

LAND ACQUISITION AND
RESETTLEMENT ACTION PLAN

FINAL REPORT on the
implementation of the
activities indicated in
LARAP
WORKS CONTRACT 3D.2/2

ODRA-VISTULA FLOOD
MANAGEMENT PROJECT



Projekt Ochrony
Przeciwpowodziowej
w Dorzeczu Odry i Wisły



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

FINAL VERSION -----

ODRA-VISTULA FLOOD MANAGEMENT PROJECT

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

COMPONENT 3: FLOOD PROTECTION OF THE UPPER VISTULA

SUBCOMPONENT 3D: Passive and active protection in San basin

WORKS CONTRACT 3D.2/2

Expansion of the left and right embankment of the Biala River in the Tarnow Municipality and
the City of Tarnow

ISSUED ON	DATE	AUTHORS	REVIEWED BY	CLIENT'S APPROVAL	DESCRIPTION
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PROJECT IMPLEMENTATION UNIT:

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Regional Water Management Authority in Cracow
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THE DOCUMENT PREPARED BY:

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ODRA-VISTULA FLOOD

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SUMMARY

Subject of the Contract:	The following was executed under the Works Contract 3D.2/2: the extension of the existing embankments at the Biała River over a length of 12.470 km (including the left embankment – about 5.995 km, and the right embankment – about 6.475 km) comprising raising and widening of the embankment body, as well as development of a new section of the left embankment over a length of about 80 m and joining it with the existing road embankment at Krakowska Street, and construction of a new section of the right embankment over a length of about 470 m and joining it with the existing embankment. The existing and new sections of technological roads and other facilities associated with operations of the embankments were also redeveloped and constructed.
Completion date of Investment implementation (of completion of works)	October 16, 2023
Date of awarding “NO” for the LARAP:	September 24, 2020
Number and category of PAPs:	76 PAPs (including: the Municipality of Tarnów and 15 PAPs in connection with the removal of part of the Family Allotment Garden "JASKÓŁKA" – 12 allotment garden users and PAF)
Sum of compensations	<p>PLN 2,725,019.74 – monetary compensations in the amount of the replacement value of assets lost by PAPs (permanent occupation, permanent restrictions and the obligation to reconstruct the network – sum from column Q in Appendix 4), including:</p> <p>PLN 2,653,144.93 – compensations paid to PAPs</p> <p>PLN 71,874.81 – compensations paid to the court deposit</p>
Number of properties and ownership class:	<p>Permanent occupation¹:</p> <p>414 properties, including: 143 private properties, 83 municipal properties (Municipality of Tarnów), 188 State Treasury properties</p> <p>Permanent restriction in property use²:</p>

¹ The LARAP was prepared before the Investor obtained a legal title to the properties, at the stage of preparing an application for issuing the IPIP decision; changes and minimisation of permanent occupation took place during the administrative proceedings, some of the properties owned by the State Treasury were moved to the group of properties subject to PDDG (i.e. right to use the property for construction purposes) when the ownership of the plots from the State Treasury's stock was confirmed.

² In the LARAP, 38 properties were indicated to be at the stage of preparing an application for issuing the IPIP decision, the minimisation of permanent restriction to 18 properties took place during the administrative proceedings.

18 properties, including: 14 municipal properties (Municipality of Tarnów), 4 State Treasury properties

Obligation to reconstruct the network³:

13 properties, including: 5 private properties, 3 municipal properties (Municipality of Tarnów), 5 State Treasury properties, 3 of 13 properties were not occupied during the Contract implementation (the route of the network was different than in the maps), and this applied to 2 private properties and 1 municipal property

Right to use a property for construction purposes⁴:

65 State Treasury properties

Key issues:

- in connection with expropriations, payments of compensations for land and constituent components in the amount of the replacement value,
- in connection with the permanent restriction in the use of properties, payment of compensation in the amount of loss in the value of land due to the restriction,
- in connection with the obligation to reconstruct the network, the payment of compensation in an amount depending on the time of occupation of the property and putting the condition into order after completion of network reconstruction,
- in connection with the right to use a property for construction purposes, performance of works and tidying up the properties (this type of occupation applies to State Treasury properties and is free of charge).

Key achievements:

- compensations were paid to the former owners/co-owners/perpetual users for the land and appropriately for all components and plantings permanently fixed to the ground, and if the legal status was unsettled, compensation was placed to the court deposit (21 cases) *(for a detailed description – see chapter 3.5.1 Permanent occupation)*,
- all compensations were paid for permanent restriction in the use of 14 properties belonging to the Municipality of Tarnów *(for a detailed description – see chapter 3.5.2 Permanent restrictions)*,
- all compensations were paid for temporary occupation of plots resulting from the obligation to reconstruct the network (in 5 out of 5 cases of the paid ORN) *(for a detailed description - see chapter 3.5.3 Obligation to reconstruct the network)*,
- in connection with the right to use a property for construction purposes, performance of works and tidying up the properties (this type of occupation applies to State Treasury properties and is free of charge).

³ In the LARAP, 14 properties were indicated to be at the stage of preparing an application for issuing the IPIP decision, the minimisation of permanent restriction to 13 properties took place during the administrative proceedings.

⁴ 2 properties were indicated in the LARAP to be at the stage of preparing an application for issuing the IPIP decision; 63 State Treasury plots covered by permanent occupation were moved to this group during the administrative proceedings.

Grievances and requests management:	<ul style="list-style-type: none"> — in the case of Contract 3D.2/2: 4 grievances were received and 2 requests were filed. Two grievances concerned the compensations established by the Governor and were forwarded to the Minister of Development and Technology. These two grievances were resolved by the Minister and PAPs were paid compensations. While in the case of the other two grievances, they concerned the performance of the Works by the Contractor, both complaints were accepted and PAPs obtained compensations that was satisfactory to them. Both requests were accepted by introducing design changes that were satisfactory to PAPs (details are described in Chapter 4.3).
Remnants:	<ul style="list-style-type: none"> — Under Contract 3D.2/2, 5 applications were submitted to purchase “remnants” for 7 properties. Three applications were considered positively, two applications were refused. The PAPs whose applications were refused were informed of legal possibilities for action in this regard, but did not exercise this right (details are described in Chapter 3.5.8).
Unresolved issues and negative impacts of Task implementation:	<ul style="list-style-type: none"> — in 21 cases, compensations - in the absence of an entitled person (owner or co-owner) - were directed to a court deposit – the PIO's strategy for payment of compensation from the deposit is described in chapter 3.5.3. — all grievances issues resolved, no other issues remain unresolved.

1. LIST OF ABBREVIATIONS USED IN THE DOCUMENT

AP	Affected Population
ARMA	Agency for Restructuring and Modernization of Agriculture
World Bank (WB)	International Bank for Reconstruction and Development (IBRD)
PCU	Project Coordination Unit operating within the structures of the National Water Management Authority of the State Water Holding Polish Waters
CEB	Council of Europe Development Bank (CEB)
DEC	Decision on environmental conditions
RLB	Register of land and buildings – a register containing data, which e.g. remain a basis for business planning, spatial planning, assessment of tax and benefits, marking of properties in a mortgage register, register of farms
Investor/Employer/PIU	SWH Polish Waters – Regional Water Management Authority in Cracow - Odra-Vistula Flood Management Project (OVFMP) Implementation Unit
Engineer	See <i>Consultant</i>
PIO	Project Implementation Office formed within the PIU; a separate organisational unit responsible for implementation of the Contract/Investment
Consultant/Engineer/Contract Engineer	Company or legal person providing services for the Investor Technical Assistance Consultant for the OVFM Project – AECOM Polska Sp. z o.o.
Contract/Works Contract/Investment/Project	WORKS CONTRACT 3D.2/2 – <i>Expansion of the left and right embankment of the Biala River in the Tarnow Municipality and the City of Tarnow</i>
C.C.	Act of April 23, 1964 – Civil Code
CAP	Act of June 14, 1960 – Code of Administrative Procedure
LARPF or RPF	Resettlement Policy Framework
LARAP	Land Acquisition & Resettlement Action Plan
OP 4.12	Designation of the document which contains the principles for involuntary resettlements required for World Bank financing for Task with the World Bank's loan: Operational Policy 4.12 – Involuntary Resettlements.
EIA	Environmental Impact Assessment
PAP	Project Affected Person(s)

SWH PW RZGW in Cracow	State Water Holding Polish Waters - Regional Water Management Authority in Cracow
IPIP	Investment Project Implementation Permit in the scope of flood protection structures
POM	Project Operations Manual
Project / OVFP	Odra-Vistula Flood Management Project
Construction Law	Act of July 7, 1994, Construction Law
Water Law	Act of July 20, 2017 – Water Law
EMP	Environmental Management Plan
Valuer / expert	Natural person with state professional qualifications within the scope of property valuations
RDOŚ	Regional Director for Environmental Protection
Special Flood Act	Act of July 8, 2010 on specific terms of preparing for implementation of projects in the scope of flood protection facilities
Special Decision	Decision on the Investment Project Implementation Permit (IPIP) issued based upon the Special Flood Act
PR	Permanent restriction to the manner of property use
ORN	Obligation to reconstruct the network
PDDG	Right to use properties for construction purposes
PAF	Polish Allotment Federation - garden association established to represent and defend the rights and interests of its members arising from the use of allotments in family allotment gardens
FAG	Family Allotment Garden – a separated area or areas used for the purpose of family allotment gardens (FAG), composed of allotments and a common area, for common use by the gardeners, provided with garden facilities.
RPM	Act of August 21, 1997 on the real property management
PAC	Provincial Administrative Court
SAC	Supreme Administrative Court
Contractor	Entity executing the Works Contract, in this case: SKANSKA S.A. 173. “Solidarności” Alley, 00-877 Warsaw, Poland

2. INTRODUCTION

The execution of Works Contract 3D.2/2 was finished on October 16, 2023 and all civil works have been implemented. The Land Acquisition and Resettlement Action Plan (LARAP) for *Works Contract 3D.2/2 Expansion of the left and right embankment of the Biala River in the Tarnow Municipality and the City of Tarnow* has been implemented, and all compensations were paid; compensation in 21 cases - as the eligible person was absent - was directed to a court deposit. The aim of the *Final Report on Implementation of the Land Acquisition and Resettlement Plan (LARAP FR)*, prepared in accordance with the requirements of the *Project Operations Manual* and the *Land Acquisition and Resettlement Policy Framework* (together with 2 RPF updates: *Update no. 1 - Resettlement Policy Framework (June 2022)* and *Update no. 2 – Resettlement Policy Framework (November 2023)*)⁵, is to document the process of land acquisition and to assess if it meets the requirements under OP 4.12, or whether there are any corrective actions that still need to be taken. For Contract 3D.2/2, as outlined in the next chapters of this Report, this aim has been achieved and corrective measures are no longer required, but an additional procedure was developed to assist PAPs (where possible) in the payment of compensation from the deposit.

In line with the assumptions made in the Land Acquisition and Resettlement Action Plan, an ex-post evaluation was made after the implementation of the LARAP and the evaluation confirms that the mitigation measures have been implemented and properly documented. **It is concluded that all the measures, as described in the LARAP, have been implemented and that each known entity affected by the project (family, individuals, legal entities) has obtained compensation and their standard of living has improved or at least been restored, save for 21 cases where the compensation remains with the court deposit. The PIO has established and implemented a strategy that will be applied to facilitate eligible persons to withdraw the deposited compensations.**

This Report presents, therefore, an account of the implementation of the measures planned in the LARAP for *Works Contract 3D.2/2 Expansion of the left and right embankment of the Biala River in the Tarnow Municipality and the City of Tarnow* implemented as part of the *Odra-Vistula Flood Management Project (OVFMP)*, co-financed by the International Bank for Reconstruction and Development (World Bank or WB), Council of Europe Development Bank (CEB), and the State Budget.

The task was executed on the area of the Municipality of Tarnów, in the town of Biała, Municipality of Tarnów and – over a small section of few meters (approx. 8 m) – in Komorów – Municipality of Wierchosławice, District of Tarnów, Małopolskie Province. The scope of Works under Contract 3D.2/2 did not change and remained the same as described in Chapter 1.2 of the LARAP.

The Task location is presented in the attached graphic appendix (**Appendix no. 1** to this document).

Key Contract performance dates:

Date of signing the Contract:	June 29, 2021
Date of handing over the Construction Site:	July 22, 2021
Commencement date of Works:	July 29, 2021

⁵ <https://odrapcu.pl/projekt-opdow/dokumenty-opdow>

Completion date of Works: October 16, 2023
End date of the Quality Guarantee and Warranty Period: April 26, 2029.

The reconstruction of flood protection embankments of the Biała River, implemented under Contract 3D.2/2, provided the flood protection of 3 municipalities, covering the area of 1.85 km², directly inhabited by 1,200 people.

Properties had to be acquired to implement the Task which is linear in nature (extension of existing sections of embankments and associated infrastructure) and to erect short sections of new embankments, but did not result in the physical or economical resettlement of households.

Table 1. Area and number of properties acquired and the impacts of Contract 3D.2/2.

