.2 ENTITLEMENTS⁹

The following groups of persons are eligible for compensation under this LA&RAP:

- PAPs having ownership or perpetual usufruct of real estate on the Project area;
- lessees, tenants, life annuitants and other dependent possessors of real property in the project's area;
- possessors of limited property rights in real property;
- owners of crops, plants, structures and other constructions attached to the land, and not being owners or holders of perpetual usufruct of the land,
- residents of houses and flats subject to resettlement,
- PAPs who lose their income, pay or ability to carry out business activity due to the Project's implementation,
- illegal possessors of real property in the Project's area who have no legal title and no expectant right to obtain a legal title.

After conducting the socio-economic survey, the following groups of people entitled to compensation were identified:

- PAPs having perpetual usufruct of real estate on the Project are:

legal possessors of real property in the project's area shall receive full compensation.

The following categories of persons entitled to compensation and assistance were not identified:

⁸ Chapter content according to LARFP

⁹ Chapter in accordance with the LARFP

- lessees, tenants, life annuitants and other dependent possessors of real property in the Project's area;
- possessors of limited property rights in real property;
- owners of crops, plants, structures and other constructions attached to the land, and not being owners or holders of perpetual usufruct of the land,
- residents of houses and flats subject to resettlement,
- PAPs who lose their income, pay or ability to carry out business activity due to the Project's implementation,
- illegal possessors of real property in the Project's area who have no legal title and no expectant right to obtain a legal title.

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

- **Permanent loss of land** – where PAP will not express an intention to receive compensation in the form of “land for land”, or if only a small part of the plot is subject to attachment, the compensation will be paid in cash and will correspond to the market value of the expropriated real property or any part thereof. In addition, for the immediate release of the property it will be possible to increase the compensation by an amount corresponding to 5% of the value of the expropriated property under the terms of the Special Road Act.
PAPs not being owners or holders of perpetual usufruct rights, but having legal title to the property (e.g. tenants, lessees) will receive compensation corresponding to the value of the expropriated rights. At the request of PAP, the investor may take over the real property in its entirety and compensate for the acquisition of the property according to the aforementioned principles. Any and all transaction costs, including taxes related to the granting of compensation for expropriation, will be covered by the investor. PAPs who possess properties within the area covered by the project without any legal title (illegally) shall not be granted any compensation for the expropriation of the land. In such case, PAPs are entitled to compensation for plants, plantings and structures belonging to them and, if necessary, the package of assistance required to improve, or at least restore, living conditions and livelihood;
- **Permanent restriction of land use** as a rule, it will be compensated in cash, taking into account the loss of the market value of the real property. Depending on the case, specially selected protective measures will also be offered. At the request of PAP, the property, where permanent restriction of use of real property for project purposes is to occur, is expropriated and PAP will receive compensation under the terms applicable to the permanent loss of the property;
- **Buildings and non-residential structures (garages, fences, technical infrastructure)** – as a rule, owners and users of these buildings and structures are compensated on the basis applicable to the permanent loss of property. Within the framework of the protective measures the investor will propose the reconstruction of infrastructure networks - and where appropriate – of structures and buildings at the expense of investor. In addition, in case of local government units which have implemented or are implementing the affected buildings and structures by use of funds from the budget of the European Union or other foreign sources, financial compensation will be increased by the amount of the refundable funds of co-financing together with accrued interest;
- **Loss of crops** will be compensated to the benefit of PAPs in cash, taking into account the costs of making and maintenance of plantings, as well as the value of lost fruits in the period from the date of expropriation until the end of the full yield;
- **Loss of tree stand** will be compensated on the basis applicable to the loss of plantings. Depending on the case, compensation may also be made according to the estimate of the value of wood that could be obtained;

- **Impact on enterprises and employment** will be compensated in cash by compensation for the damage actually incurred by an enterprise and a profit lost as a result of the Task. Billing and accounting documents or corporate income tax returns should be the grounds for the determination of such values. Should employees lose their work, they will receive unemployment benefits. Both employees as well as contractors working under civil-law contracts, in case of loss of earning capacity, will receive free-of-charge health insurance, assistance in search for work and help in the form of retraining vocational training aimed at finding new employment;
- **Temporary loss of land** will be compensated in cash through the payment of monthly amounts corresponding to market prices of tenancy or lease of the real property. Moreover, in the case when due to the temporary occupation of the property PAPs incur loss; such a loss will be separately compensated according to the aforementioned principles. After the completion of implementation activities, all properties will be restored to their original state;
- **Damage to houses, buildings and structures due to construction works (e.g. vibration, accidents, etc.)** will be compensated according to their nature in order to make the restoration of the full substance of the affected object or the purchase of a new one possible. Depending on the situation, appropriate rules for the payment of compensation to the above influences will be applied.

Details pertaining to qualification of beneficiaries to compensation are shown in Appendix No. 2 to this LA&RAP. That Appendix is not subject to publication due to the protection of personal data.

9.3 ENTITLEMENT MATRIX¹⁰

Impacts/losses	Identification of PAP	Compensation
Permanent loss of land	Owners, perpetual usufruct holders, autonomous holders of properties	<ul style="list-style-type: none"> • compensation in the form of "land for land", • if compensation in the form of "land for land" is not possible or undesirable, cash compensation (<i>the value of compensation</i> / compensation necessary to obtain the replacement cost for lost assets), • coverage of any transaction costs
	Illegal possessor of real property	<ul style="list-style-type: none"> • no compensation for loss of property
	Holders of a lien, easement and mortgage established on real property	<ul style="list-style-type: none"> • monetary compensation for lost rights (e.g. easements or mortgages established on real property), • for owners of land easements - assistance in finding a solution allowing for the use of their property (which is owned by expropriated property), e.g. in the form of another road necessary to the property • coverage of transaction costs
	Illegal holders of easement	<ul style="list-style-type: none"> • for illegal holders of easement - assistance in finding a solution allowing for the use of their property (which is owned by expropriated property).
Permanent and temporary limitation in the use of property.	Owners, perpetual usufruct holders, autonomous holders of properties	<ul style="list-style-type: none"> • monetary compensation for losses related to restrictions on the use of property, • coverage of transaction costs • proposing institutional support and advice on other uses of the property,
	Illegal possessor of real property	<ul style="list-style-type: none"> • proposing institutional support and advice on other uses of the property,
	Illegal holders of easement	<ul style="list-style-type: none"> • assistance in finding a solution allowing for the use of their property (which is owned by expropriated property).
Buildings and non-residential structures (fences, technical infrastructure, etc.)	Owners, holders of perpetual usufruct, autonomous holders of buildings and structures	<ul style="list-style-type: none"> • monetary compensation of the replacement value of the goods lost (the value of the compensation/indemnification necessary to obtain the replacement cost for the lost assets), • transfer or reconstruction of lost goods.
	Users	<ul style="list-style-type: none"> • monetary compensation of the replacement value of the goods lost (the value of the compensation/indemnification necessary to obtain the replacement cost for the lost assets) • transfer or reconstruction of lost goods.
	Illegal possessors of buildings and structures	<ul style="list-style-type: none"> • monetary compensation of the replacement value of the goods lost (the value of the compensation/indemnification necessary to obtain the replacement cost for the lost assets) • transfer or reconstruction of lost goods.

