

10. The persons economically affected by the Project, in particular those who have been subject to expropriation, shall be compensated before the start of construction works on the expropriated property.
11. A priority is given to the compensation in the form of allocation of alternative land of equivalent productive potential. Monetary compensation shall be used where the acquisition of the property or a part thereof has no impact on the possibility to use the property for its previous purposes as well as where the person economically affected by the project expresses their will to receive monetary compensation.
12. The properties subject to temporary acquisition upon the completion of works shall be restored to their previous condition, so to enable their owners or users to use the properties as before the Project implementation.
13. Regardless the title to the property, all project affected persons shall receive various forms of support, according to the Compensation Measures Matrix included in the LARPF. The absence of a title to the property should not be a bar to the compensation and/or any other form of support. Detailed rules of acquiring real properties, conducting the public participation procedure and carrying out the mitigating, preventive, protective and compensating measures are set forth in this RAP.

The purpose of the LA&RAP is, *inter alia*, to gather basic social and economic information on the project affected persons, to identify the impacts, to determine the mitigating and compensating measures taken against any adverse impacts, and to assess whether the conditions for further management on the properties covered by the project have been restored (both for properties owned by natural persons and public entities). The LA&RAP also specifies the procedures, budget and deadlines to achieve the said purposes.

Based on determined indicators, the LA&RAP shall be subject to continuous monitoring and updates conducted by the Consultant's team and by the PIO, as the works proceed and in case any new factual or legal circumstances which affect the implementation of its provisions. It will make it possible, *inter alia*, to provide the Project Affected Persons with the relevant information, to early identify risks and implement methods that will allow to mitigate or eliminate such risks. The results of the monitoring will be presented in monthly and quarterly reports.

An *ex-post* assessment will be conducted six months after full implementation of the RAP and evaluating and documenting its outcomes.

4. MINIMISING THE IMPACT

4.1 Social impacts – general

In the light of OP 4.12, a social impact associated with property acquisition is defined as any direct loss, whether social or economic, which arises out of the expropriation of a real property or the permanent restriction in the manner of using or access to the real property.

The social impacts caused by the Investment Project, and thus by the land acquisition which often leads to resettlement, may be classified into the following categories:

- 1) Impacts caused by the Investment Project:**
 - a/ direct impacts,
 - b/ indirect impacts,
- 2) Impacts caused by the Investment Project's severity:**
 - a/ significant impacts,
 - b/ minor impacts,
- 3) Subjective impacts:**
 - a/ favourable impacts,
 - b/ adverse impacts.

Re. 1. According to §3 of the World Bank's Operational Policy OP 4.12 *Involuntary Resettlement*, the said Policy covers only direct impacts which are caused by the involuntary taking of land or the involuntary restriction of access to parks and protected areas, resulting in adverse impacts on the livelihood of the project affected persons.

‘Direct social impact’ means any consequence immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas, during the Investment Project financed or co-financed by the World Bank. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood; a reduction in living standard is also possible. In other words, they lose their ownership, control over the real property and the rights of use.⁵

OP 4.12 does not apply to long-term indirect impacts caused by the Investment Project, for example on customer loyalty (for people running a business), differences in local tastes, or other forms of intangible cost caused by the Investment Project.⁶

Re. 2. The severity of the Investment Project’s impact on land properties largely depends on the type and purpose of the property.

Therefore, the basic criterion to assess the severity of social impacts is the percentage share of the expropriated part of the property in its entirety. However, we should also take into account the data obtained during the socioeconomic study.

To assess the social impacts, for the purposes of this RAP, we have adopted the following criteria, according to OP 4.12:

⁵ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 1, page 4*

⁶ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 1, page 19*

- minor impact – in the case of real properties with intended use other than agricultural and wasteland, secondary impact is deemed to be the impact where less than 20% of land or assets of a given household are lost, while no physical relocation takes place,

- significant impacts – for real properties intended for purposes other than agriculture, and for wasteland, significant impacts are such impacts where the household loses more than 20% of its land.