	Total number of hectares	Total number of plots	State Treasury plots	%	Plots of natural persons	%	Municipal plots	%	Number of PAPs	Number of allotments*	Number of deposits	Physical resettlement	Economic resettlement
Permanent occupation/expropriation	19.0851	414	188	45.4	143	34.5	83	20.1	76	12	21	0	0
Permanent restrictions to the manner of property use (PR)	0.4943	18	4	22.2	0	0.0	14	77.8	1	0	0	0	0
Obligation to reconstruct the network (ORN)	0.0550	13	5	38.5	5	38.5	3	23.0	4	0	-	-	-
Right to use properties for construction purposes (PDDG)	88.7518	65	65	100	0	0.0	0	0.0	0	0	-	-	-
Temporary acquisition (acquired by the Contractor)	1.1010	6	0	-	5	83.3	1	16.7	6	0	-	-	-
Total land impacted	109.4872	516	262	50.8	153	29.7	101	19.5	87	12	21	0	0

* the resources removed in the area of 12 allotment gardens occupied by the Contractor: ornamental plantings: perennials, bushes and trees, possibly sections of lawn, building elements: 9 instances of removing fence sections, 2 compost heaps, 3 pavement sections, 2 outbuildings, 2 sheds, 1 swing, 1 power connection, 3 pergolas. In each case, the allotment holders were given the opportunity to harvest their crops (the works in the area started during the winter).

414 properties with a total area of 19.0851 ha (from 0.0001 ha to 1.8630 ha depending on the plot) belonging to: natural persons (143 plots), the Municipality of Tarnów (83 plots) and the State Treasury (188 plots) were subject to permanent occupation/expropriation for the benefit of the State Treasury under Contract 3D.2/2. The Family Allotment Garden "JASKÓŁKA" was located on 1 plot covered by the IPIP decision (plot with the register number 44/15, precinct 192 Tarnów), and 2 small fragments were separated from this plot for the needs of the investment implementation (plot with register

numbers 44/18 and 44/19), as a result of which small fragments of 12 allotment gardens had to be removed; none of the gardens was removed entirely, all of them could be further managed by their users and continue to be managed and used in the future.

Small parts of 143 properties of natural persons, with the area ranging from 2 m² to 2,153 m², were taken over for the benefit of the State Treasury; the plots, mostly, were not utilised for agricultural purposes; in fact, they were meadows and pastures undergoing ecological succession. Farming activity was pursued merely on 21 properties according to the findings of the site visit conducted at the stage of preparing a socio-economic study, of which, in 6 cases, the plots were reported to ARMA for various forms of subsidies provided to farmers by the EU. However, the fragments of cultivated plots that were subject to expropriation (between 0.36% and 8.32% of the initial plot area, in each case less than 0.0500 hectares) cannot be considered to generate any income that constitutes the possibility of ensuring the household's livelihood. As a mitigating measure planned in the LARAP, a brochure was prepared and distributed to PAPs, providing information on the steps to be taken to avoid reimbursement of subsidies (NOTE: there is no need to reimburse the subsidy or pay penalties if the farmer reports the expropriation to ARMA). At the stage of conducting the socio-economic study, the PAPs were also informed that the expropriation had to be reported to ARMA, so that no subsidies had to be reimbursed.

All cases of occupation above 10% (in relation to the initial area of the plot occupied) were subject to socio-economic studies, which confirmed that the impacts generated by the Project are minor, as households either do not make a living from farming or have a much larger area they farm and the expropriation area represents less than 20% of the area of the entire farm. In no case were built-up parts of the property (e.g. residential buildings, farm buildings or other buildings in use) subject to occupation. No vulnerable groups were identified during the studies.

As shown by the results of survey studies, permanent occupation of properties had minor or negligible impact on the incomes of the households analysed after the end of investment execution. In no case were subject to permanent occupation parts of the property developed with residential buildings, farm buildings or other buildings, being a place of permanent residence or being the basis for income generation.

All impacts were minor, with no impacts identified in any case in terms of, inter alia, loss of sources of income, jobs, accessibility to infrastructure, loss of farming opportunities, loss of enjoyment of natural assets/access to parks, reserves, access to educational institutions, cultural facilities, etc.

The implemented Task has had a positive social impact, as assets, jobs and, in the extreme case, the lives of PAPs are protected from the disastrous impact of flood.

The local community had a very positive attitude towards the implemented project during the execution of the works, because the embankment construction protected their lives and assets from the floods likely to occur in the future.

Complaints and requests concerning the said Contract were received during the execution of the works and they were all considered positively (for details see chapter 4).

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

- <https://hydrobim.pl/doswiadczenie-w-hydrotechnice/rozbudowa-walow-przeciwpowodziowych-rzeki-biala-w-tarnowie/>
- <https://tarnow.naszemiasto.pl/nowe-waly-przeciwpowodziowe-wokol-bialej-w-tarnowie-miasto/ar/c1-8701461>
- <https://www.malopolska.uw.gov.pl/PressArticlePage.aspx?id=11792>
- <https://www.temi.pl/tarnow/biala-mniej-niebezpieczna-dla-tarnowa>
- <https://www.instagram.com/p/CTpDWfstfNT/>
- <https://tarnow.naszemiasto.pl/powodzie-ze-strony-bialej-w-tarnowie-juz-nie-groza-przy/ar/c1-9164125>
- <http://www.firma-chrobok.pl/index.php/realizacje>
- <https://www.skanska.pl/oferta/realizacje/280757/Rozbudowa-walow-przeciwpowodziowych-w-Tarnowie>
- <https://dziennikpolski24.pl/wiele-malopolskich-rzek-topi-ludziom-podworka-i-domy-grozne-staly-sie-powodzie-blyskawiczne-jakie-zabezpieczenia-szykuja-wody/ar/c1-18613505>
- https://inzynieria.com/geoinzynieria/zabezpieczenia_przeciwpowodziowe/wiadomosci/61730,rozbudowa-walow-przeciwpowodziowych-w-tarnowie
- <https://gazetakrakowska.pl/tarnow-ponad-40-mln-zl-na-rozbudowe-walow-przeciwpowodziowych-wzdłuż-bialej-tarnow-będzie-lepiej-chroniony-przed-powodzią/ar/c15-15709116>

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

3. SUMMARY OF MAIN ACTIVITIES EXECUTED UNDER THE CONTRACT

3.1. DESCRIPTION OF THE OPERATION OF PROPERTY ACQUISITION

PROCEDURES

Properties were acquired under the provisions of the Special Flood Protection Act and the Act on Real Estate Management. The Project Implementation Unit (PIU), when implementing this Task, also applied all the principles resulting from the World Bank's Operational Policy OP 4.12, as well as the procedures of conduct indicated in the *Resettlement Policy Framework (RPF) and in its 2 updates*⁶ and in the *Land Acquisition and Resettlement Action Plan*⁷.

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

Procedures for the acquisition of properties are described in detail in the LARAP for Works Contract 3D.2/2, which was awarded a "No objection" clause from the WB on 09/24/2020. There were no gaps/inconsistencies in the implementation of the LARAP that would require corrective measures. In 21 cases, where compensation was placed with the court deposit, a procedure to support PAPs in receiving the payment from the deposit was implemented.

3.2. PUBLIC CONSULTATION

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

1. Obtaining a water permit,
2. Obtaining an environmental decision,
3. Obtaining an investment project implementation permit,
4. Establishing the compensation and preparation for performance of construction works.

Additionally, public consultation was also conducted in connection with the preparation and public release of documents resulting from the World Bank's operational policies, i.e. the Environmental Management Plan and the Land Acquisition and Resettlement Action Plan (including during the socio-

⁶ <https://odrapcu.pl/en/dokumenty/resettlement-policy-framework/> - the basic document adopted and approved by the WB in April 2015, its update no. 1 approved in June 2022 and update no. 2 approved in November 2023

⁷ <https://odrapcu.pl/en/project-ovfmp/documents-ovfmp/> - LARAP for Contract 3D.2/2 adopted and approved by WB on 09/24/2020

economic study). The public consultation conducted as part of the public release of the Draft Land Acquisition and Resettlement Action Plan is described in detail below. For more information on public consultation, see chapter 10 of the LARAP.

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

Due to the unusual epidemic situation in Poland, this consultation was carried out twice, while fulfilling the requirements of the World Bank's operational policies (OP 4.12). This state of affairs was caused by the COVID-19 pandemic and the introduction of an epidemic emergency in Poland, which made it impossible to organise a meeting open to all interested parties after the first period of publicising the document.

The first publication of the Draft Land Acquisition and Resettlement Action Plan was commenced on **March 25, 2020**, at publication of an announcement in TEMI Galicyjski Tygodnik Informacyjny and in Gazeta Krakowska (local magazines). The announcement invited natural persons, authorities and interested institutions to inspect the Draft LARAP for the Works Contract 3D.2/2.

Each interested party could familiarise oneself with the Draft LARAP (in electronic version) between **March 25, 2020 and April 15, 2020** (inclusive), displayed at the websites of:

- SWH PW RZGW in Cracow at – www.krakow.wody.gov.pl,
- City Office of Tarnów at – www.tarnow.pl,
- Municipal Office of Wierzchosławice at – www.wierzchoslawice.pl,
- Odra-Vistula Flood Management Project Coordination Unit at – www.odrapcu2019.odrapcu.pl.

Each interested party could submit remarks and motions referring to the DRAFT LAND ACQUISITION AND RESETTLEMENT ACTION PLAN in writing (i.e. by post) to the address of the PIO in Cracow:

State Water Holding Polish Waters

Regional Water Management Authority in Cracow

22. Marszałka J. Piłsudskiego St.

31-109 Cracow

or in electronic form by mail to:

jrp.krakow@wody.gov.pl

on working days from **03/25/2020 to 04/15/2020** (inclusive).

The institution competent to examine the remarks and motions was the SWH PW RZGW in Cracow, the contact person: Aleksandra Macek tel. +48 12 62 84 209 or e-mail:

Aleksandra.Macek@wody.gov.pl, Rafał Sionko tel. +48 12 62 84 209 or e-mail: Rafal.Sionko@wody.gov.pl).

As meetings were prohibited in Poland at that time, the Investor has reserved the right to possibly extend this period and has not indicated the exact date for which an **open meeting** is scheduled to take place for all interested parties and for a public discussion on the document, and on the remarks and motions submitted to it earlier or during the meeting.

As informed in the announcement (quote): (...) *in view of the state of the epidemic threat in Poland and out of concern for your health safety, you will be notified of the date of this meeting by a separate notice which will be published in TEMI Galicyjski Tygodnik Informacyjny, Gazeta Krakowska and on the websites of the institutions indicated above. If you are interested in attending the above-mentioned meeting, please also send us your contact details /address, e-mail address, telephone number/. Once the situation in the country has stabilised, our staff will notify you directly of the scheduled open meeting. Please send information on this matter to: jrp.krakow@wody.gov.pl (...).*

No interested person contacted the Investor during that period, which was due to the situation in Poland and worldwide: the shock of the pandemic and the disorganisation of family and working life. All this caused the public to focus its attention entirely on pandemic issues.

As a result, the Investor, after consultation with the Odra-Vistula Flood Management Project Coordination Unit and the World Bank, decided to change the strategy of the consultations and conduct them again in the form of correspondence.

The next publication of the Draft Land Acquisition and Resettlement Action Plan was commenced on **June 3, 2020**, at publication of an announcement in TEMI Galicyjski Tygodnik Informacyjny and in Gazeta Krakowska (local magazines). The announcement invited again natural persons, authorities and interested institutions to inspect the Draft LARAP for Works Contract 3D.2/2.

As informed in the announcement (quote): (...) **DUE TO THE STATE OF EPIDEMIC THREAT IN POLAND AND CARE FOR YOUR HEALTH, A FORMULA FOR CONDUCTING PUBLIC CONSULTATION OF THE DRAFT LARAP DOCUMENT IS CHANGED, NO OPEN MEETING WILL BE HELD FOR ALL INTERESTED PARTIES, BUT THE CONSULTATION IN QUESTION SHALL BE CONDUCTED BY POST, USING AVAILABLE (SAFE) COMMUNICATION CHANNELS (...)**

The draft LARAP was made available at the following websites:

- SWH PW RZGW in Cracow at – www.krakow.wody.gov.pl,
- City Office of Tarnów at – www.tarnow.pl,
- Municipal Office of Wierzchosławice at – www.wierzchoslawice.pl,
- Odra-Vistula Flood Management Project Coordination Unit at – www.odrapcu2019.odrapcu.pl.

Each interested party could submit remarks and motions referring to the DRAFT LAND ACQUISITION AND RESETTLEMENT ACTION PLAN in writing (i.e. by post) to the address of the PIO in Cracow:

State Water Holding Polish Waters

Regional Water Management Authority in Cracow

22. Marszałka J. Piłsudskiego St.

31-109 Cracow

or in electronic form by mail to:

jrp.krakow@wody.gov.pl

and by phone at numbers:

+48 12 62 84 209 (from 9 a.m. to 2 p.m.)

or 505 028 137, 601 824 298

on working days from **06/03/2020 to 06/24/2020** (inclusive).