¹⁰ Chapter in accordance with the LARFP

Impacts/losses	Identification of PAP	Compensation
	Tenants, lessees of buildings or structures	<ul style="list-style-type: none"> • monetary compensation of the replacement value of the goods lost (the value of the compensation/indemnification necessary to obtain the replacement cost for the lost assets) • transfer or reconstruction of lost goods.
Loss of crops	Owners, holders of perpetual usufruct, autonomous holders of properties – the number will be determined at the stage of issuing the RPIP decision and valuation report preparation	<ul style="list-style-type: none"> • cash compensation taking into account the costs of making and maintenance of plantings and lost crops, • enabling the harvesting of crops
	Users the number will be determined at the stage of issuing the RPIP decision and valuation report preparation	<ul style="list-style-type: none"> • cash compensation taking into account the costs of making and maintenance of plantings and lost crops, • enabling the harvesting of crops
	Tenants, lessees	<ul style="list-style-type: none"> • cash compensation taking into account the costs of making and maintenance of plantings and lost crops, • enabling the harvesting of crops
	Illegal possessor of real property	<ul style="list-style-type: none"> • enabling the harvesting of crops
Municipal property	Borough	<ul style="list-style-type: none"> • Restoration or replacement of destroyed facilities in consultation with municipalities.
Temporary loss of land	Owners, perpetual usufruct holders, autonomous holders of properties	<ul style="list-style-type: none"> • cash compensation or in any other form agreed with the person entitled, • restoring the real property to its previous state or as indicated in the contract.
	Illegal possessor of real property	<ul style="list-style-type: none"> • restoring the real property to its previous state or as indicated in the contract.
	Tenants, property users	<ul style="list-style-type: none"> • cash compensation or in any other form agreed with the person entitled, • restoring the real property to its previous state or as indicated in the contract.

Details pertaining to eligibility of beneficiaries are shown in Appendix No. 2 to this LA&RAP. That Appendix is not subject to publication due to the protection of personal data.

10 Stakeholders

Information flow between the Investor and the Stakeholders is the basis for ensuring effective consultations and social involvement in the Project, which is why the Investor has first undertaken the activities meant to identify the Stakeholders.

The table below presents the external Stakeholders, as well as their impact on the Plan for the Obtainment of Properties and Resettlement.

External stakeholder	Type of impact on LA&RAP
Minister of Development	<ol style="list-style-type: none"> 1. Consideration of an appeal against RPIP 2. Consideration of an appeal against the decision establishing the amount of compensation
Lubuskie Province Governor	<ol style="list-style-type: none"> 1. Issuing the RPIP 2. Issuing a decision establishing the amount of compensation
Mayor of Krosno Odrzańskie	<ol style="list-style-type: none"> 1. Assistance to identify the needs of the local community 2. Direct participation in the public consultation 3. Issuing a decision setting out the environmental protection requirements for the Investment
Krosno Starost	<ol style="list-style-type: none"> 1. Assistance to identify the needs of the local community 2. Direct participation in the public consultation
Entities subject to expropriation	<ol style="list-style-type: none"> 1. Determination of needs and losses incurred in connection with the planned expropriation 2. Choice of the form of compensation and compensation 3. Direct participation in the public consultation 4. Participation in the inventory
Residents of Krosno Odrzańskie	<ol style="list-style-type: none"> 1. Direct participation in the public consultation

Table 3. Preliminary identification of stakeholders participating in the public consultation, those influencing the preparation and implementation of the LA&RAP.

The process of informing the Stakeholders listed in Table No. 3 follows the diagram below:

- Informing the local authorities, social leaders and local social organisations about the Project plans, as early as possible, and requesting them for further spread of the information.
- Representatives of institutions, Project managers and individuals who remain in constant contact with the community within the planned undertaking impact and mitigating activities,
- Developing and providing the information concerning the real properties purchase rules for the investment purpose, principles of determining and paying out compensations for the real property expropriations, as well as the possibilities for submitting grievances, remarks and motions regarding the planned investment execution.
- Development and regular distribution of up-to-date Project-related information.

When it comes to the OVFMP and publishing the LA&RAP, the planned public debate date regarding the LA&RAP project, as well as the possibility of submitting remarks and motions to the LA&RAP, the community can be informed by:

- information published on the website Państwowe Gospodarstwo Wodne Wody Polskie - wody.gov.pl,
- information published on the website Odra-Vistula Flood Management Project - odrapcu2019.odrapcu.pl,
- information published on the website and the Borough information board, where the investment will be executed,
- publishing information on the information board of the Investor/RZGW,
- announcements in the local mass media,
- publishing information on the borough information boards/ posters/ in the localities where the investment will be executed,
- personal invitations sent to the individual whose properties will be subject to expropriation,

- a consultation spot for the individuals affected by the Contract, where they can submit their motions and remarks regarding the performed construction works and the planned seizures,
- information materials/leaflets/posters,
- social media, e.g. Facebook PGW Wody Polskie/.

Additionally the Stakeholders may request for information regarding the OVFMP and the planned Contract at the following addresses:

Państwowe Gospodarstwo Wodne Wody Polskie - Regionalny Zarząd Gospodarki Wodnej we Wrocławiu [State Water Holding Polish Waters - Regional Water Management Authority in Wrocław]
ul. Norwida 34
50-950 Wrocław
phone: +48 (71) 337 88 01
e-mail: wroclaw@wody.gov.pl
www.wroclaw.wody.gov.pl

**Państwowe Gospodarstwo Wodne Wody Polskie
Krajowy Zarząd Gospodarki Wodnej
Biuro Koordynacji Projektu Ochrony Przeciwpowodziowej Dorzecza Odry i Wisły**
ul. Jaworowa 9-11, 53-123 Wrocław
phone. +48 71 787 86 90
e-mail: pcu@odrapcu.pl
www.odrapcu2019.odrapcu.pl

**Engineer - Consultant's Office:
SWECO Consulting Sp. z o.o.
ul. Kożuchowska 20C, 65-364 Zielona Góra
e-mail: odra.wroclaw@sweco.pl**

11 Social consultations and participation of the local community

In conjunction with obtaining a loan from the World Bank and the need to implement the principles pertaining to the resettlement process stemming from the OP 4.12 policy requirements, the Investor instigated actions aiming to engage the community in the development and implementation of the LA&RAP. Engagement of the local community is treated as one continuous process spread out in time, the correct performance of which should facilitate a minimization of risks associated with the potential social conflict for the Contract.

The local community was informed about the submission of the application for a decision on environmental conditions by means of an announcement placed on the website of the Lubuskie Province Governor Office and in the customary way, on publicly available notice boards at the place of task execution.

By means of an announcement on the website of the Lubuskie Province Governor Office and in the customary manner, on publicly available notice boards at the place of the Task implementation, the local community will be informed about the Task:

- issuing the decision on environmental conditions,
- submitting the application for issuing the RPIP,
- issuing the RPIP.

Moreover, PAPs were informed about the above-mentioned events by registered letters. PAPs will receive additional information from the authorities conducting the case, informing them of the possibility to consult the documentation and to present their comments and conclusions before issuing a decision on environmental conditions and before issuing the RPIP. In addition, PAPs will be informed about the possibility and manner of appealing against these decisions.

During the course of the socio-economic research, information was provided to PAPs on the planned Contract/investment, principles and entitlements concerning real property acquisition.

The draft for the Land Acquisition and Resettlement Policy (LA&RAP) regarding **1B/1/1(b) Task Reconstruction of the road bridge in Krosno Odrzańskie with access roads**, was subject to public consultations carried out in accordance with the requirements specified in World Bank operational policy (OP 4.01). They were meant to make it possible for natural persons, institutions and all the interested ones to review the document and be able to report possible remarks, inquiries and conclusions regarding its content.

Owing to the state of epidemic threat in Poland, bearing in mind your health safety, the form of conducting the public consultations for the LA&RAP has been changed. The open meeting for all the interested parties was not held, but the consultations were carried out in electronic form, taking advantage of the available (safe) electronic communication channels. The public consultations concerning the LA&RAP draft for 1B.1/1 (b) Task were carried out between November 26th and December 17th 2020 (thus they lasted three weeks).