In assessing the severity of impact, we have also considered the information acquired from the socioeconomic study, and the social sensitivity of the analysed household, defined as the exposure to risk and severity of the impact, sensitivity to those risks and effects, and adaptation capabilities; we have also considered whether the PAP belongs to a vulnerable group.

Therefore, when assessing the impacts for their severity, it is required to assess the size, purpose, use and production capacity of the entire property and its part being lost. Often the real property subject to acquisition is the family's only source of income, and sometimes it is not used whatsoever. In such cases, the acquisition of the same area of property will be subject to different compensation amounts, based on the purpose and production capacity of the property. Therefore, an important aspect to be determined during the socioeconomic study is the percentage ratio of the acquired area of property to the remaining area, and whether the part acquired generates any revenue.⁷

Sometimes, despite acquiring 100% of a small property, which was used by the PAP only for leisure purposes, and it is impossible to determine that the property was the family's source of revenue, the impact must be deemed significant.

For those people already in poverty, however, loss of even a small percentage of holdings may render the rest of their land unviable. In these cases, the loss of less than 10% of the holdings (which could indicate a minor impact) will only deepen poverty – for such PAPs, adequate additional measures should be taken aside from monetary compensation.⁸

Re. 3. The implementation of flood protection projects which have an impact on the entities located at the site or within the range of the Investment Project, as well as their long-term impact, may be classified as favourable. This is because the communities living in the areas of Investment Projects will benefit from the improvement of flood safety. Therefore, we may claim that the outcome of the Investment Project (the improvement of flood protection level) will only have a favourable impact.

However, in the event of acquiring a private real property being, the subjective impressions of the project affected persons will be usually negative. The impacts relating to the relocation of households may prove to be adverse, but in some cases a change in the place of residence brings improvement of the PAP's living standard, and thus an impact that is initially considered adverse turns out to be favourable in the long term. In any case, attention must be paid to the psychological adverse impacts, especially for persons from the vulnerable groups.

⁷ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 3, page 38*

⁸ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 5, page 74*

4.2 Social impacts identified for the purposes of Task 1B.5/2

The analysis carried out to identify the severity of impact of the Investment Project only concerns those real properties which belong to natural or legal persons.

At the beginning, we should indicate that the site of the task does not include any farms. The site of the task covers land which, due to their type and intended use, are classified as arable land – wasteland, designated with N, which is their actual purpose – they are wasteland covered by trees and bushes of different age. For wasteland and properties other than agricultural land, the **significant impact** should be understood as the loss of more than 20% of the household's productive area, without any physical or economic relocation.

Importantly, for those people already in poverty, however, loss of even a small percentage of holdings may render the rest of their land unviable. Where the loss of less than 10% of the holding (which could indicate minor impact) will only increase poverty, adequate additional measures should be taken with respect to such PAPs aside from monetary compensation.⁹ During the socioeconomic study conducted on the site of the task, we have not identified any persons belonging to the vulnerable groups, who would require the additional procedures such as social aid, support and protective measures for the resettled person, which would allow us to avoid or minimise the adverse effects of the resettlement.

4.2.1 Impacts on natural persons

In the case of implementing Task 1B.5/2, there will be no expropriation causing involuntary resettlement, as the remaining part of the property may not further be used.

Plot number	Plot numbers after division	Plot intended purpose	Location	Ownership:	Intended purpose	Type of impact
394/36 0.0169 ha	394/83 0.0013 ha	investment	Kostrzyn nad Odrą 0004 Śródmieście KNO Mostowa	Natural person	Bp – urbanised areas not developed or under development	Minor 100 %
	394/84 0.0156 ha	investment				
350 0.0724 ha	Not applicable	Restriction of use	Kostrzyn nad Odrą 0004 Śródmieście KNO Władysława Sikorskiego		B – residential areas	Minor 6.74 %

In the case of one family household, whose developed land directly borders the project site and which is located within the direct impact of the Investment Project, the owner has submitted an application for the acquisition of entire property by the State Treasury due to the future restriction of use. We should point out that the property is not an investment plot. Detailed procedure for the acquisition of property upon application of the person interested is described in chapter 'Applicable legal provisions and valuation methodologies, Section 6.4: *Imposing restrictions in the use of real property*.