The institution competent to examine the remarks and motions was the SWH PW RZGW in Cracow, the contact person: Aleksandra Macek tel. +48 12 62 84 209 or e-mail: Aleksandra.Macek@wody.gov.pl, Rafał Sionko tel. +48 12 62 84 209 or e-mail: Rafal.Sionko@wody.gov.pl).

Except for publishing the announcement in press as informed above (TEMi Galicyjski Tygodnik Informacyjny, Gazeta Krakowska – local magazines), it was also placed on notice boards at:

- SWH PW RZGW in Cracow,
- City Office of Tarnów,
- Municipal Office of Wierchosławice,

as well as published at websites of those institutions, and at **works performance sites**.

Posters informing about the Works Contract 3D.2/2 were placed – except for the announcements – at works performance sites.

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

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

In addition, additional letters were sent to the Municipality of Tarnów and the KOWR with information packs requesting distribution to tenants/users of properties from the municipal and State Treasury's stock subject to occupation under Works Contract 3D.2/2 (for reasons of data protection, this data is not being shared at this stage of the project).

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

None of the PAPs requested to send the LARAP by mail.

Publication of the Draft LARAP was commenced officially for the second time on **June 3, 2020** and was completed after 21 days, on **June 24, 2020**. During the publication period for the Draft Land Acquisition and Resettlement Action Plan:

- 62 phone calls were received/held;
- 2 questions/applications were received via Polish Mail;
- interest in the document was also noted; downloads of files from websites given in the announcement were observed.

All the questions asked were answered in accordance with the means of contact indicated by PAPs (by phone, e-mail or traditional written correspondence). Some comments sent by the PAPs were considered in the final version of the LARAP.

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

The final LARAP document, after obtaining the WB's no-objection on 09/24/2020, was made available to interested parties, i.e. posted on the website and remained there until the completion of Contract execution.

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

3.3. ADMINISTRATIVE DECISIONS AWARDED

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

- Decisions on environmental conditions:
 - Decision of the Regional Director for Environmental Protection in Cracow of 03/08/2016 on environmental conditions, ref.: ST-I.4233.2.2015.MB for execution of the project encompassing the construction of the left and right embankment of the Biała River in the city of Tarnów, according to implementation option "2".
- Legal water permit:
 - Decision of the Podkarpackie Province Marshal of 07/22/2016, ref. OS-II.7322.37.2016.MK, granting a water permit for extension of the left and right embankment of the Biała River.
- Decision on the investment project implementation permit (IPIP);
 - Investment project implementation permit decision of the Province Governor of Małopolskie no. 01/2011 of 01/29/2021 for the implementation of the investment titled *Expansion of the left and right embankment of the Biała River at local chainage of the left embankment: 0+000 - 3+134, 3+134 - 4+516, 4+516 - 5+995, in the local km of the right embankment: 0+000 – 3+234, 3+234 – 4+651, 5+346 – 5+925 and 5+925 – 7+170 in the*

city of Tarnów, municipality of Tarnów, City on District Rights Tarnów and in the towns of: Biała, municipality of Tarnów, district of Tarnów and Komorów, municipality of Wierzchosławice, district of Tarnów, Małopolskie Province under the task Expansion of flood embankments and construction of the right embankment of the Biala River in the Commune of Tuchów, Tarnów, City of Tarnow, ref. WI-XI.7840.27.4.2020.DSk.

- Decision on the building structure occupancy permit:
 - Decision of the Małopolskie Province Construction Supervision Inspector in Cracow no. 280/2024 of 06/28/2024, ref.: WIB.7712.80.2023.RGLO issued in favour of SWH Polish Waters on the building structure occupancy permit;
 - Certificate issued by the Małopolskie Province Construction Supervision Inspector in Cracow, ref.: WIB.770.87.2024.RGLO of 08/06/2024 stating the validity and finality of decision no. 280/2022 of 06/28/2024, ref.: WIB.7712.80.2023.RGLO.

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

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

The IPIP decision no. 01/2021 of 01/29/2021, ref.: WI-XI.7840.27.4.2020.DSk, identified the properties subject to permanent occupation and necessary for investment implementation: a total of **414** plots were identified for expropriation with the area of **19.0851 ha** (see **Appendix no. 4**).

- 143 properties with the area of 0.0002 ha – 0.2153 ha were owned by individuals,
- 83 properties with the area of 0.0001 ha – 0.3900 ha were owned by the local authorities, i.e. Municipality of Tarnów,
- 188 properties with the area of 0.0001 ha – 1.8630 ha were already in the State Treasury's stock.

A site visit, conducted at the stage of preparing the socio-economic study, and the examination of registration documents revealed that one property (44/15) from the resources of the Municipality of Tarnów, taken over in part for the purpose of investment execution (two small fragments of 0.49% and 1.14% of the original plot area) comprises, inter alia, the area of Family Allotment Garden JASKÓŁKA (after the division of the plot with registration numbers 44/18 and 44/19). Small parts of 12 allotment gardens and a part of the common area of the FAG had to be removed to occupy these two sections of plot 44/15. None of the gardens was removed entirely, all of them could be further managed by their users. The following was removed at the site of the allotment gardens:

- ornamental plantings: perennials, bushes and trees, possibly sections of lawn,
- building elements: 9 instances of removing fence sections of an allotment garden, 2 compost heaps, 3 pavement sections, 2 outbuildings, 2 sheds, 1 swing, 1 power connection, 3 pergolas.

In each case, the allotment holders were given the opportunity to harvest their crops (the works in the area started during the winter). Each holders of the allotment garden received compensation for the assets belonging to him.

Small parts of 143 properties of natural persons ranging from 2 m² to 2,153 m² were taken over for the benefit of the State Treasury. These were undeveloped properties owned by households located outside the Investment area and the sections expropriated are small, as this results from the need of the existing flood protection infrastructure rather than the construction of new elements (small stretches of land located right at the foot of the modernised/expanded embankments).

The plots, mostly, were not utilised for agricultural purposes; in fact, they were meadows and pastures undergoing ecological succession. Farming activity was pursued merely on 21 properties according to the findings of the site visit conducted at the stage of preparing a socio-economic study, of which, in 6 cases, the plots were reported to ARMA for various forms of subsidies provided to farmers by the EU. However, the fragments of cultivated plots that were subject to expropriation (between 0.36% and 8.32% of the initial plot area, in each case less than 0.0500 hectares) cannot be considered to generate any income that constitutes the possibility of ensuring the household's livelihood. The compensations disbursed (including compensation for the land and its components) set by independent valuers at the ceiling of the replacement value enabled all those willing to purchase a property with similar economic potential. For properties covered by permanent occupation subject to a system of direct subsidies or other forms of assistance from EU funds, during meetings, negotiations and the signing of compensation payment protocols by PAPs, each person was informed of the actions they should take in order to avoid possible repayment of part of the subsidy in a given year (of expropriation) and to receive subsidies in an unchanged amount in the following year (this mechanism is described in detail in chapter 8.2.5 of the LARAP and was applied/implemented during the implementation of this Contract).

All cases of occupation above 10% (in relation to the initial area of the plot occupied) were subject to socio-economic studies, which confirmed that the impacts generated by the Project are minor, as households either do not make a living from farming or have a much larger area they farm and the expropriation area represents less than 20% of the area of the entire farm. In no case were built-up parts of the property (e.g. residential buildings, farm buildings or other buildings in use) subject to occupation. No vulnerable groups were identified during the studies.

Detailed information on the number of plots (including allotment gardens located on them), their area and ownership is included in the summary table attached as **Appendix no. 4**.

3.5 COMPENSATION AND MITIGATION MEASURES, IMPACTS OF THE CONTRACT

3.5.1. Permanent occupation

Compensation was paid for all occupied/expropriated properties that were subject to compensation payments, i.e. 143 properties of natural persons and 83 municipal properties (Municipality of Tarnów). A total of PLN 2,701,106.74 was paid for 226 properties.

The compensations paid to the former owners of properties⁸ consisted of the following amounts (**Appendix no. 4**):

- for land in all 226 cases in favour of the former owner – in the amount of PLN 1,632,746.52;
- for plantings – 43 cases in the amount of PLN 135,408.00;
- for building components – 21 cases in the amount of PLN 712,837.00.

Compensation, in 178 cases, was increased by a bonus, i.e. an additional 5% (amount of PLN 82,469.18).

- 97 cases of natural persons, amount of PLN 27,299.33;
- 81 cases Municipality of Tarnów, amount of PLN 55,169.85.

This bonus was granted where the former owners released the property within 30 days counting from the date of receiving a notice of awarding the IPIP decision. The basis and regulation for the right to increase the remuneration in connection with the release of a property is regulated by the provisions of the Special Flood Act.

Compensation was paid for the removed allotment gardens, i.e.:

- to users of allotment gardens for plantings belonging to them – 10 cases in the amount of PLN 15,429.00;
- to users of allotment gardens for building elements belonging to them – 12 cases in the amount of PLN 28,476.00;
- to the PAF for the right to use municipal land in the amount of PLN 79,303.00;
- to the PAF for plantings on the common part of the FAG in the amount of PLN 14,438.00;
- to the PAF for building elements on the common part of the FAG in the amount of PLN 0.00 (NOTE: the removed FAG fence was rebuilt as part of construction works carried out by the Contractor, hence no compensation was paid for it).

Payments were made by transfers to designated bank accounts and, in 13 cases, by postal orders (postal order fees of PLN 771.80 were covered as part of the costs of implementing the LARAP).

In 21 cases, compensation, amounting to PLN 71,874.81, was directed to a court deposit (**Appendix no. 8**). Payment into the deposit was made due to unresolved ownership issues concerning properties managed by natural persons.

All compensations collected in the deposit are available all the time to those who settle ownership issues and submit an appropriate application to the court (**Appendix no. 9**).

The process of land acquisition and compensation payments was completed long before the works began.

⁸ These amounts do not include users of allotment gardens and PAF, for them the details are given below.

Table 2. Summary of monitoring indicators used in the implementation of Contract 3D.2/2 pursued by SWH PW RZGW in Cracow

Indicator	Information source	Frequency of monitoring	Progress indicator	Value
Assumed parameters				
People exposed to flood	Data from model investigations	Once at the investment preparation stage	Number	1,200 persons
Number of hectares of land at risk of flooding	Data from model investigations	Once at the investment preparation stage	Quantity [ha]	185
Number of properties subject to permanent occupation (see Table 1)	IPIP decision	Once after decision is issued	Number (pcs.)	414
Number of properties subject to permanent restriction in use (see Table 1)	IPIP decision	Once after decision is issued	Number (pcs.)	18
Number of properties subject to obligatory network reconstruction (see Table 1)	IPIP decision	Once after decision is issued	Number (pcs.)	13
Number of project affected persons (PAP)	Land and mortgage registers, extracts from land registers, IPIP decision	Once after decision is issued, ongoing updates during the process of negotiating and disbursing compensations	Quantity	76 PAPs (including: Municipality of Tarnów and in connection with the removal of part of the Family Allotment Garden "JASKÓŁKA" 15 PAPs – 12 allotment garden users and PAF)
Number of acquired properties	Consultant's registers	Monthly/Quarterly	Number (pcs.)	414
Number of properties for which compensation should be paid	Consultant's registers	Once	Number	226 (s) + 14 (PR) + 5 (ORN)

Indicator	Information source	Frequency of monitoring	Progress indicator	Value
Achieved parameters				
Number of people protected against flood	RZGW/ Consultant's registers	One time after Contract execution	Quantity	1,200 persons
Number of hectares protected from flood	RZGW/ Consultant's registers	One time after Contract execution	Quantity [ha]	185
Amount of compensation paid for land	RZGW/ Consultant's registers	One time after Contract execution	PLN	1,632,746.52 + 79,303.00 = 1,712,049.52
Amount of compensation paid for plantings and land components	RZGW/ Consultant's registers	One time after Contract execution	PLN	135,40800 + 712,837.00 + 15,429.00 + 28,476.00 + 14,438.00 = 906,588.00
Amount of all expenses for compensations (actual)	Investor's financial registers Appendix no. 4	Monthly/Quarterly	PLN	2,725,019.74
Number of acquired properties	RZGW/ Consultant's registers	Monthly/Quarterly	Number (pcs.)	414
Number of properties for which compensation was paid	Consultant's registers	Once	Quantity	226 (s) + 14 (PR) + 5 (ORN)
Performance indicators				
Number of complaints	RZGW/ Consultant's registers	Monthly/Quarterly	Number (pcs.)	4
Number of complaints considered	RZGW/ Consultant's registers	Monthly/Quarterly	Number (pcs.)	4
Disbursed compensations, miscellaneous	Financial registers of RZGW	Monthly/Quarterly	%	100 – disbursements allowing access to land; 97.36 – disbursements to PAPs
Compensations directed to court deposit	Financial registers of RZGW Appendix no. 8	Monthly/Quarterly	PLN	71,874.81**

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

** 2.64% of the total amount of compensations was placed to the court deposit due to unresolved legal status, which according to Polish regulations and the RPF is equivalent to the execution of the payment obligation (in line with the Land Acquisition and Resettlement Framework: "(...) Depositing the amount of compensation in a court trust account has the same effect as the performance of a payment obligation. (...)"). This compensation has not actually been paid to PAPs, but it can be paid at any time and will be available to PAPs for a period of 10 years from the date the compensation is deposited with the court.