Thus the digital version of the document, along with the Announcement about public consultations, was published on the following websites:

- Państwowe Gospodarstwo Wodne Wody Polskie, Regionalny Zarząd Gospodarki Wodnej in Wrocław;
- Urząd Miasta w Krośnie Odrzańskim [the City Hall in Krosno Odrzańskie]
- Biuro Koordynacji Projektu Ochrony Przeciwpowodziowej Dorzecza [Project Coordination Unit of the Odra-Vistula Flood Management Project]

Information about the possibility of getting to know the LA&RAP content and submitting potential conclusions and remarks, along with specifying detailed contact data (e-mail address, phone number) were published in the local press. The Announcement was published on 26.11.2020, in

paper version, and digitally in „Tygodniowa”, ad in the Internet portal of gazetalubuska.pl. The published Announcement also includes information about the webinar date planned in relation to the LA&RAP and specifies how to take part in the webinar. The website of PGW WP RZGW in Wroclaw, in “aktualności” [current issues] part, contains detailed information and instructions how to join the webinar.

Information poster with details about the pending public consultations was published on the information posts of Zakład Gospodarki Komunalnej in Krosno Odrzańskie (9 posters in total). The information poster also provides date about the planned webinar and the possibility for asking questions and reporting remarks in a digital form.

On 26.11.2020 notifications about starting the public consultations were sent to the PAPs, along with information about the possibilities of getting to know the LA&RAP content and attempts of a phone contact with the PAP in order to discuss the documents and provide answers to the possible questions, plus information about the planned webinar .

During the public consultations period three phone contacts were made by the real properties' owners where temporary and permanent seizures are planned, as evidenced in app. 7 - Public consultations report

As far as the correspondence public consultations are concerned, activities enabling contacts with the PAPs were undertaken. The list and the discussed issues are included in the Public consultations report (app. 7 to LA&RAP).

On December 17th 2020, between 14:00 and 16:00, the webinar took place through a public access internet platform, in a way that did not require installation of any additional software. The webinar was actively participated by 6 people, including representatives of the Consultant, the Project Coordination Unit OVFMP and the Employer. During the webinar the scope of works involving 1B.1/1(b) task implementation was presented and the compensations forms concerning expropriation, permanent restriction, lost income were discussed. During the webinar it was possible for the participants to ask questions. During the document publication period and the webinar, motions were filed and questions were asked - the list of them is included in the Public consultations report (app. 7 to LA&RAP).

Once the remarks and questions submitting process is over, a post-consultations report was prepared. Some of the remarks from the community, which had to be included, were inserted in the LA&RAP document and sent to the World Bank to obtain “No objection”.

11.1 NEGOTIATIONS

Negotiations with PAP will be conducted individually with a specific PAP depending on the type of impacts on the household. All the interested persons have the right to participate in the negotiations, on equal bases. The negotiation areas will depend on the type of the affected good, what will make it possible to satisfy the needs of each PAP regarding the impacts the PAP is affected by:

- loss of land,
- loss of structures or buildings located on the real property's structure,
- loss or reconstruction of infrastructure,
- the extent to which management on the real property is restricted,
- temporary limitation of the possibility to use the property,
- other elements (e.g. the need to establish transmission easement).

Due to the type of impact, in relation to the investment in question, the negotiations will primarily concern the period of occupation and the amount of compensation due. Other areas will be subject to negotiations depending on a specific case.

During the negotiations the Investor will, on a regular basis, be providing the PAPs with comprehensive explanations and information in order to guarantee the undertaken agreements

and settlements are clear for all to whom they pertain. The negotiation process will be non-discriminative and it will take into account the equal rights problems.

The reservations made by the parties during the negotiations stage will be archived in minutes of the meetings and protocols from the negotiations.

If an individual compensation package is agreed upon and includes other than financial means of the compensating party, it will be determined in the settlement signed with the PAP.

12 Grievance redress mechanism

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

12.1 THE GENERAL GRIEVANCE REDRESS MECHANISM

The general grievance redress mechanism will be applicable for the following grievances and requests:

- a) submitted during public consultations on the draft of the current LA&RAP,
- b) submitted prior to the Investor's request for the RPIP,
- c) submitted in the course of RPIP proceedings or a decision determining the amount of compensation directly to the Investor,
- d) submitted after the decision determining the compensation amount for the expropriated real property was issued,
- e) submitted during the design works,
- f) submitted directly to PIU, PCU, SWH Polish Waters or another entity acting on behalf of PAP.

With reference to this mechanism, the primary rule adopted by the Investor is granting the right to submit a grievance or request pertaining to the Contract to everyone, regardless of whether their real property, right or assets are within the area designated for the Contract execution.

Submitting grievances and requests is free of charge. Furthermore, person submitting a grievance or request cannot be exposed to any detriment of accusation on that account.

Grievances and requests can be submitted in writing, electronic format, by telephone and verbally to the protocol. They can be filed directly at the office of:

PGW WP RZGW in Wrocław, sent by post to the address (ul. C.K. Norwida 32, 50-950 Wrocław) or by e-mail to wroclaw@wody.gov.pl

Grievances and requests will be archived by the PIU in a separate register, indicating the date of filing, date of response consideration method.

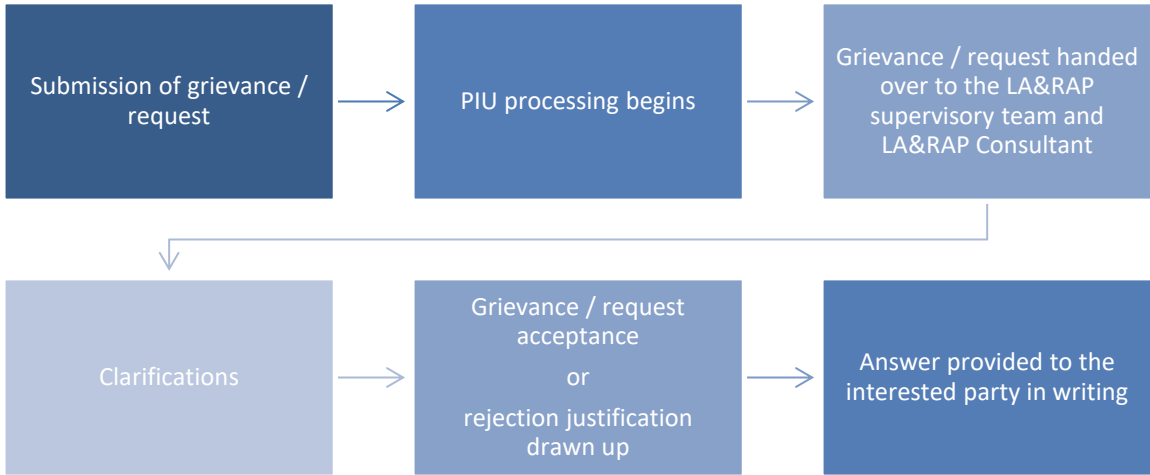
The grievance or request will be considered immediately, which means that the party must be given official notice without undue delay of how the grievance or request will be considered. Such notice shall include the identification of the entity from which it originates, an indication of how the complaint has been considered and a signature stating the name and official position of the person authorized to deal with the grievance or request.

In especially complex cases and in cases where consideration of a grievance or request requires changes to the LA&RAP, the deadline for responding to a grievance or request will be extended to 30 days. If this deadline is too short, the party will be informed of the reason a substantive response to the grievance / request is not received within the deadline, together with an indication of a date by which such a response will be provided.

If a case is rejected, the person submitting the grievance or request will be exhaustively informed as to the reasons for the rejection.