For an identical family household, the project will also imply expropriation of another investment plot (in full – 100%) with an area of 0.0169 ha (169 m²). That property, despite acquiring the entire plot, has not been deemed to generate any revenue that may provide support to the household. Therefore, the impact has not been classified as significant.

The direct impacts on other natural persons, due to acquiring certain sections of land for the project purposes, which land does not generate any revenue, have also been considered to be minor.

⁹ See: *Involuntary Resettlement Sourcebook, Planning and Implementation in Development Projects, The World Bank 2004, Chapter 5, page 74*

Given the above, we should conclude that the planned Task will not generate any significant impacts arising from the required physical relocations of households, caused by the acquisition of more than 20% of the property area. One of the households will be relocated at the request of the property owner, as the use of the property will be restricted due to the reconstruction of an individual exit road and the relocation of a power network and a telecommunication network existing on that property. We have also not identified any economic resettlement for the Investment Project.

At the project site, we have not discovered any persons possessing the property illegally (without title) or persons from the vulnerable groups.

4.2.2 Impacts on legal persons

Task 1B.5/2 will imply direct impacts on two legal persons – a limited-liability company and a joint-stock company.

For the limited-liability company, the acquisition of property for project purposes will concern 0.0422 ha, which represents 8.6 % of the company's real property, and the restriction of use will cover: 193.95 m² – the relocation of a power network; 132.24 m² – the reconstruction of a public exit road; and 2157.07 m² – the construction of a provisional civil structure. The restriction in using the property will cover 55.29% of the property owned by the company (plot no. 394/40). However, as plot no. 394/40 is not developed by its owner, the impacts involving the restriction in using the property has not been considered to be significant. This real property may also not be deemed to generate revenues for the company. The company does not apply for the acquisition of the whole property by the State Treasury due to the restriction of use.

At the request of the property owner, the design documentation to be prepared will provide for one additional exit road for passenger cars, which is aimed to streamline the traffic between the public road (Mostowa street) and the plot owned by the limited liability company. An appropriate application was filed by the owner during the public consultation before drafting the final version of the design documentation. This measure taken by the Investor was accepted by the PAP, who wished to improve the connection to his real property. This design solution will be important to the activities planned by the PAP.

With regard to the joint-stock company, which has the right to perpetual usufruct of the real property owned by the Municipality of Kostrzyn nad Odrą, the property will not be acquired for project purposes – the project will only imply a restriction in using plot No. 378 due to the relocation of a power network with an area of 18.50 m², which will represent 0.76 % of the company's property. The part of the property that will be restricted in use may also not be deemed to generate any revenue for the company. The company does not apply for the acquisition of the whole property by the State Treasury due to the restriction of use.

Plot number	Plot numbers after division	Plot intended purpose	Location	Ownership/perpetual usufruct:	Intended purpose	Type of impact
394/40 0.4913 ha	394/87 0.0330 ha	investment	Kostrzyn nad Odrą 0004 Śródmieście KNO Mostowa	A limited-liability company seated in Świebodzin Wilkowo No. 75 66-200 Świebodzin	Bp – urbanised areas not developed or under development	Minor 8.6 %
	394/40 0.0092 ha	investment				
	394/40 0.4491 ha	Restriction of use				Minor 55.29 %
378 0.2419 ha	Not applicable	Restriction of use	Kostrzyn nad Odrą Władysława Sikorskiego	Ownership Municipality of Kostrzyn nad Odrą	B – residential areas	Minor 0.76 %

				Perpetual usufruct Bank Zachodni S.A in Wrocław ¹⁰		
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4.2.3 Impacts on other entities

With regard to the areas owned by the **Municipality of Kostrzyn nad Odrą**, the impacts have been considered to be minor, as the acquisition of property from that entity does not materially affect its position and operations.