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

A socio-economic study was conducted by the Consultant's team in October 2019. The survey was conducted through direct talks with representatives of households with properties located within the area intended for the investment.

Interviews among respondents were also carried out by phone when the interviewers were not able to get hold of a respondent, whilst a family or neighbours informed about the contact number.

Standardised questionnaire interviews constituted the data gathering method. Responses to all questions were recorded.

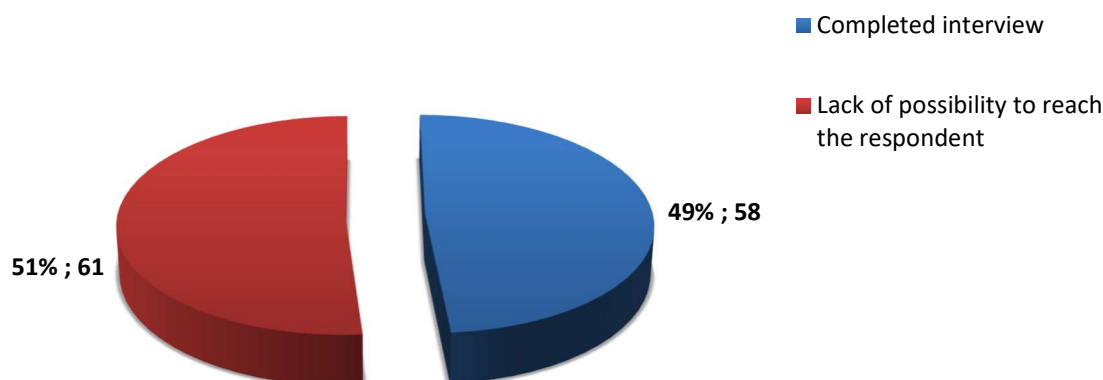


Fig.1. Summary of results of questionnaire studies.

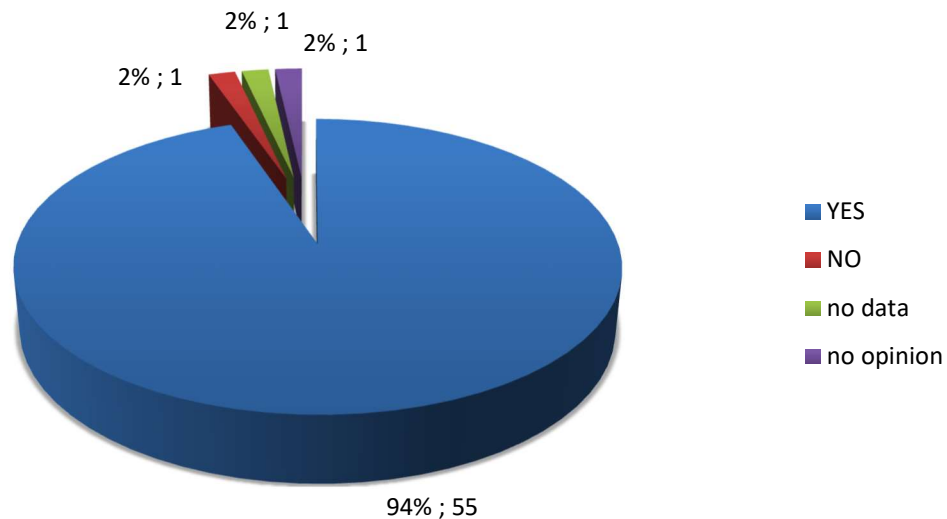
The socio-economic surveys were conducted with 58 owners of 85 properties, constituting 52 households.

All cases of occupation above 10% (in relation to the initial area of the plot occupied) were subject to socio-economic studies, which confirmed that the impacts generated by the Project are minor, as households either do not make a living from farming or have a much larger area they farm and the expropriation area represents less than 20% of the area of the entire farm. In no case were built-up

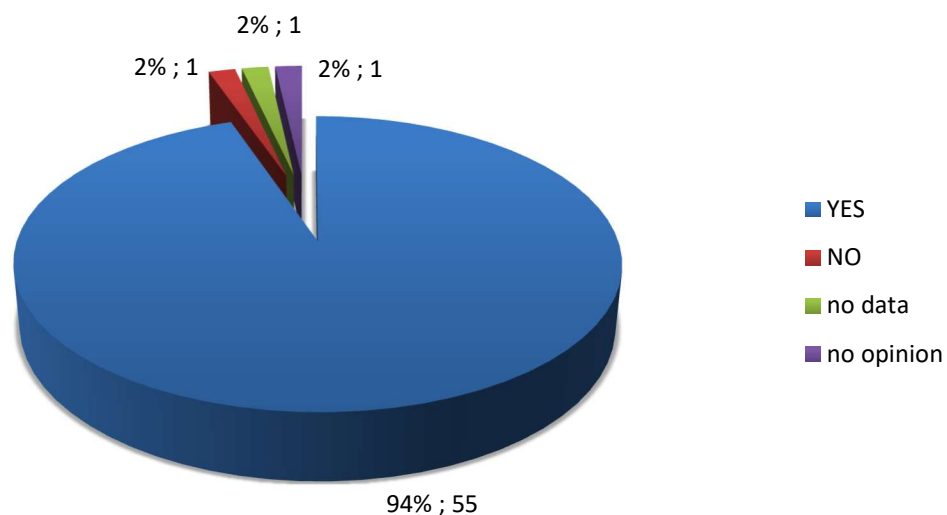
parts of the property (e.g. residential buildings, farm buildings or other buildings in use) subject to occupation. No vulnerable groups were identified during the studies.

The surveys conducted revealed that 94% of the surveyed support the implemented project and are satisfied with the fact that flood protection is ensured through the implementation of Contract 3D.2/2.

Do you support the flood protection investment which is the implementation of the "Odra-Vistula Flood Management Project" ?

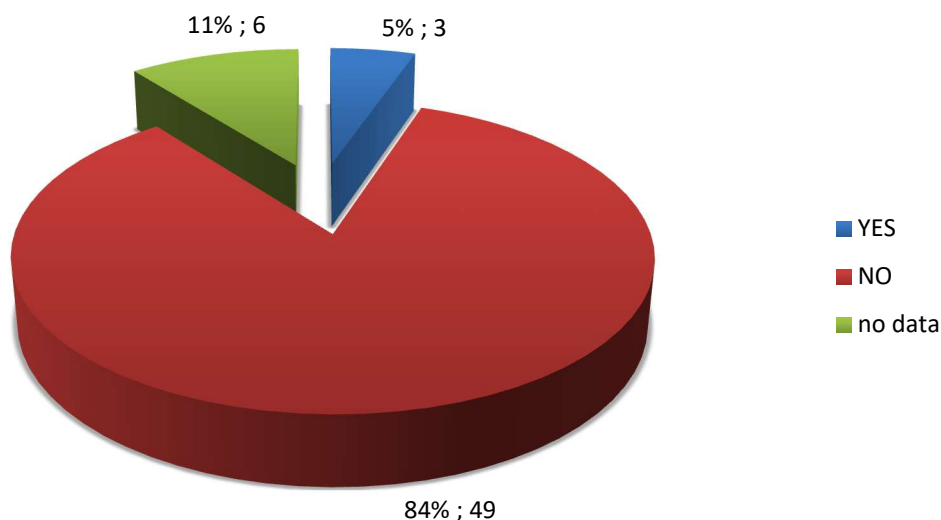


Are you satisfied with the fact that flood protection is provided by the execution of Contract 3D.2/2?



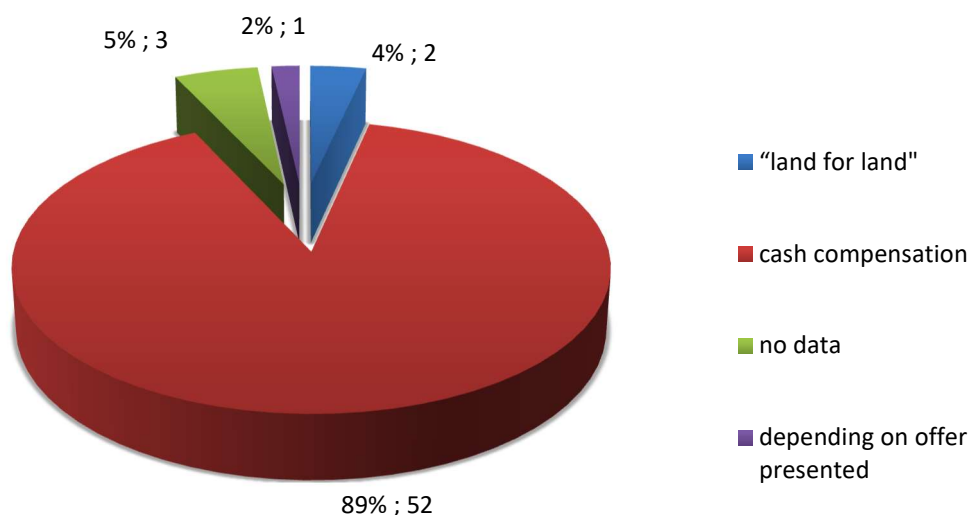
The surveys conducted also showed that the vast majority of the owners affected by the investment do not evaluate negatively the impact of the project on the quality of life (84%), only 5% of respondents stated that the investment has a negative impact on their quality of life, the remaining 11% did not answer this question.

Does the project affect the quality of life negatively?



The owners of the properties planned for expropriation mostly – 89% (52 owners) prefer cash compensation, only 2 persons (4%) showed interest in "land for land" compensation, 3 persons (5%) did not answer the above question and 1 respondent indicated that the decision depends on the presented offer.

Form of compensation



During the performance of field surveys, questions arose about the parts of the property that remained after the expropriation. Respondents expressed a desire to sell to the State Treasury the remaining land after the split. The Consultant informed about the possibility of applying for purchasing a "remnant".

Only 2 owners out of 58 surveyed persons disclosed their average monthly income. In 56 cases, they refused to answer claiming that the answer to this question was unnecessary because the

expropriation did not have negative effects on their financial status. Even in 5 cases where PAPs replied that the planned expropriations would result in a reduction of more than 10 % in the area they cultivate, they argued that such expropriations would not affect their household income. In no case, the expropriated plot/parts of plots represent a financial security for the household or such land is not a long-term investment. Farming activity was pursued on 21 properties, of which, in 6 cases, the plots were reported to farming subsidies.

Results of survey studies after the completion of Contract 3D.2/2

Survey studies were conducted among the PAPs covered by the Investment after completion of Contract 3D.2/2 (in October 2023).

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

The studies were conducted through face-to-face questionnaire interviews, which ensured that the PAPs' views were obtained more effectively than studies conducted by correspondence. The direct contact between the researcher and the respondent also allowed, in many cases, to assist the PAPs to complete the questionnaire by providing explanations on the wording used or on such a seemingly trivial issue as reading the questions and noting down the answers - especially with regard to elderly citizens. 36 representatives of households took part in the survey.