The general mechanism for managing grievances and requests is shown below:

Figure 7 - The general mechanism for managing grievances and requests



12.2 PARTICULAR GRIEVANCE REDRESS MECHANISM

Particular mechanisms for managing grievances and requests are directly connected with the proceedings for issuing the RPIP and determining the compensation for the lost right to the real property and the associated assets (e.g. civil benefits, belongings or plant and machinery which cannot be used at another location).

These will be used during the proceedings on issuing the RPIP, negotiations to determine the compensation conducted after the RPIP is issued, in the proceedings on the Lubuskie Province Governor issuing a decision determining compensation amount and appeals and court proceedings pertaining to the RPIP and compensation.

Persons whose property is within the contract implementation area shall be parties to the RPIP issuance proceedings. They have the right to participate actively, free of charge, in the proceedings concerning the issuance of RPIP, including the right to submit comments and motions directly to the Lubuskie Province Governor. It should be noted that comments and motions submitted in the proceedings do not always require a response from the Investor. In the event that such a response is required, the Investor will immediately take a position on the matter and forward it to the Lubuskie Province Governor. The Investor's replies will be delivered to the parties by the Lubuskie Province Governor.

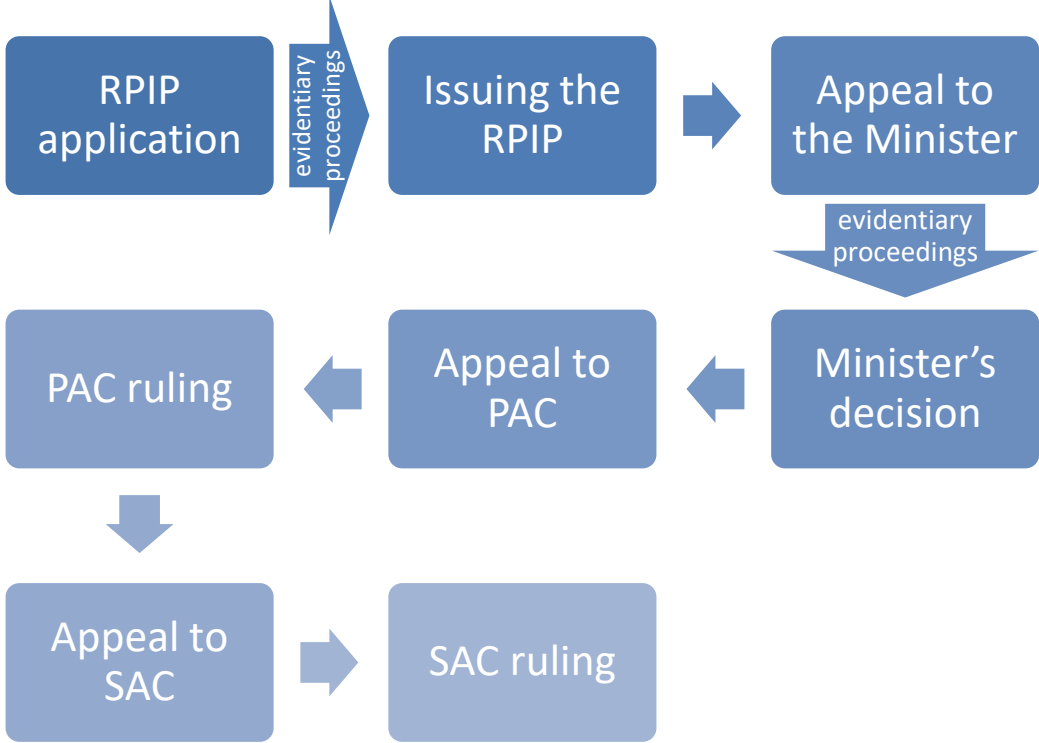
If the parties are not satisfied with the decision issued by the Province Governor, they will be entitled to lodge an appeal with the competent Minister. All statements, motions and evidence submitted in the proceedings before the minister will have to be admitted by the minister and considered when issuing the decision

If the Minister's decision is not satisfactory, the parties will have the right to make an appeal to the Provincial Administrative Court in Wrocław. That court will investigate whether the Province Governor and Minister conducted the proceedings in a correct and reliable manner, including within the scope of taking into account the comments, request and evidence submitted by the parties to the proceedings. According to the regulations in force the appeal is subject to a PLN 500 court fee. Furthermore, the losing party is obligated to refund the costs of the court proceedings to the other party.

If the decision of the RAC will not be satisfactory for a party, it is entitled to appeal against a ruling to the Supreme Administrative Court. That court will not only investigate the correctness and

legality of the proceedings conducted by the Province Governor and the Minister, but also the RAC ruling. An appeal against a ruling is subject to a PLN 250 fee. Furthermore, the losing party is obligated to refund the costs of the court proceedings to the other party.

Figure 8 - Complaint management mechanism at the RPIP stage



Once a final RPIP is obtained, negotiations will be held with persons who have lost their right to a real property or asset (e.g. civil benefits, affiliations or equipment and machines that are not suitable for use in the new location), at the initiative of the Investor on the amount of compensation and the acquisition of the real property. Objections submitted by the Parties at the negotiations stage will be archived in negotiation meeting reports.

For real properties expropriated on the basis of RPIP, protocols and other documents sent to each other by the parties during negotiations, will be transferred to the Lubuskie Province Governor unless an agreement on compensation is reached. These documents, next to the valuation, will constitute the basis for issuing a decision determining the compensation amount.

PAP entitlements in the proceedings to issue a decision determining the compensation amount are analogous as to those for proceedings on the issuance of RPIP. This means that PAPs are entitled to an active, free of charge participation in these proceedings, to submit comments and requests, to appeal the decision issued by the Province Governor and to appeal the appeals decision issued by the competent Minister to the competent Provincial Administrative Court and then to the SAC. However, unlike the proceedings relating to the issue of RPIP, an action before the PAC against the decision establishing the amount of compensation is subject to a relative fee, which depends on the amount of the pecuniary charge covered by the contested decision and amounts to:

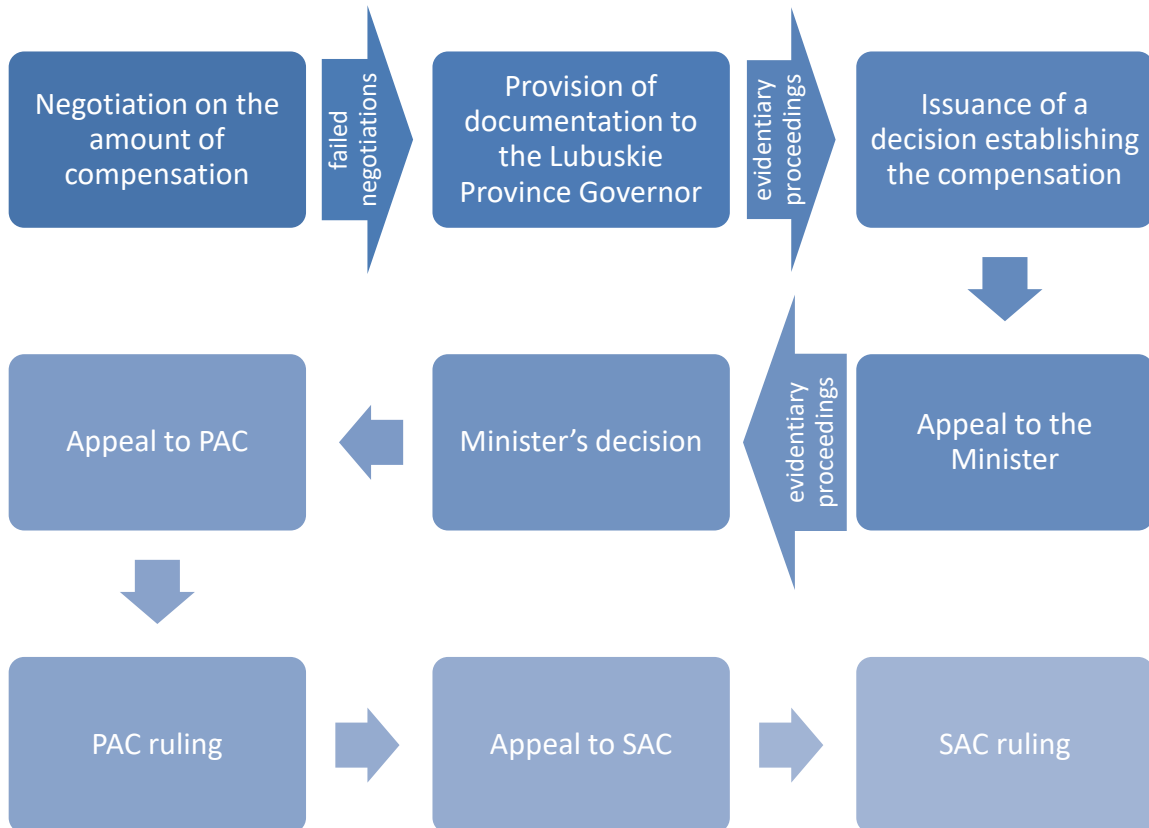
1. up to 10 000 PLN - 4 % of the value of the object of complaint, but not less than 100 PLN;
2. over 10 000 PLN to 50 000 PLN - 3 % of the value of the object of complaint, however not less than 400 PLN;
3. over 50 000 PLN to 100 000 PLN - 2 % of the value of the object of complaint, however not less than 1.500 PLN;