The execution of the Investment Project may indirectly affect the activities of the **Kostrzyn Fortress Museum**. On 17 June 2019, at the request of the representatives of the Kostrzyn Fortress Museum, a consultation meeting was held in Kostrzyn nad Odrą to discuss the project scope covering Task 1B.2 – Modernisation works on border Odra river, and Task 1B.5 – Reconstruction of bridges to ensure minimum clearance. Road bridge at km 2.45 of Warta river. At the meeting, the real property consultant discussed the types of impacts to be generated by both tasks on the developed plots located in the Old Town of Kostrzyn nad Odrą.

They have revealed the potential social impacts:

- temporary limitations in the throughput of one of the access roads running to the Kostrzyn Fortress Museum,
- impaired quality of life of town's residents by limited access to cultural objects,
- temporary impairment in the operating conditions of the Museum due to restricted access (possible restriction of accessibility for the visitors).

The consultant has explained that in order to completely exclude the possible social impacts of the two Tasks (1B.2 and 1B.5/2), there are planned certain measures to mitigate or even eliminate the adverse impacts, which will take the following forms:

- construction of a provisional bridge over Warta river, which will provide a smooth access to the Kostrzyn Fortress Museum from northern side. It was also emphasized that the access to the Museum would not be restricted in any way from the south (roads 22 and 31) or west (road 22). Thus, while the crossing over Warta river is provided by the provisional bridge, all the four (4) access routes to the Museum will remain available. The traffic through the provisional bridge will be alternated only for short periods during execution.
- the activities covered by Task 1B.2 will be carried out in a way not to hinder (affect) access to the Museum from the west (from water side),
- the modernisation works to be conducted near the historic Bastion Philip will be carried out under archaeological supervision; a representative of the Kostrzyn Fortress Museum will have the possibility to participate as a consultant for any archaeological works during construction;
- a representative of the Kostrzyn Fortress Museum will be given access to the construction site in order to assess whether any possibly discovered monuments are useful for the museum;
- cooperation will be initiated to allow the Kostrzyn Fortress Museum to extend their assets by any discovered items of archaeological value;

¹⁰ Data as in the Land and Mortgage Register, as of 30/12/2019. On 7 September 2018, Bank Zachodni S.A. changed its name into Santander Bank Polska S.A.

- any construction activities will be carried out in a way to minimise impact on the neighbouring properties and the traffic on the river;
- during the public consultation, as part of publishing the LA&RAP for Task 1B.5/2, the Investor may notify the current parties interested that the access to the Old Town, including the Kostrzyn Fortress Museum, remains unlimited for the duration of both investment projects;
- the Kostrzyn Fortress Museum will be encouraged to exchange their experience and present their achievements during the planned meetings with stakeholders;
- the parties have declared that they will inform one another on any planned and implemented actions, and cooperate to implement them effectively; - the monitoring of works will include another meeting to identify any impact on the Kostrzyn Fortress Museum.

The consultant has assured that he will monitor the impact of the project on the operations of the museum, and will take all efforts not to introduce any solutions that would reduce the bridge throughout.

With regard to the areas owned by the State Treasury but being under perpetual usufruct of a public legal person (**Warta Mouth National Park**), we have also not found any significant impact. The percentage acquisition of property for project purposes will be around 0.32% of the entire area of the land. The part of the property to be taken will constitute a right-of-way of National Road 31. Since the use of the part of property that constitutes plot no. 2/3, owned by the State Treasury and being under perpetual usufruct of Warta Mouth National Park, will be temporarily restricted for the duration of construction works, the contract with the works contractor will impose the obligation to settle the manner the contractor may use the property and the obligation to pay due rent.