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

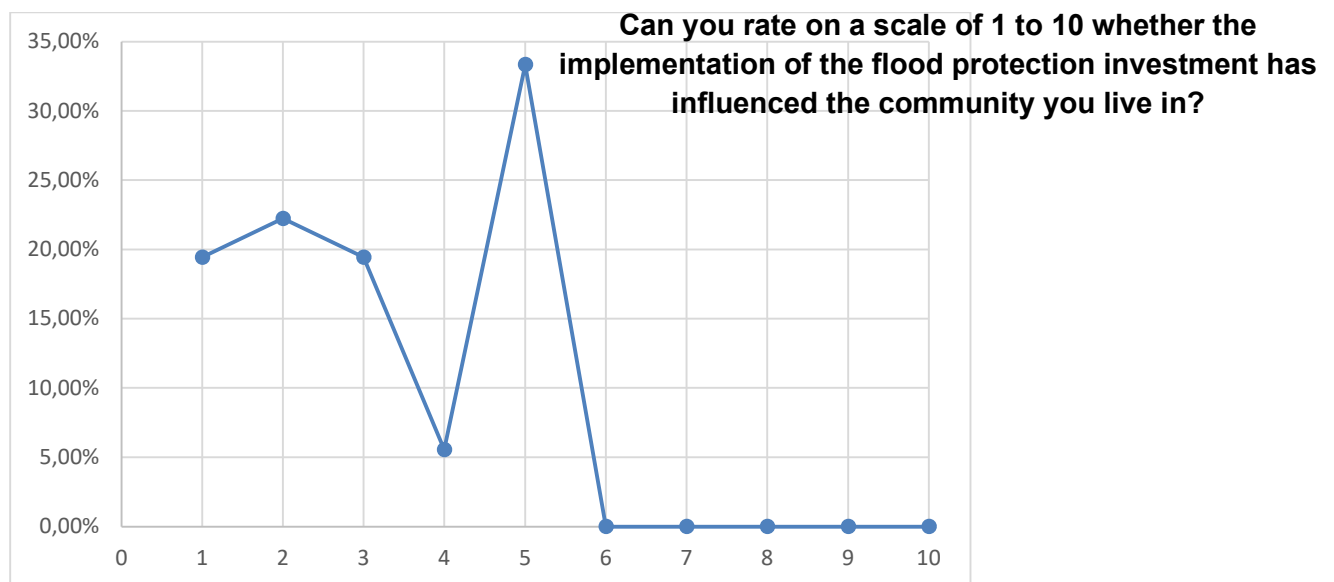
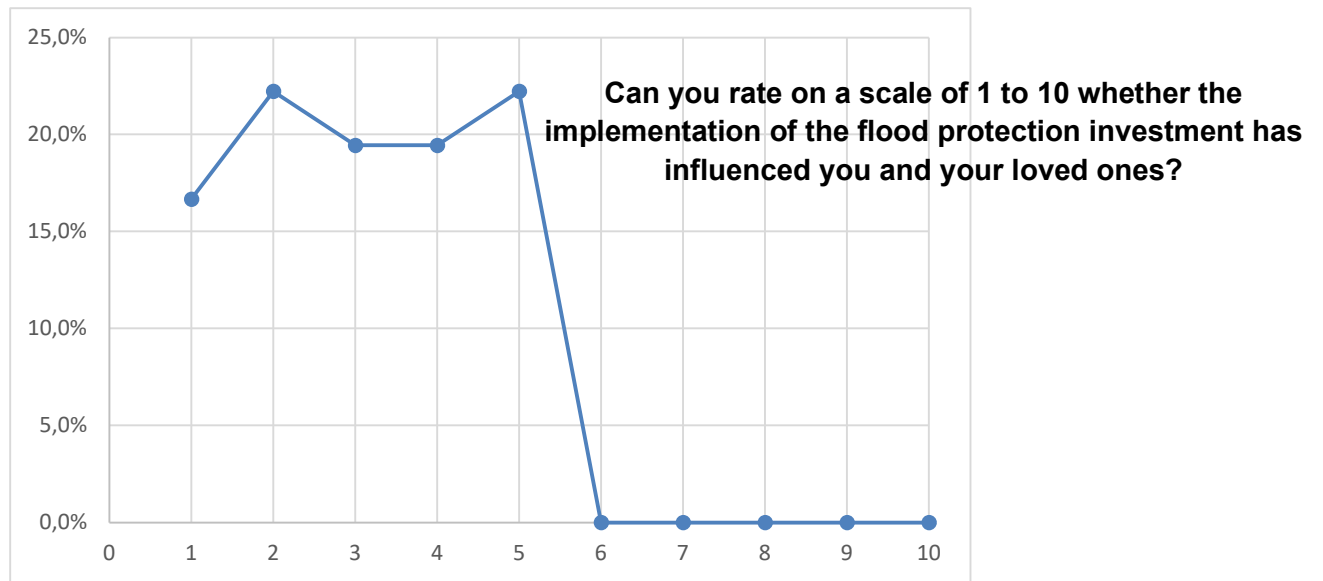
75% of the respondents noted that the pursued investment had a positive/strongly positive impact on PAPs and their relatives. 25 % answered that they had experienced neither a positive nor a negative impact.

When it came to the answer about the impact on the community in which the PAP resides, 16.67% answered that the impact was definitely positive, 44.44% positive, and 38.89% that it was neither positive nor negative.

There was no response in which any PAP would state that the investment had affected him or her and his or her relatives negatively, or had negatively impacted the community in which they live.

63.89% of the respondents indicated that they had no concerns about the investment implementation, 16.67% indicated that they had such concerns, while during implementation their concerns were not confirmed and now that the compensation disbursement process has ended and flood embankments have been reconstructed, they view the investment positively.

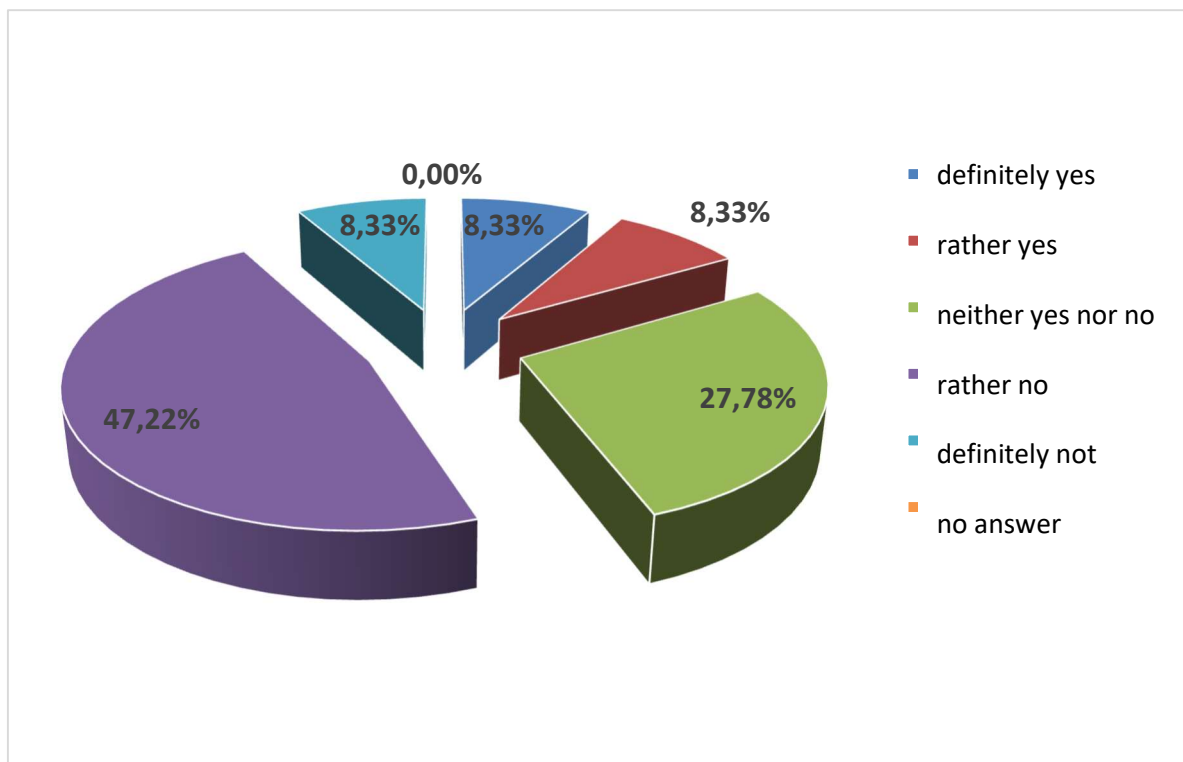
The respondents also rated on a scale of 1 to 10 the impact of the investment on the PAPs and their loved ones, and the impact of the investment on the community in which the PAP resides. A score of 1 indicates a strongly positive impact, 5 – neutral, 10 – strongly negative.



The investment's perception after its completion is strongly positive, with 100% of responses to the question on the impact on the PAPs and their families and on the community in which the PAPs reside situated in a numerical range from 1 to 5.

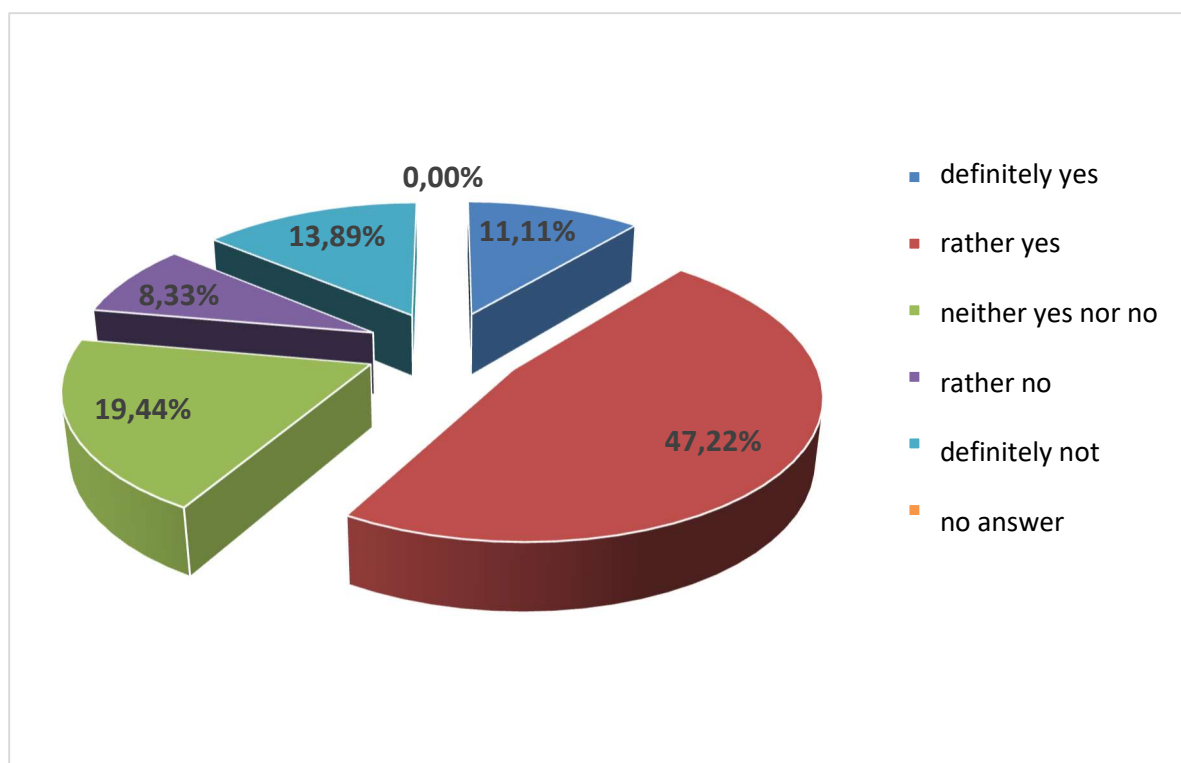
In the case of the answer to question 7: "As a result of the implementation of the flood protection investment, has your household's socio-economic situation been maintained at pre-project levels?" 13.89% respondents answered *definitely yes*, 63.89% *rather yes*, 22.22% *neither yes nor no*. No one indicated any negative impact of Contract 3D.2/2 on the socio-economic situation of the PAP's household.

Answer to question 8: "Has the construction of the flood protection investment affected the livelihoods of your household?" is illustrated in the diagram below.



47.22% of the surveyed PAPs answered *rather no*, 8.33% - *definitely no*, 27.78% - *neither yes nor no* to the question of the impact of the investment implementation on livelihoods, while individual cases were answered *definitely yes* – 8.33% and *rather yes* – 8.33%. At the same time, in response to a further question 9 linked to this topic conc. the **impact of the investment on the improvement of their living conditions and/or livelihoods** – 5.56% answered *definitely yes*, 27.78% *rather yes*, 30.56% *neither yes nor no*, 27.78% *rather no*, 8.33% *definitely no*. None of those who responded negatively to questions 8 and 9 agreed to speak more widely about what determined this perception of the investment.

Answer to question 10: “**Was the compensation you received sufficient to compensate/restore the impact/assets lost caused by the flood protection investment?**” is illustrated in the diagram below.



To question 10, respondents answered: 11.11% - *definitely yes*, 47.22% *rather yes*, 19.44% *neither yes nor no*, 8.33% *rather no*. 13.89% indicated that the compensation was *clearly insufficient* to compensate for the lost assets.

These persons did not justify their negative answers to question. 10. The Consultant, on the other hand, recalled that the compensation was estimated by independent property appraisers and, in the course of determining the payments, PAPs had the right to appeal both against the decision of the Province Governor and the decision of the Minister. The mechanism was free of charge and did not require legal representation. These persons did not continue the conversation on this topic.

In general, the surveyed persons confirmed that they had received compensation in a timely manner and in accordance with the rules indicated in the Land Acquisition and Resettlement Action Plan (52.78% - *definitely yes*, 33.33% - *rather yes nor no*, 13.89% - *neither yes nor no*). There was an equally positive response to the question of whether the expropriation took place in accordance with Polish law and World Bank policies (38.89% - *definitely yes*, 47.22% - *rather yes*, 13.89% - *neither yes nor no*).