4. over 100 000 PLN - 1 % of the value of the object of complaint, but not less than 2 000 PLN and not more than 100 000 PLN.

A fee from a cassation complaint to the SAC is half of the fee from a complaint to the PAC, but not less than 100 PLN.

If the PAP is unable to bear the costs of the proceedings, it is entitled to submit an application for exemption from the obligation to bear court costs

Figure 9 - Mechanism for managing grievances at decision determining the compensation amount stage (after issuing the RPIP and after it becomes enforceable)



12.3 GRIEVANCE REDRESS MECHANISM PERTAINING TO THE PERFORMANCE OF THE WORKS CONTRACT

The mechanism for submitting grievances and request pertaining to the performed building and assembly works by the Contractor will be implemented at the start of the entire process and will be applicable throughout the entire execution, functioning and closure of the Contract.

12.3.1 Location for submitting grievances and requests

A grievance or request may be submitted by a party in one of three locations:

Directly in the Project's main office, which will operate as a consultation point:
Sweco Consulting sp. z o.o., ul. Armii Krajowej 61, 50-541 Wrocław

Directly at the Employer's office:
PGW WP RZGW in Wrocław
ul. C.K. Norwida 34, 50-950 Wrocław

Directly in the office on the construction site (the address of this office will be given on the Investment's website within 1 month before the start of works).

Additionally, grievances and requests can be submitted:

- Via conventional post to the above address or

- Via the Internet:

website <http://www.wroclaw.rzgw.gov.pl>;

e-mail: wroclaw@wody.gov.pl

12.3.2 Deadlines for handling grievances and requests

Deadlines for handling grievances and requests

- suggested solutions: immediately, up to 30 days from grievance receipt.

The principles for handling grievances and requests cited in pos. 12 are also applicable for grievances of this type.

A suggested grievance registry form is shown in Appendix 16.6.

12.3.3 Persons responsible for handling grievances and requests

The substantive employees of the PIU, indicated by the PIU Manager, will be responsible for handling grievances and requests.

12.3.4 Audits and independent appeal mechanism

It is assumed that periodically (once every six months) internal audits will be performed of the grievances and request mechanism. The audits will assess the effectiveness of the implemented system.

12.4 PERSONAL DATA PROTECTION POLICY APPLIED FOR THE PROJECT

The following rules, applied during the implementation of this Task, are aimed at ensuring transparency, protection and security of collected personal data of Project Affected Persons (PAPs).

12.4.1 Who is the personal data controller

Pursuant to Article 13(1) and (2) of the General Regulation on the Protection of Personal Data of 27 April 2016, the controller of personal data is the State Water Holding Polish Waters with its registered office in Warsaw 00-844, ul. Grzybowska 80/82. It is responsible for the use of the data in a safe and lawful manner - in particular 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 individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC.

12.4.2 Contact details for the personal data protection officer

All PAP's questions concerning the manner and scope of personal data processing within the scope of SWH Polish Waters' operations, as well as the powers vested in them, are answered by the Personal Data Protection Inspector at SWH Polish Waters using the address iod@wody.gov.pl

12.4.3 Legal basis for processing

The legal basis for the processing of personal data is Article 6(1)(e) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals 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 Act of 8 July 2010 on special rules for preparation for the implementation of investments in flood protection structures.

12.4.4 What personal data may be collected and for what purpose

Personal data is any information of a personal nature that identifies a particular person. **SWH Polish Waters RZGW in Wrocław** collects only those data which are necessary to carry out investment tasks carried out by **SWH Polish Waters RZGW in Wrocław** (in this case, concerning the execution of the Works Contract: Extension of the national road No. 29 under the task titled: Reconstruction of the road bridge in Krosno Odrzańskie with access roads. Such data are processed only to the extent stated by the PAP, on the basis of their voluntary consent through the relevant form, and may include:

- a) identity details: full name and date of birth,
- b) contact details: telephone number, registered and/or residence address, e-mail address,
- c) data related to the payment of compensation for permanent seizure of property, restrictions on use: PESEL number, series and number of identity card, parents' names, bank account number.

Consent to the storage and processing of personal data is voluntary, but the lack of consent may prevent the execution of compensation payments or informing PAPs about the commencement of construction works and their progress.

SWH Polish Waters RZGW in Wrocław stores only current personal data of PAP, and should inform RZGW in Wrocław about any change of PAP data.

12.4.5 What personal data have been obtained other than from the person concerned and from what source(s)

In order to identify the owners/ holders of perpetual usufruct /operators of the real properties that will be subject to permanent occupation or limitation in use, **SWH Polish Waters RZGW in Wrocław** obtained personal data from the Land and Building Register and the electronic Land and Mortgage Register system. The data obtained include:

- a) identity data: full name and first names of parents (where indicated in EGIB), PESEL number (where indicated in KW)
- b) contact details: address for registration (in those cases where indicated in EGIB).

12.4.6 To whom personal data may be disclosed

PAP's personal data can only be disclosed to:

- a) eligible public entities for the purposes of their proceedings, when **SWH Polish Waters RZGW in Wrocław** is obliged to do so on the basis of relevant regulations and documents (e.g. summons from the court, court order or other administrative or legal procedure),
- b) units involved in the execution of the Works Contract Extension of national road No. 29 under the task entitled: "Reconstruction of the road bridge in Krosno Odrzańskie at km 514.1 of Odra River", only to the extent necessary to carry out a specific activity,
- c) postal operators, to inform PAP,
- d) the Consultant's representatives and lawyers to support the implementation of the Works Contract and compensation payments.

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

12.4.7 What rights does the data subject have

Every PAP is entitled:

- a) to access, update and correct their personal data,
- b) to delete their personal data ("right to be forgotten") or transfer them to another controller,
- c) to restrict the processing of their personal data - some data may be designated as restricted to processing only in certain circumstances,
- d) to lodge a complaint concerning the processing of their data by **SWH Polish Waters RZGW in Wrocław** to the competent authority supervising the processing of personal data, if PAP considers that the processing of personal data concerning them violates the

provisions of the General Regulation on Personal Data Protection of 27 April 2016 (indicated above),

- e) to withdraw at any time consent to the processing of their personal data by **SWH Polish Waters RZGW in Wrocław**.

