



ODRA-VISTULA FLOOD MANAGEMENT PROJECT

PAŃSTWOWE GOSPODARSTWO
WODNE WODY POLSKIE [STATE
WATER HOLDING POLISH WATERS]

19.12.2022



ODRA - VISTULA FLOOD MANAGEMENT PROJECT

Public consultations for

Land Acquisition Action Plan project

for the Task 2B.2/2(a)

FLOOD PROTECTION OF THE BYSTRZYCA
DUSZNICKA RIVER VALLEY: POLANICA-ZDRÓJ,
SZCZYTNA - KAMIENNY POTOK RIVER



Introduction:

- mainly renovation and reconstruction works have been planned to improve the technical condition of the existing regulatory structures of the riverbed and to consolidate the course of the riverbed,
- small parts of the plots will be seized, mostly neighbouring the river,
- the number of plots to be seized is great, owing to the linear nature of the investment,
- seizures of the real properties will not necessitate physical or economic resettlements.



LAND ACQUISITION ACTION PLAN

- The document required by the World Bank
- It conforms to the Polish regulations.
- It contains the procedures and requirements concerning seizure of real properties for the purpose of constructing flood protecting structures and granting compensations.
- It shows the category of the individuals entitled to compensations for the seized real properties.
- The document draft is subject to public consultations.

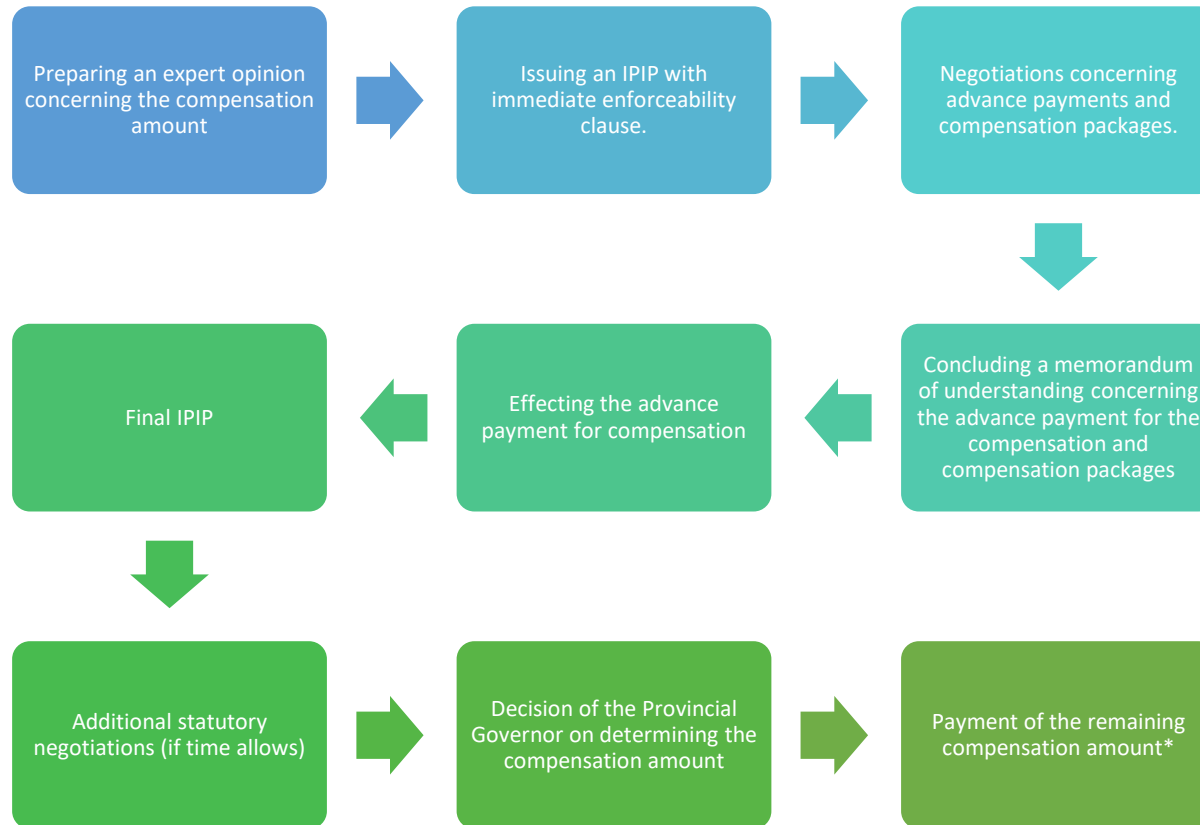


WHO WILL BE ENTITLED TO COMPENSATIONS?

- The owners
- Perpetual users
- Tenants, lessees, users



COMPENSATION FOR LOSS OF A REAL PROPERTY - FURTHER STAGES



** If compensation determined by the Province Governor is higher from the effected advance payment*



SPECIAL ADVANCE PAYMENT PROCEDURE

- The procedure proposed specially for the 2B contracts, agreed upon with the World Bank.,
- Problem: pursuant to the regulations, compensation cannot be paid until the IPIP [Investment Project Implementation Permit] becomes final. BUT: The Investor can seize real properties yet before the IPIP finality
- Solution: effecting the advance payment for compensation, pursuant to the expert opinions of the real estate market,
- Amount of the advance payment: 70 % of the real property value determined in the expert's report,
- Finally the compensation amount will be determined by the Lower Silesia Provincial Governor based on the property appraisal report after the IPIP becomes final,
- Accepting the advance payment does not impact the proceedings before the Provincial Governor - it does not mean consent to the compensation amount determined in the expert opinion,
- Once the Provincial Governor (or the Minister, if the Provincial Governor's decision is appealed against) has issued a decision determining the compensation amount, the Investor shall pay the difference (the determined compensation minus the advance payment).



EXPERT OPINION OF THE REAL ESTATE MARKET

- Prepared by an expert valuer,
- Based on the real properties data from the land and mortgage register, the cadaster, the local spatial development plan and land valuation maps,
- the expert valuer will section off groups of real properties based on their similarities,
- carry out market analyses for the sectioned off groups of real properties,
- specify ranges of transaction prices of such similar real properties, according to:
 - the current intended use of the real properties,
 - permitted use of the real properties, resulting from the expropriation purpose.



COMPENSATION FOR LOSS OF INCOME

Compensation form: Cash compensation

Compensation amount: Income lost due to the investment project is the documented lost income (the difference between what was before and what is now)

Additional information:

- The compensation is paid pursuant to an expert's opinion
- The Investor bears all the transaction costs
- The compensation for loss of income can only be paid pursuant to a memorandum of understanding with the Investor



COMPENSATION FOR TEMPORARY REAL PROPERTY OCCUPATION

Compensation form: Cash compensation

Compensation amount: Agreed upon between the owner and the Investor, or determined by the Provincial Governor in an administrative decision

Additional information:

- After completion of the construction works, the real property will be restored to its previous condition



THANK YOU FOR ATTENTION