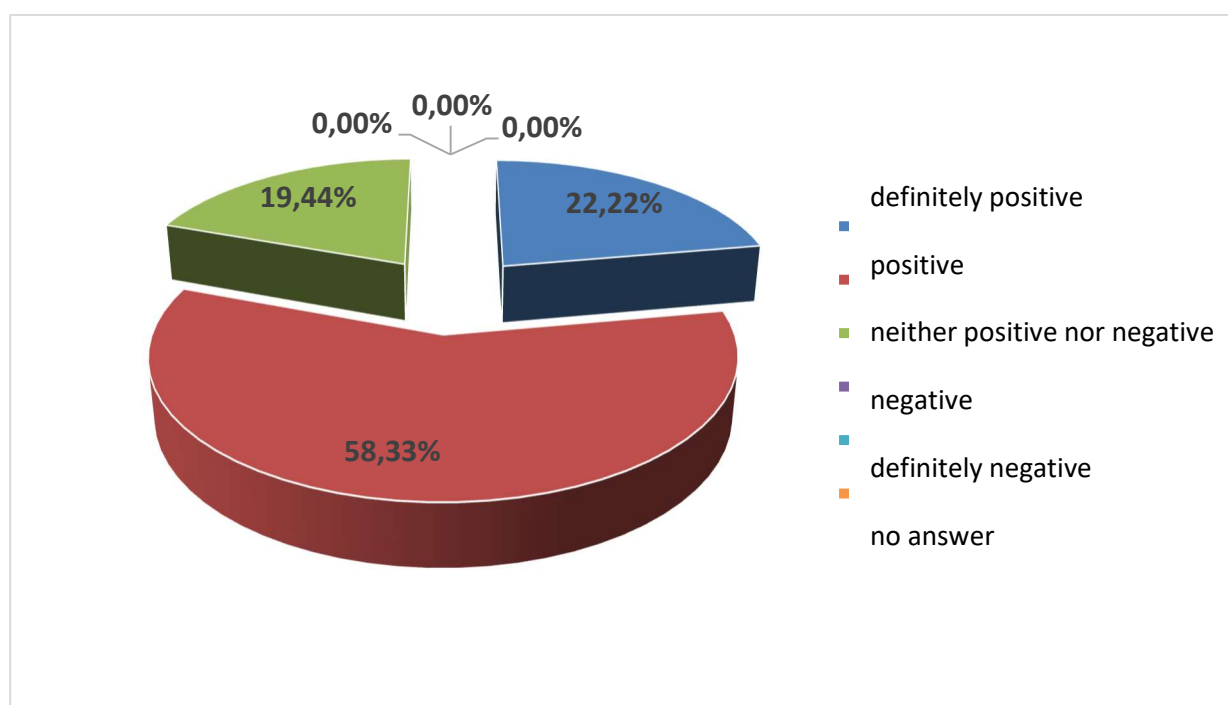
To question no. 14: **“Was the expropriation deadline indicated in the LARAP clear and was the process conducted as announced and expected?”** – the following answers were given: 27.78% - *definitely yes*, 52.78% - *rather yes*, 16.67% - *neither yes nor no*. In one case, the answer was *rather no* – however, when asked what was behind the answer given, the person indicated that they had never read the document.

To question 15: **“Did the expected time of impact and/or occupation of the property differ from the actual time?”** The respondents answered: 5.56% *yes*, 66.67% *no*, 27.78% *difficult to answer*. Those answering “yes” to question 15, however, indicated in their answer to question 16 that although the occupation time was longer, it did not affect the household.

To question 17: "Was the information you received as part of the process about the impacts caused and the planned compensation/mitigation measures sufficient for you?", the respondents answered: *definitely yes* - 8.33%, *rather yes* - 77.78%, *neither yes nor no* - 13.89%.

The mechanism for reporting and handling complaints was rated neutrally or positively. Respondents' answers to question 18 were as follows: *definitely positive* – 11.11%, *positive* – 19.44%, *neither positive nor negative* – 69.44%.

The respondents were very positive about the method of stakeholder engagement used as part of the process, including those affected by the flood protection investment (22.22% indicated a *strongly positive* response, 58.33% a *positive* response, 19.44% - *neither positive nor negative*).



In response to question 20 regarding difficulties in receiving the compensation, 94.44% of respondents answered that there *were no difficulties* in this regard. 5.56% of the respondents indicated the following difficulties in payment of compensation:

- amount of compensation too low - in this case, the person appealed to the Minister against the amount awarded by the Province Governor and obtained a higher compensation in the Province Governor's renewed decision.
- compensation was placed to the deposit – which was due to the PAP's failure to settle their inheritance matters.
- it was necessary to set up a Land and Mortgage Register for the property owned by the PAP and the related cost arose, which was covered by the PAP (this action was undertaken by the PAP even before the IPIP decision was issued by the Province Governor, as the plot did not have a Land and Mortgage Register, but as a result it enabled quick payment of compensation to the PAP after the IPIP decision was issued - in this case it was explained that the Investor has no legal authorisation to interfere in formal matters of plots belonging to natural persons before the Province Governor issues their decision).

Definitely positive answers were received from the person representing the local authority (Director of the Tarnów City Office). This person maintained that project implementation had a positive impact on the entire community.

Under Contract 3D.2/2, compensation was paid for land and constituent components. In the absence of economic and physical resettlement, there was no need to pay additional amounts of compensation for resettlement or for loss of sources of income for PAPs.

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

Table 3. Summary of costs of implementing the LARAP.

Item	Quantity	Amount, PLN
Total amount of compensation for permanent occupation, including plantings and infrastructure elements, including:	-	2,725,019.74
- compensation for permanent occupation was paid to the former owners and holders of other rights to the property (use by the PAF)	226 properties	2,594,801.93
- compensation for plantings and building structures paid to allotment garden users and PAF	12 allotment gardens and common parts	58,343.00
- compensations paid to court deposit	21 cases	71,874.81
Compensation for permanent restriction in property use (paid)	14 properties	20,084.00
Compensation connected with the obligation to reconstruct the network (paid)	5 properties	461.00
Purchase of "remnants" (conc. properties): number of requested remnants for purchase/number of remnants purchased	7/4***	67,435.03
Court costs*	16	3,377.70
Other implementation costs of LARAP**	18	945.20
TOTAL	-	2,817,322.67

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

** cost of postage

*** 5 applications were submitted to purchase "remnants" for 7 properties, 4 properties (remnants) were purchased, with respect to 3 properties no grounds for their purchase were found (details are presented in chapter 3.5.8)

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

Compensation was paid by SWH PW RZGW by transfer from the account to the PAP's indicated bank account, by postal order to the PAP's home address or by transfer to the deposit account.

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

The measures required under the LARAP have been implemented (it was shown in the document that in the event of an unresolved legal status, compensations will be paid into a court deposit and no further steps are planned - details of the new actions are given in chapter 3.5.3). There were no deviations in the implementation of the LARAP.

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

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

It is the responsibility of the court to inform potential beneficiaries of the deposit submitted according to the provisions of Polish law.

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

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

3.5.3.1 PIU's strategy for court deposits

Compensations were deposited with the court in 21 cases (this issue is described in detail in chapter 3.5.1). In order to publicise the information on the deposits and to assist the entitled persons in taking up the compensation paid from the deposit, the PIU has taken the following actions:

1. A detailed list of all cases was prepared with a description of their legal situation and the reasons known to the PIU as a result of which compensation was directed to the deposit (**Appendix no. 8**).

2. Full information was obtained from the Province Governor conc. the administrative proceedings he or she has carried out which have resulted in compensation being directed into the deposit. This allowed to complete the PIU's knowledge of the legal situation of the given property.

3. The following procedure was applied:

(i) lists of properties were prepared for which no owner information is available and the Municipality's department responsible for the assessment of property taxes was contacted; the background to the case was presented and it was agreed that the Municipality would inform any person who makes contact with the Municipality about a property on the list about a court deposit with the contact being forwarded to the PIU (to the person who will be able to provide full information about the deposit and assist the PAP in taking the funds from the deposit);

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

3.5. 4 Permanent restriction to the manner of property use (PR)

A permanent restriction to the manner of property use as per the provisions of the IPIP decision was imposed on 18 properties, i.e.: 4 State Treasury properties and 14 properties belonging to the Municipality of Tarnów.

Compensation to the State Treasury is not paid under the OVFM Project. In the case of the Municipality, compensation was paid for all 14 properties; the compensation was paid under a protocol agreeing the amount of compensation. The compensation amounts were stated in appraisal reports prepared by an independent valuer.

Technical details concerning permanent restrictions introduced in the use of the property are indicated in column Y in **Appendix no. 4**.

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

3.5.5 Obligation to reconstruct the network (ORN)

The obligation to reconstruct the **existing network of land utilities** was defined in the IPIP decision for 13 properties; the obligation consisted of the **temporary** restriction in the use of the properties. As per the principle adopted in the LARAP, the obligation to reconstruct the network as a rule is compensated in cash. The basis for determining the amount of such compensation are appraisal reports prepared by an independent expert acting at the Investor's expense. Such compensation is paid on the basis of a written agreement between the Investor and the PAP. If there is no consensus between the parties as to the amount of compensation, the PAP was entitled to an appeal mechanism.

13 properties covered by the ORN are indicated in the IPIP decision: 5 private properties, 3 properties from the stock of the Municipality of Tarnów and 5 properties from the stock of the State Treasury. 10 properties were subject to occupation in practise, including 3 private properties, 2 properties from the stock of the Municipality of Tarnów and 5 properties from the stock of the State Treasury. It was not necessary to occupy 2 private properties and 1 municipal property as the planned technical scope of maintenance and renovation of culverts was only made within the boundaries of the plot where the culverts were located (minimising thus temporary occupation).

The following infrastructure elements were subject to reconstruction or protection by protective pipes under Contract 3D.2/2:

- existing sewage system and water supply system,
- existing underground power and teletechnical line,
- renovation and maintenance of the culvert.

Technical details concerning the reconstruction of the aforementioned infrastructure elements are indicated in column Y in **Appendix no. 4**.

Similar as in the case of the PR (see chapter 3.5.4), compensation was paid for all 5 plots subject to payment under a protocol agreeing the amount of compensation for ORN.

3.5.6 Right to use the property for construction purposes (PDDG)

For 65 properties, construction works were performed by the Investor on the basis of the right to use the property for construction purposes (these were properties belonging to the State Treasury, the representative of the stock is SWH PW).

For the above-mentioned properties where works were held based on the right to use the property for construction purposes, the Investor submitted declarations to the Province Governor on the right to perform construction works on these plots. Upon completion of the works, the Contractor tidied up the properties.

3.5.7 Contractor's temporary occupation

The Contractor temporarily acquired (rented), by its own efforts and at its own cost, 6 properties, including 5 belonging to natural persons and 1 belonging to a municipal entity. Detailed data for temporary occupation is shown in Appendix no. 5. This process was implemented based upon the rule of voluntariness and the rules of occupation were negotiated between the property owner and the Works Contractor. This process was monitored by the Contract Engineer and the Investor, starting from the time such properties were acquired, until they were returned.

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

Properties temporarily occupied by the Contractor were restored to their original state after the completion of works to enable their owners to use them in the same manner as before Project implementation or to the state agreed with the property owner according to the property acquisition agreement. All contractual obligations were fulfilled.

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

3.5.8 Purchase of “remnants”

As part of the information campaign described in line with the LARAP, people affected by the consequences of Project implementation were informed about the possibility of applying for the purchase of the remaining part of the property (so-called “remnants”), if after the division of the property and occupying part of it for the investment, the remaining part will not be suitable for further use for the existing purposes (as per Article 23(2) of the Special Flood Act). A similar principle for the payment of compensation for plantings and building structures that remained on the unliquidated section was applied to allotment gardens that were subject to removal.

Under Contract 3D.2/2, **5 applications were submitted to purchase “remnants” for 7 properties.** Three applications were considered positively, two applications were refused, as the properties did not meet the conditions indicated in Article 23(2) of the Special Flood Act (the plot the PAP applied for purchase comprised plots with a large area, with access to public road and fit for further management as managed prior to the Contract, so no grounds were found to purchase them). The PAPs were informed of legal possibilities for action in this regard, but did not exercise this right.

Three notary deeds were signed under which 4 “remnants” were purchased: 2 of natural persons and 2 of the Municipality of Tarnów.

The requests submitted were evaluated based on a special procedure described in chapter 8.2.4 of the LARAP.

Table 4. Summary of information about the applications submitted, their examination and purchase of “remnants”.

No.	Plot no. before division	Plot no. expropriated for investment	Plot no. applied for purchase	Precinct	Recommendation	Person applying for purchase	Amount	Protocol of agreement	Purchase – signing of notary deed
1	12/5	12/8	12/7	203 Tarnów	NO	Natural person	-	-	-
2	78/3	78/14	78/15	192 Tarnów	YES	Perpetual User - Municipality of Tarnów	PLN 53,701.00	Protocol of 03/26/2024	Signed on 01/29/2025 Rep A no. 628/2025
	78/4	78/17	78/16		NO		-	-	-
			78/18		YES		PLN 5,979.03	Protocol of 03/26/2024	Signed on 01/29/2025 Rep A no. 628/2025
3	1/6	1/18	1/19	290 Tarnów	YES	Natural person	PLN 762.00	Protocol of 07/11/2023	Signed on 08/12/2024 Rep A no. 8295/2024
4	1/20	1/38	1/39	324 Tarnów	YES	Natural person	PLN 6,993.00	Protocol of 07/13/2023	Signed on 03/15/2024 Rep A no. 3816/2024
5	1/14	1/36	1/37	324 Tarnów	NO	Natural person	-	-	-

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

4. FUNCTIONING OF THE GRIEVANCE REDRESS MECHANISM (GRM)

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

4.1 GENERAL GRIEVANCE REDRESS MECHANISM

The mechanism for submitting complaints and applications pertaining to any matters connected with the implementation of Contract 3D.2/2 was implemented at the beginning of the whole process and was binding throughout the entire period of implementation, functioning and closure of the Contract.