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

12.4.8 Contact to the supervisory authority to which a complaint can be lodged

Prezes Urzędu Ochrony Danych Osobowych [President of the Office for the Protection of Personal Data]

ul. Stawki 2

00-193 Warszawa

phone: +48 22 531 03 00

fax. +48 22 531 03 01

Office hours: 8.00 – 16.00

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

12.4.9 Contact in SWH Polish Waters RZGW in Wrocław on matters related to privacy policy

At PGW WP **Inspektor Ochrony Danych** [SWH POLISH WATERS, the Data Protection Inspector], phone: +48 22 37 20 213 e-mail: iod@wody.gov.pl

at RZGW in Wrocław:

riod.wroclaw@wody.gov.pl

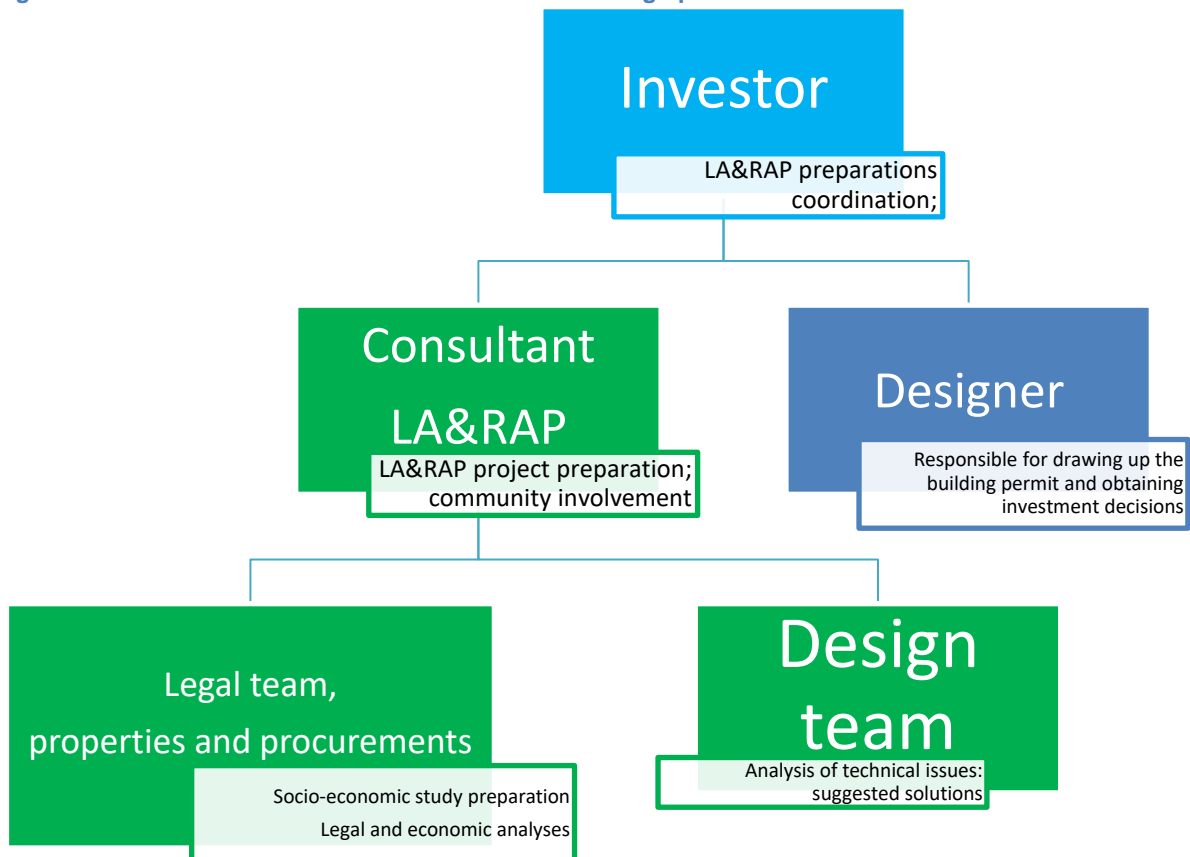
12.4.10 Period for which personal data will be stored

Personal data will be stored until the statute of limitations for PAP's compensation claims.

13 Institutional structure and the implementation team

The institutional structure of the team drawing up this LA&RAP is presented on the diagram below:

Figure 10 – The institutional structure of the team drawing up this LA&RAP



The LA&RAP consultant for the preparation of this LA&RAP is Sweco Consulting Sp. z o. o.

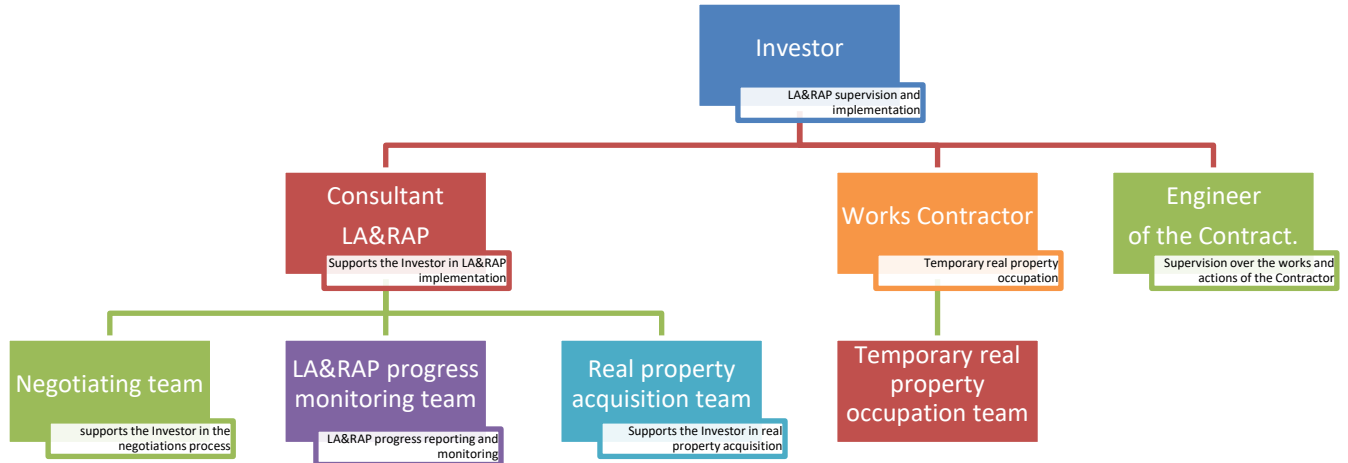
The scope of competencies of the team drawing up the LA&RAP is as follows:

1. Investor – LA&RAP preparations coordination:
 - a. supervision improving the drawing up of LA&RAP,
 - b. ensuring flow of information between the LA&RAP Consultant and the Designer,
 - c. ensuring changes which surfaced during preparation of the LA&RAP are introduced to the Construction Design,
 - d. monitoring the LA&RAP drawing up process,
2. LA&RAP Consultant – LA&RAP preparation:
 - a. performance of socio-economic research and drawing up of socio-economic study,
 - b. collection and analysis of data pertaining to real property use and development,
 - c. social consultations,
 - d. social consultations process coordination,
 - e. preparation of a proposal for minimizing impact and technical analysis of these proposals, provision of Construction Design change proposals to the Investor,
 - f. qualification analyses,
 - g. preparation of compensation packages,
 - h. preparation of the LA&RAP document draft.
 - i. preparation of the final LA&RAP document.
3. Designer
 - a. preparation of the Construction Design,
 - b. administrative decisions including decision on environmental conditions, RPIP,

- c. technical analysis of Construction Design changes presented by the Consultant.

The scope of competencies of the LA&RAP implementation team is as follows:

Figure 11 – The scope of competencies of the LA&RAP implementation team



The scope of competencies of the LA&RAP performance team is as flows:

1. Investor
 - a. supervision improving the implementation of LA&RAP,
 - b. concluding compensation agreements,
 - c. compensation disbursement,
 - d. ensuring flow of information between the LA&RAP Consultant, Engineer and the Contractor.
 - e. ensuring that there is no impact on real property that has not been acquired and compensated for as real property to be used in the works in progress,
 - f. acquiring real property.
2. LA&RAP Consultant
 - a. planning and participation in negotiations,
 - b. preparing opinions and valuations by surveyors for the needs of negotiations with PAP,
 - c. monitoring of the LA&RAP implementation by the Contractor and Engineer,
 - d. suggesting remedies in the event of problematic situations,
 - e. supporting the Investor in real property acquisition.
3. Engineer
 - a. supervision over commencement and performance of works,
 - b. control of execution of the Contractor's duties.
4. Contractor
 - a. acquiring real property for temporary occupation,
 - b. disbursement of compensation for real property acquired for temporary occupation,
 - c. performance of works on real property permanently occupied,
 - d. returning real property temporarily acquired to the original state from before the execution of the Contract or the state agreed in the contract for temporary occupation.
5. PCU OVFMP

- a. coordination of activities undertaken by the PIU in the framework of the Project implementation, including the implementation of the provisions of the LA&RAP.

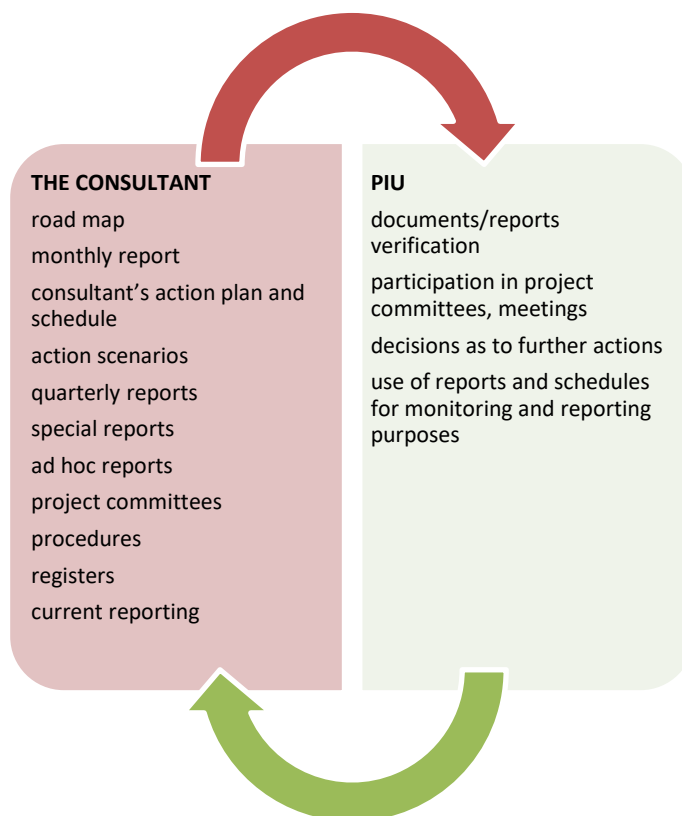
14 Monitoring and assessment

Monitoring of the execution of LA&RAP is an integral part of the Contract monitoring and management system. Therefore, for the purposes of monitoring implementation of LA&RAP, tools will be used for monitoring of implementation of the Contract, which task is reporting to funding agencies and provision of existing information on the problems, fortuitous events and irregularities. The LA&RAP is an integral part of the investment process allowing for the immediate response in case of stating problems or irregularities. Here, ensuring appropriate cooperation between the Consultant, PIU is paramount. A diagram of information flow within the monitoring is shown here.

The overall monitoring procedures and evaluations are described in the document entitled Land Acquisition and Resettlement Action Plan (LARPF) available at:

http://www.odrapcu.pl/doc/OVFMP/Ramowy_dokument_dotyczacy_Przesiedlen_i_Pozyskiwani_a_Nieruchomosci.pdf.

Figure 12 - LA&RAP implementation monitoring outline



A crucial role in the LA&RAP monitoring implementation is played by logging facts by the Consultant and by the PIU, notably by correspondence register, the register of the progress of acquiring title to the property for construction purposes, and the register of the progress of payment of compensation. The data contained in these registers are taken into account in compiling data on the number of acquired real property and the amounts and types of compensation handed over in accordance with Appendix No. 1.

All changes are recorded in the registers. Based on the aforementioned registers the following parameters are monitored in detail:

- number of real property for expropriation and expropriated,
- number of people requiring resettlement and resettled,
- number of real property for temporary occupation (planned and actual),

- d) amount of all expenses for the resettlement process (planned and actual)
- e) compensation disbursed for loss of legal title to real property,
- f) compensation disbursed for loss of income sources,
- g) degree and status of protective actions,
- h) number of grievances.

Such a LA&RAP performance monitoring system makes it possible to react quickly in case of problems and facilitates efficient reporting within the framework of the existing Contract management systems. The data will be updated on a quarterly basis.

The main indicators, which will be monitored with reference to the Contract executed by SWH Polish Waters RZGW in Wrocław are shown in the table below¹¹.

Indicator	Source of information	Frequency of monitoring	Progress indicator
Assumed parameters			
People exposed to flood	Data from model tests	Once at the investment preparation stage	Quantity
Number of hectares of land at risk of flooding	Data from model tests	Once at the investment preparation stage	Quantity [ha]
Number of real properties to be expropriated	ZRID [decision on permission for the implementation of a road investment]	Once after decision is issued	Quantity [pcs]
Number of real properties subject to permanent restrictions	ZRID [decision on permission for the implementation of a road investment]	Once after decision is issued	Quantity [pcs]
Number of real properties subject to temporary restrictions	ZRID [decision on permission for the implementation of a road investment]	Once after decision is issued	Quantity [pcs]
Number of project affected persons (PAP)	Land mortgage register, extracts from land and property register, RPIP decision	Once after decision is issued Ongoing updates during the process of negotiating and disbursing compensation	Quantity
Amount of all expenses for the compensations (expenses)	SWH Polish Waters RZGW registers in Wrocław/Consultant	Monthly / Quarterly	PLN
Number of acquired real properties	SWH Polish Waters RZGW registers in Wrocław/Consultant	Monthly / Quarterly	Quantity [pcs]
Achieved parameters			
Number of people protected against flood	RZGW / Consultant's registers	One time after Contract execution	Quantity
Number of hectares protected from flood	RZGW / Consultant's registers	One time after Contract execution	Quantity [ha]
Amount of all expenses for the compensations (expenses)	SWH Polish Waters RZGW Wrocław financial records	Monthly / Quarterly	PLN
Number of acquired real properties	SWH Polish Waters RZGW registers in Wrocław/Consultant	Monthly / Quarterly	Quantity [pcs]
Efficiency indicators			

¹¹ Z As there will be no physical and economic resettlement, PAPs will remain in their households and no impact on income levels is expected.

Number of grievances	SWH Polish Waters RZGW registers in Wrocław/Consultant	Monthly / Quarterly	Quantity [pcs]
Number of grievances handled	SWH Polish Waters RZGW registers in Wrocław/Consultant	Monthly / Quarterly	Quantity [pcs]
Impacted HH able to maintain or improve standard of living to pre-project level.	SWH Polish Waters RZGW registers in Wrocław/Consultant	One time after Contract execution	Quantity
Disbursed compensation, miscellaneous	SWH Polish Waters RZGW Wrocław financial records	Monthly / Quarterly	PLN

The LA&RAP activities will be subject to, based on the determined indicators, continuous monitoring and periodic updates by the Consultant's team and by the PIU as the work progresses and new factual and legal circumstances affecting the implementation of its provisions emerge. This will allow, among others, to provide relevant information to PAPs, early identification of risks and implementation of methods that will allow to minimize or eliminate these risks.