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

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

Additionally, complaints and applications could be submitted:

- Via conventional post to the above address or

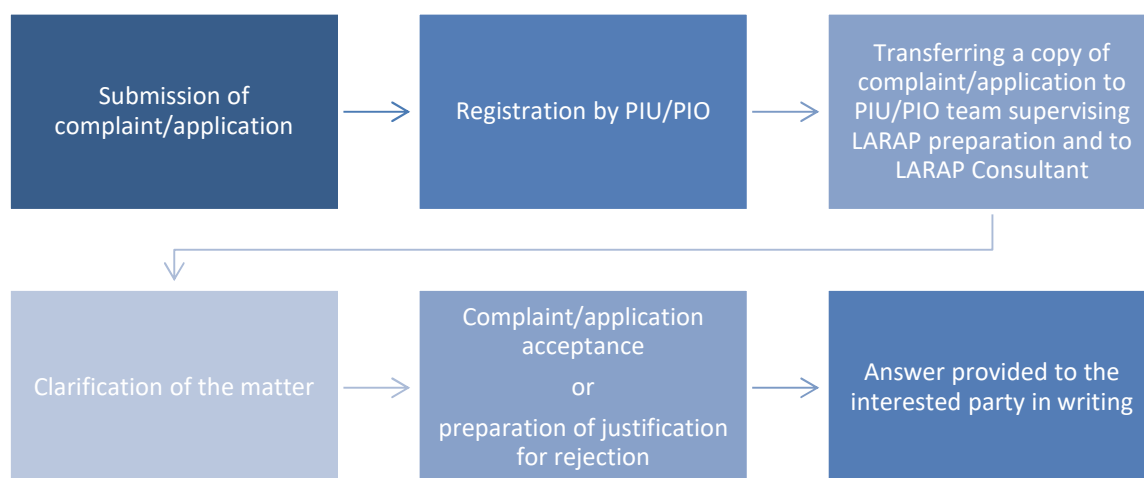
- Via the Internet:

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

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

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

Fig. 2 Diagram of the general grievance redress mechanism



The grievance redress mechanism was detailed in the LARAP and its objectives have been met. There were no deviations or gaps in the implementation of the GRM throughout the preparation and implementation period of Contract 3D.2/2.

4.2 SUMMARY OF GRIEVANCES AND APPLICATIONS

The complaints filed and how they were dealt with are described in the table below.

List of grievances

No.	Date of grievance	Entity submitting the grievance	Subject/issue of the grievance	Method of resolving
1	10/26/2021	PAP1	On 10/26/2021, the Consultant received a written complaint from a property owner for damage to the appurtenances on a private plot as a result of the Contractor's activities.	The Consultant immediately approached the Contractor to clarify the matter and present the planned actions. The Contractor, as instructed by the Consultant, has amicably settled the complaint. On 11/22/2021, the Consultant received a statement from the Contractor, signed by the PAP, that any damage caused by the Contractor had been remedied and that all claims in the matter had been exhausted.

No.	Date of grievance	Entity submitting the grievance	Subject/issue of the grievance	Method of resolving
				On 11/30/2021, the Consultant sent a letter to the PAP summarising the actions taken and reporting on the positive conclusion of the case.
2	12/15/2021	SWH PW to Minister	Appeal against the decision of the Province Governor of Małopolskie of 11/30/2021, ref.: WS-II.7570.2.110.2021.TG establishing the amount of compensation. The decision was alleged to have incorrectly determined the circle of heirs entitled to compensation.	On 12/15/2021, SWH PW's appeal against the decision ruling on the amount of compensation for the property was filed. With the letter of 09/19/2022, ref. DLI-IV.7618.18.2021.MO, the Minister issued a decision revoking the decision of the Małopolskie Governor in its entirety and referred the case for reconsideration to the body of first instance. The Province Governor conducted the proceedings a second time with the participation of all heirs and issued a renewed decision on 02/24/2023. The decision is final. Compensation was paid in full to all eligible heirs.
3	10/07/2022	PAP2	On 10/07/2022, during the Site Council, the Contractor informed that he had received on 08/23/2022 a letter from a resident of Tarnów, at Gliniańska Street XY demanding a response in relation to damage to the fence of their property and soiling of the building façade as a result of the transport of aggregate over moving concrete slabs while implementing the embankments extension along the Biała River. The complainant also approached the Office for Municipal	The Contractor presented an agreement with ZDMK - the transport of construction vehicles on Gliniańska Street was not restricted for tonnage or speed. ZDMK has not taken any action on the complaint. On 10/17/2022, the Contractor filed a loss from the third-party liability policy to the insurer (ERGO HESTIA). 10/31/2022. The insurer dismissed the claim and refused to pay the claim on the grounds that the Contractor was not liable for the damage claimed by the owner. The PAP did not file a complaint against the insurer's decision. 02/17/2023, the PAP contacted the PIO repeating their allegations and sent a scan of an article from the local weekly TEMI (edition of 12/14/2022). On 02/28/2023, a meeting was held between TAC and PAP. The PAP indicated that they expected monetary compensation for the damage. The TAC determined during the inspection of the property that: -

No.	Date of grievance	Entity submitting the grievance	Subject/issue of the grievance	Method of resolving
			Roads of Tarnów (ZDMK) in May 2022 to limit to 10km/h the speed limit along the section near their property - a letter was also sent to the Contractor for information.	the fence is cracked, it is unlikely to be the result of increased traffic - the fence is about 10 years old, its condition may be due to faulty workmanship; - the façade shows signs of natural soiling, resulting from the passage of time since it was painted; in the Consultant's opinion it could be washed; - there is a property next door with a white painted brick fence, which is neither soiled nor cracked. On 03/24/2023, written information was sent to the PAP about the actions taken and the Contractor's commitment to apply the measures resulting from the EMP and the speed limit. The PAP contacted TAC and requested a meeting, which took place on 04/25/2023 at the PAP's place of residence - the expert viewed the reported damage and took photographic documentation. In addition, geodetic surveying of soiled surfaces was carried out. In July 2023, the Consultant contacted the PAP twice with a proposal for remedial actions. On 08/22/2023, the PAP sent its own cost estimate. The Contractor, based on both cost estimates (Consultant's and PAP's), negotiated and agreed on the amount of compensation. Compensation was paid to the PAP.
4	01/30/2023	The Polish Allotment Federation to the Minister	Appeal against the decision of the Province Governor of Małopolskie, ref.: WS-II.7570.2.119.2021.SA of 01/11/2023 establishing the amount of compensation	On 02/07/2023, the Province Governor of Małopolskie forwarded to the Minister the PAF's appeal concerning the decision on the amount of compensation for the expiry of limited right in rem concerning the property marked no. 44/18 and 44/19 precinct 192 City of Tarnów. On April 8, 2024, the Minister revoked the decision of the Province Governor of Małopolskie of January 11, 2023, ref.: WSII.7570.2.119.2021.SA in its entirety and referred the case for

No.	Date of grievance	Entity submitting the grievance	Subject/issue of the grievance	Method of resolving
				reconsideration by the authority of first instance. The Province Governor issued a decision to determine the amount of compensation on 09/06/2024. The decision became final on 09/27/2024. The compensation was paid to the PAF.

List of applications/requests

No.	Date of application	Entity submitting the application	Subject/issue of the application	Method of resolving
1	05/26/2023	PAP3	PAP3's comments on the modernisation of the flood embankment between Kąpielowa Street and Gliniańska Street in Tarnów, precinct 314, including: - a concern that raising the road under construction along the PAP's property to a significant height above the ground will cause flooding of the PAP's plots during major rains; - concern about the lack of passability of the gravel road, - request to undercut the slope supporting the entrance ramp, - request to remove a fence on the plot of the Municipality of Tarnów, which will significantly widen the gravel road, - request to move the entrance ramp to the embankment.	With regard to the exit ramp and fence, comments made by the PAP for the lack of passability of the gravel road, the undercutting of the slope supporting the exit ramp, the possibility of removing the fence and relocating the ramp to another location were addressed in the replacement design solution . The exit ramp was turned to allow the slopes to be properly routed, retaining the historically existing width of the gravel road and thereby facilitating passage. The Municipality of Tarnów did not agree to demolish the fence on its plot (a plot outside the scope of the project) but the turning of the ramp guaranteed the historically existing width of the road, as indicated above, while removing any concerns about rainwater flooding on the plot, which satisfied the PAP.
2	02/14/2023	PAP4	PAP4's request to leave the fence and planted trees on the expropriated part of the property belonging to the	A replacement design solution was prepared after technical analyses - providing an embankment exit without

No.	Date of application	Entity submitting the application	Subject/issue of the application	Method of resolving
			Municipality of Tarnów before the expropriation (PAP4 was non-contractual user of the part of the municipal property).	occupying part of the property (the exit was moved by 40-60 cm). A legal path was indicated to PAP4 through which they can obtain the right to this part of the property. PAPs assets were not impacted by the works.

4.3 CONCLUSIONS – SUMMARY OF GRM'S EFFECTIVENESS

It should be highlighted that the planned grievance redress mechanism was implemented and operated throughout the entire period of Contract performance. The actions required under the LARAP have been implemented.

5. MONITORING of LARAP IMPLEMENTATION

5.1 DESCRIPTION OF METHODOLOGY

The monitoring and evaluation of LARAP implementation is described in chapter 13 of the LARAP. In line with the assumptions made, monitoring was conducted for the entire implementation period of Contract 3D.2/2, and the methodology was based on a standardised approach to properties acquisition to address emerging issues. Tools were used for monitoring the implementation of the Contract for the purpose of monitoring of LARAP implementation, i.e.:

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

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

All changes were recorded in the registers. Based on the aforementioned registers, the following parameters were monitored:

- a) number of properties for expropriation and expropriated,
- b) number of people requiring resettlement and already resettled (there were no such cases for Works Contract 3D.2/2),
- c) quantity of properties for temporary occupation (planned and actual),
- d) amount of all expenses for the implementation of LARAP process (planned and actual),
- e) compensations disbursed for loss of legal title for property,
- f) compensations disbursed for loss of income sources,
- g) acquired and awarded replacement properties,
- h) progress and status of protective actions’ implementation,
- i) number of complaints,

j) number of considered complaints.

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

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

5.2 IMPACT OF THE PROJECT ON PAPs AND LOCAL COMMUNITY

The Works Contract 3D.2/2 encompassed the extension of the **already existing embankments** at the Biała River over a length of approx. 12.5 km comprising raising and widening of the embankment body and erecting short sections of new embankments at a length of approx. 80 m (left embankment) and approx. 470 m (right embankment), whereby the added sections were located outside the urbanised area or area of intensive farming in green areas – cultivated greenery, and a long stretch of the reconstructed embankment bordered production and service areas and waste management facilities.

Along certain sections, in the immediate vicinity of the investment area, there were built-up land properties, the area of allotment gardens, which most heavily experienced the troublesome construction works, noise and other related factors, however, thanks to the application of mitigation and minimisation measures (described in the EMP) of negative impacts, Investment implementation did not cause disturbances in the daily functioning of these households.

The decision on investment project implementation permit, on the day the decision became final, caused the following consequences for the expropriation of 414 properties with a total area of 19.0851 ha. These were mainly properties that were in the stock of the State Treasury and the Municipality of Tarnów (271 plots, 65% of all permanently occupied properties). When analysing the data in terms of the area occupied, it should also be pointed out that the largest amount of land was acquired from the public entities of the State Treasury and the Municipality – 16.6164 ha, 87%, as illustrated in the pictures below.