The results of monitoring will be presented in monthly and quarterly reports. The ex-post evaluation will be carried out six months after the full implementation of the LA&RAP and its objectives will be assessed and documented in terms of establishing the standard of living of PAPs equal or better than their standard of living before the Project implementation.

15 Costs and budget

Pos.	Item	Unit	Price in PLN/m ²	area [ha] Number [pieces]	Sum [PLN]
1	Permanent occupation ¹² (Private plots, municipal plots and plots with undetermined legal status)	Hectare*	0,6789 ha/21 pieces	No data*
2	Permanent usage restrictions ¹³ (Private plots, municipal plots and plots with undetermined legal status)	Hectare*	0,4135 ha/27 pieces	No data*
3	Court costs ¹⁴	Not applicable	Not applicable	Not applicable	No data
4	LA&RAP implementation costs ¹⁵	Not applicable	Not applicable	Not applicable	No data
5	Unanticipated costs (+20 % to items No.: 1)	PLN			No data
6	Total: (sum of the items - No.: 1-5)	PLN			No data

* the amounts will be determined by an independent valuator

Information on the amount of compensation for permanent restrictions on the use of the property will be supplemented after the valuation is carried out by a valuator.

Compensation is paid by the Investor, i.e. SWH Polish Waters RZGW. The funds are guaranteed by the State Treasury and are distributed through the Ministry of Finance and the Ministry of Infrastructure to the Polish Waters.

PAP receives compensation by transfer from GDDKiA account to the indicated bank account or, if PAP does not have a bank account, the payment will be made by postal order.

The unforeseen costs include the possible costs of purchasing "remnants". The costs of LA&RAP implementation will include, among others, the costs of correspondence with PAPs and the costs of remittances in case of compensation payment to persons without a bank account.

*

¹² The final quantity will be determined by RPIP decisions

¹³ The final quantity will be determined by RPIP decisions

¹⁴ The amount will include the costs of proceedings before administrative courts and common courts (costs of court registrations, costs of experts, costs of legal representation, deposits and other related fees)

Costs before administrative courts can be assessed after the decision of the Lubuskie Province Governor determining the amount of compensation has become final

¹⁵ The amount will be determined at the stage of determining the compensation from PAP

16 Schedule of LA&RAP implementation

The individual steps necessary for the preparation and implementation of the LA&RAP according to the LARPF are shown in the table below. A detailed schedule in this respect is included in Appendix No. 3 to the present document.

DRAWING UP LA&RAP			
Step	Functioning	Responsibility	Verification of actions made
1	Initial assessment of Contract's social consequences	SWH Polish Waters RZGW in Wrocław – LA&RAP verification team	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
2	Determination of the final scope of expropriation and drawing up of a Construction Design	Designer	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
3	Determination of the coordination framework within the scope of LA&RAP with the government administration appropriate authorities	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
4	Collection of excerpts and copies from land and property register and local development spatial plans	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
5	Assessment of Contract's social consequences	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
6	Verification and update of collected materials, analyses of impacts and economic analyses	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
7	LA&RAP draft preparation	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
8	LA&RAP social consultation	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
9	Within the scope stemming from taking into consideration comments and requests to LA&RAP - Verification and update of collected materials, analyses impacts and economic analyses	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
10	Within the scope stemming from taking into consideration comments and requests - LA&RAP amendments	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
11	LA&RAP submission to the World Bank	PGW WP RZGW in Wrocław	BKP/ PCU

DRAWING UP LA&RAP			
Step	Functioning	Responsibility	Verification of actions made
12	No remarks from the World Bank	BŚ / WB	
13	LA&RAP publication (it is also published on the World Bank's website)		PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP verification team
LA&RAP IMPLEMENTATION			
Step	Functioning	Responsibility	Verification of actions made
1	Determining detailed LA&RAP performance schedule	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
2	RPIP applications	Designer	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
3	PIU acquiring real property which can be used as substitute	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
4	Obtaining the RPIP	Designer	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
5	Provision of information on obtaining the RPIP to PAP and the investor's further steps	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
6	Real property valuation by valuers in accordance with the law and valuation verification	Consultant – legal team, properties and procurements financial team	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
7	Expropriated individuals receive property valuations and negotiations are held	Consultant – legal team, properties and procurements financial team	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team

DRAWING UP LA&RAP

Step	Functioning	Responsibility	Verification of actions made
8	If negotiations unsuccessful - Province Governor's decision as to compensation amount	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
9	Disbursement of compensation or handing over of substitute real property, commencement of other compensation and protective actions as prescribed by the LA&RAP	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
10	Physical acquisition of expropriated real property and commencement of works	Contractor	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
11	LA&RAP implementation evaluation	Consultant – legal team, properties and procurements financial team	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team

CYCLICAL TASKS

Step	Functioning	Responsibility	Verification of actions made
1	Internal permanent LA&RAP implementation monitoring	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team
2	Reporting to the World Bank	SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team	BKP/ PCU
3	Permanent coordination with national and local administration bodies	SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team	BKP/ PCU
4	Permanent communication with PAP	Consultant – legal team, properties and procurements	PIU in SWH Polish Waters RZGW in Wrocław – LA&RAP performance and monitoring team

POST IMPLEMENTATION TASKS

Step	Functioning	Responsibility	Verification of actions made
1	LA&RAP implementation evaluation	Independent third party auditor	World Bank / WB

16.1 REAL PROPERTY ACQUISITION PROGRESS MONITORING TABLE

Table attached in an electronic version

16.2 TABLE – LIST OF REAL PROPERTY, OWNERS AND IMPACTS

Table attached in an electronic version The table has not been made available to the public owing to the personal data protection requirements.

16.3 REAL PROPERTY ACQUISITION SCHEDULE

Schedule attached in an electronic format

16.4 MAPS WITH INVESTMENT AREA SHOWN

Maps will be attached in an electronic version

16.5 SOCIO-ECONOMIC STUDY

Study attached in an electronic version. The study has not been made available to the public owing to the personal data protection requirements.

16.6 FORM FOR SUBMITTING GRIEVANCES TO THE CONSULTANT (BASED ON WB GUIDELINES)

Case no.:	
First name and family name <i>Note: a grievance may be submitted anonymously or non disclosure of your name may be demanded</i>	Applicant's name _____
	Applicant's surname _____
	<input type="checkbox"/> I wish to submit an anonymous complaint Do not disclose my personal data without my consent
Contact details Please indicate the most convenient way to contact the applicant (e-mail, telephone, post)	By conventional post (provide correspondence address): _____ _____
	By telephone: _____
	E-mail _____
Preferred communication language	Polish English Other (please state)
Description of the grievance or issue subject-matter	Issue / grievance subject-matter, when did it take place, state location, list persons involved, what are the consequences of the situation _____ _____ _____
Date of incident / occurrence of the subject-matter of the grievance / issue	
	One off issue / grievance (date _____) More than one instance (how many: _____)

	In progress (problem in existence today)
In the applicant's opinion, what actions would solve the problem ?	
Signature: _____	
Date: _____	
Please provide this form [Surname] OH&S Inspector [Company name]	
to:	
Address _____ Tel.: _____ or E-mail: _____	

16.7 REPORT ON THE PERFORMED PUBLIC DISCUSSION ON THE DRAFT LA&RAP

The Report will be enclosed in an electronic version.

16.8 CONTRACT FOR THE PROVISION OF REAL PROPERTY FOR THE PURPOSES OF TEMPORARY OCCUPATION OF LAND

Contract enclosed in an electronic version.