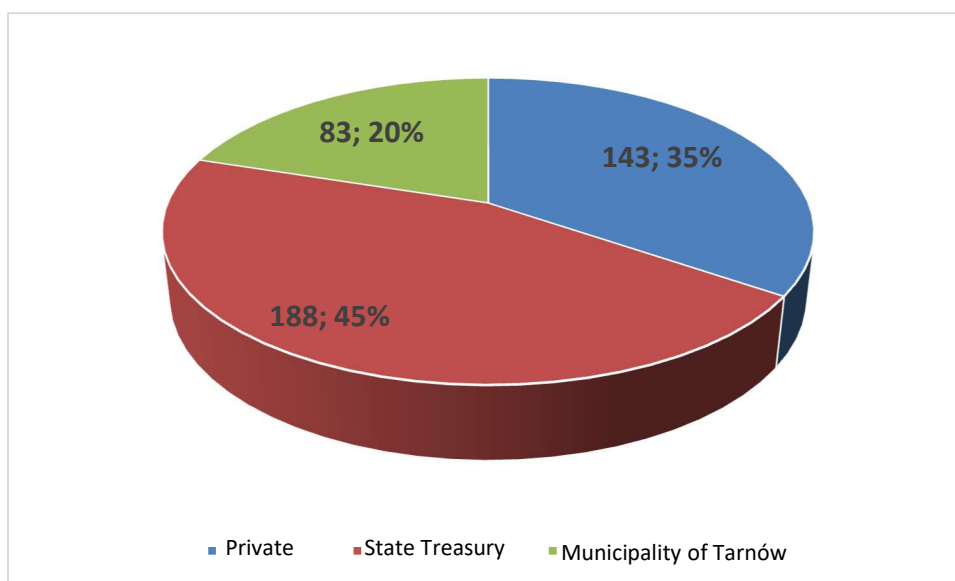


Fig. 3 Ownership structure of the plots covered by the investment (permanent occupation) – number of plots

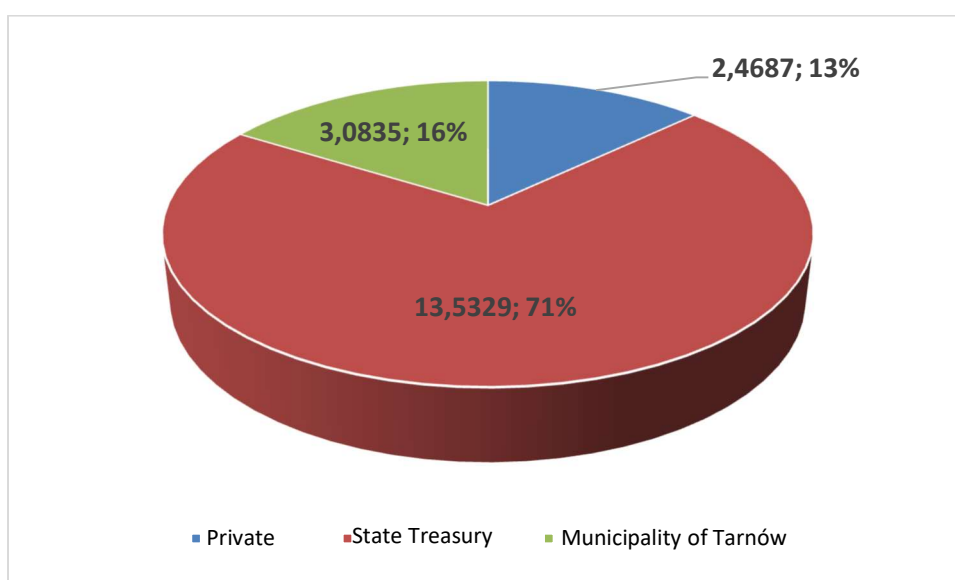


Fig. 4 Ownership structure of the plots covered by the investment (permanent occupation) – area of plots, ha.

In addition, by virtue of the above-mentioned decision, a small part of allotment gardens also had to be removed (12 small fragments of allotment gardens, which PAPs still can use and part of the FAG's common area).

Compensation for the expropriated properties, for the removed allotment gardens, for the common parts of FAG JASKÓŁKA and for the right of ownership and for the use of the land was paid by the Investor, i.e. SWH PW RZGW in Cracow, before the start of the works.

The impact of the Contract on individuals was minor; no physical or economic resettlement occurred as part of this project.

Compensation was also paid, at the replacement value, for each land component that was removed. For the removed FAG's fence, the FAG's fence was built by the Works Contractor along the new gardens' boundary after the project was completed.

In line with the assumptions made in the LARAP, the residential building belonging to the Municipality of Tarnów located on the crest of the embankment was demolished. Pre-emptively, however, the residents were provided with new accommodation by the Municipality and they moved before the investment even started (the Municipality was the public entity that helped the PAPs to move). At the time of commencement of the investment, the building had already been uninhabited for a long time, the tenants of the building moved out in 2014, i.e. 6 years before the commencement of the Works Contract 3D.2/2. The Contractor was instructed to demolish this structure as soon as possible, which prevented any illegal squatters from moving in.



Phot. 1 Right embankment at 3+145 – 4+534 - residential building belonging to the Municipality of Tarnów located on the crest of the embankment (unoccupied vacant building), demolished under Contract 3D.2/2 (plot 1/341 precinct 200 Tarnów).

A small brick building along the stretch of the right embankment on the boundary of plots 371/1 and 389/4 was also demolished. The building was historically used as a toilet, according to PAPs, and was later adapted into a storage facility, and compensation was paid for the building.



Phot. 2 Right embankment at 2+956 – 3+120 - outer-embankment zone, small brick building which was demolished.

It should be emphasised that the primary objective of the implemented Contract 3D.2/2 is to protect the inhabitants of the city of Tarnów, town of Biała, municipality of Tarnów and – over a small section of few meters (approx. 8 m) – of Komorów – Municipality of Wierchosławice, District of Tarnów, Małopolskie Province, against the effects of flood. 1,200 people and their belongings are directly protected. As a result of investment implementation, an area of approx. 185 ha has been protected from flood, with residential and auxiliary buildings, industrial buildings (waste management installation), as well as other cubic and linear infrastructure facilities.

The implementation of Contract 3D.2/2, together with the construction of a new embankment under Contract 3D.2/1, was one of the phases of works to reduce the serious flood hazard in the catchment area of the Biała River (especially in light of recent events such as the tragic climate change-related 'flash floods' in 2024 in western and southern Poland). It is estimated that the implementation of the flood protection investment on the Biała River will allow to avoid flood damages worth approx. PLN 60 million (at 2010 prices), assuming the range of flood similar to that of 2010.

Positive social impacts, i.e. benefits for the local community, which are directly related to the investment objectives, should also be highlighted. The long-term benefits encompass:

- reducing/eliminating the risk of flood or waterlogging;
- protection of private and public land and assets, including built-up properties;
- psychological comfort of the local community during prolonged heavy rainfall or during the spring melt season (the traumatic events of the 2024 flash floods are a huge psychological burden for the general community in Poland);

- as a result of tidying up, the landscape has gained new qualities – new recreational areas have appeared (possibility to walk on the embankments and within the embanked area);
- protection of jobs in services and in production plants secured from flood;
- securing the land against pollution and epidemiological contamination (securing the waste management facility);
- increased attractiveness of the flood-protected area for new economic/investment projects in the area.

The above conclusions were also confirmed by local leaders (i.e. representatives of the Municipality of Tarnów who actively participated in the implementation of Contracts 3D.2/1 and 3D.2/2 in their area, as well as in survey studies after the end of Contract implementation).

5.3 CASE STUDY – SPECIFIC EXPERIENCE CONNECTED WITH CONTRACT IMPLEMENTATION

In the case of Works Contract 3D.2/2, there were no specific events or cases of people influenced by the Project's impact that would trigger special procedures and actions to mitigate and compensate for impacts. All measures as described in the LARAP were put into life, allowing compensation to be paid to all eligible persons, and in 21 cases compensation was paid to a court deposit.

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

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

There were no significant impacts on PAPs during the execution of the Works. By introducing the actions indicated in the LARAP, life conditions of PAPs have improved and the long-term and sustainable use of natural resources within this area was ensured. No vulnerable groups were identified within the Contract 3D.2/2 area, and the impact of the Contract itself did not adversely affect the enterprises or the operation of agricultural activities. No impacts occurred in any case, inter alia, for loss of sources of income, jobs, accessibility to infrastructure, loss of farming opportunities, loss of enjoyment of natural assets/access to parks, reserves, access to educational institutions, cultural facilities, etc.

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

Contracts carried out in the future and no funded by the World Bank. It is also recommended to work closely and collaboratively with those affected by the Project.

Information about the planned Investment should be disclosed as early as possible to potential persons who will be affected by its impacts (this allows for the introduction of any minor changes at the design stage that will reduce the impacts). Local authorities should also be involved as early as possible, as they know the local conditions and can help identify landowners and search for potential owners of deceased or missing persons, which may reduce the number of cases in which compensation is directed to the court deposit.

It is also recommended to develop a more appropriate scope of basic information on sources of income collected before the start of the Investment and after its completion, which will allow for a more precise assessment of the impact of the Project on PAPs. The scale of impacts should be remembered, so as not to offend people with too personal questions (in Poland, a question about monthly income is considered such).

6. CONCLUSIONS AND SUMMARY

The main, measurable effect of implementing the Works Contract 3D.2/2 *Expansion of the left and right embankment of the Biala River in the Tarnow Municipality and the City of Tarnow* is to ensure flood protection of areas covering 185 ha, inhabited by approx. 1,200 people, with residential and auxiliary buildings, commercial and service buildings, area of recreation and leisure for many PAPs (FAG JASKÓŁKA), industrial buildings (waste management installation), as well as other cubic and linear infrastructure facilities. This has eliminated the need for incurring gigantic financial outlays for removal of flood losses. Given the climate change currently taking place, the frequency and intensity of flood events is expected to increase. A one-off investment for the implementation of the said project has therefore enabled to avoid the need to secure financial outlays in the coming years to remove the losses.

In addition to the economic aspect, the immeasurable social aspect of implementing the investment is equally important, consisting of ensuring the sense of security for the local community living in the area covered by the investment, as well as the socio-economic expectations of the local population. Hygienic and sanitary conditions in the flooded area deteriorate drastically every time as a result of flooding. The plots located in areas exposed to flood are less attractive, which determines their low value on the property market. This situation also represents a serious barrier and an unfavourable environment for the development of local entrepreneurship and potential investors, which translates directly into a limitation of business development. All these public concerns and barriers to development were eliminated following the implementation of Works Contract 3D.2/2. Positive social impacts, i.e. benefits for the local community, which are directly related to the investment objectives, should also be highlighted. Long-term benefits include flood protection and the related development prospects for the area and the acquisition of new recreational land, as described in detail in chapter 5.2.

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

- Subject to permanent occupation were 414 properties belonging to natural persons (143 plots), Municipality of Tarnów (83 plots) and State Treasury (188 plots), Family Allotment Gardens were located on 1 of the municipal plots (12 allotment gardens were subject to partial removal). As per the assumptions of the LARAP, the properties were not occupied and no works started on them until all compensation activities were completed.

Works Contract 3D.2/2 has not resulted in any physical or economic resettlement. No vulnerable groups were identified in the implementation area of the Contract, and the impact of the Contract itself did not adversely affect the enterprises or the operation of agricultural activities. **No impacts occurred** in scope of, inter alia, loss of sources of income, jobs, accessibility to infrastructure, loss of farming opportunities, loss of enjoyment of natural assets/access to parks, reserves, access to educational institutions, cultural facilities, etc.

Summarising the information presented above in the Final Report on LARAP implementation for Contract 3D.2/2:

- In connection with permanent occupation of properties, compensation was paid in cash, and the amount of compensation was equivalent to their replacement value in accordance with the World Bank's Operational Policy OP 4.12.
- Compensations were paid prior to the start of the works with the exception to the absentee owners for which the compensation was placed into court deposit which allowed taking of land.
- Compensations were paid to all landowners who demonstrated their right to the properties acquired for the benefit of the State Treasury, as well as to users (PAF, users of allotment gardens) for plantings and building structures belonging to them;
- In the absence of eligible persons (the owner has died and the heirs have not yet carried out inheritance proceedings, no owner was found), the compensation was deposited with the court. This situation applies to 21 cases. The PIO's strategy for assistance in payment of compensation from the deposit to those eligible is described in 3.5.3.

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

- 5 applications were submitted to the Investor to purchase the "remnants" for 7 properties. A Committee, specially appointed for this purpose, analysed the situation for each plot and qualified 4 properties for purchase. In the case of 3 properties applications were refused, as the properties did not meet the conditions indicated in Article 23(2) of the Special Flood Act (details are described in detail in chapter 3.5.8). Two notary deeds were signed under which 2 "remnants" of natural persons were purchased. For 2 plots of the Municipality of Tarnów, the signing of the notary deed was scheduled for the beginning of 2025, a set of documents was collected and the purchase price was set, and the signing of the notary deed itself is already a formality.
- 3 information points where complaints and applications could be filed concerning the implementation of the Contract operated for the entire implementation period of Works Contract 3D.2/2. During the implementation of the Contract, 4 complaints and 2 applications were received. All complaints were resolved and compensation was paid. In the case of 2 submitted applications, minor design changes were introduced, which satisfied PAP and allowed for avoiding escalation of the potential conflict.

Detailed information is described in chapter 4.

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

Detailed information on public consultation is described in chapter 3.2.

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

This objective has been achieved for the Works Contract 3D.2/2.

After the implementation of Works Contract 3D.2/2, PAPs' standard of living has been restored or improved, as appropriate compensation was paid (compensating for the expropriation and enabling to acquire another property) and the community living near the reconstructed embankments was secured against flood that could threaten not only their assets but also their lives. Photographic documentation of the state before, during and after the end of investment execution is given in Appendix no. 6.

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

7. APPENDICES

Appendix no. 1 – Contract Location.

Appendix no. 2 – Screenshots of websites.

Appendix no. 3 – Documentation of public consultation.

Appendix no. 4 – List of properties – permanent occupation, permanent restrictions in use, obligation to reconstruct the network, right to use the property for construction purposes⁹.

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

Appendix no. 6 – Photographic documentation – the state before the contract, during and after the end of works execution.

Appendix no. 7 – Sample survey addressed to the PAPs after completion of Contract 3D.2/2.

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

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

⁹ The financial data presented in the document was prepared on the basis of accounting and other financial documents made available to the authors of the Final Report