Plot number	Plot numbers after division	Plot intended purpose	Location	Ownership:	Intended purpose	Type of impact
2/3 42.6481 ha	2/4 0.1373 ha	investment	KNO Władysława Sikorskiego	Ownership: State Treasury Perpetual usufruct: Warta Mouth National Park, Osada 1, 69-113 Górzycza Chyrzyno	Bz – leisure areas rd – roads W – wasteland Rw – land under running surface waters Sw – land under stagnant surface waters	Minor 0.32%
	2/5 42.5108 ha	current use				

4.3 Mitigating the impacts – organisational measures

1. The design works are carried out in a way to minimise the area of land that must be acquired, that is within the boundaries of the plots.
2. The amount of compensation for lost title to property will be based on appraisal reports to be drafted by independent experts (property appraisers). The valuation being a basis to determine the amount of compensation will be prepared with due regard to the principles of diligence, objectivity and independence, so that the current owner receives a price corresponding to the actual loss, and thus to minimise the adverse impact on the owner's financial position caused by the loss of property.
3. As part of the compensating measures, based on the socioeconomic studies, a priority has generally been given to monetary compensation, as in a vast majority of the cases, the acquisition of properties, whether in full or in part, does not affect the economic standing of the households, and the parties interested even expect the compensation to be paid in cash.

4. All costs of the measures mitigating and compensating for the adverse impacts will be included in the costs of the Project as eligible expenditure.
5. Each expropriated person will be entitled to the free use of the land in the same manner until the payment of the compensation or (if no agreement is reached as to its amount) an indisputable part thereof.
6. The Employer will notify the PAPs of the actual commencement of works in time to allow them to finish their activities on the real property, however no later than 30 days in advance.
7. During the construction works, the required distances to overhead power lines will be maintained. This will mitigate the social impacts caused by the influence on energy infrastructure (power supply interruptions). Power distribution systems on the construction site will be designed, built, maintained and used in such a way not to pose a fire or explosion hazard, and to sufficiently protect the personnel against electric shock.
8. All the works that cross or are conducted on or near utility networks will be supervised by the owner of those networks. The network owners will be notified in advance of the start date of the works.
9. Proper arrangement of construction and erection works will be ensured: the construction works may be carried out only from 6:00 a.m. to 10:00 p.m.; limitation of transports without load; limiting the idle operation of vehicle combustion engines during construction; limiting the speed of vehicles near the investment project site; limiting the operation of equipment that generates the highest noise; the construction site will only be supplied during the day. This will mitigate the social impacts caused by the nuisance generated by the Investment Project.
10. As part of the information campaign, the PAPs will also be notified of their option to apply for the purchase of the remaining part of the property (the so-called residual land), if after dividing the property and acquiring it for the purposes of the Task, the remaining part is unsuitable for further use as intended (in accordance with Article 13(3) of the Road Act).
11. With regard to the owners of the properties that will be parts of the investment project necessary for its functioning but will not become property of the State Treasury but will only be restricted in use, they will be informed on their option to apply for the purchase of the entire property under a civil-law procedure, by submitting a relevant application to the Investor.
12. Before commencing the works, the Employer will conduct a broad information campaign on the investment project, and will establish an information point for the Project Affected Persons, where they can file their requests and comments regarding the conducted construction works and planned acquisitions. An information brochure will be prepared and sent to all PAPs, which will inform them about the option to submit complaints (according to the LA&RAP) and contain relevant contact details.
13. The Contractor will inform the Investor on the concluded temporary acquisition agreements, and before a given plot or a part thereof is acquired, its condition will be assessed and photographed.
14. After the completion of works, the properties will be restored and returned in a good or at least non-deteriorated condition.
15. The construction site will be located in a way to have a possibly low impact on the quality of life of local residents.
16. For the time of implementing the project, a by-pass road will be made via a provisional bridge, on the southern side of the existing facility (that is upstream the river).
17. A broader description of the measures to mitigate/minimise adverse impacts, including those regarding environmental resources, is contained in the 'Environmental Management Plan'.

5. SOCIOECONOMIC STUDY

5.1. Sources and methodology

The socioeconomic study has been conducted by the real property team being part of the Consortium – Consultant responsible for preparing this LA&RAP.

The principal source of information about the development and use of the occupied properties is the analysis of GIS data, excerpts from the land and building register and entries in land and mortgage registers, and an on-the-spot verification on the Task site. The status of the possession of the acquired real properties has been determined based on the land and building register and land and mortgage registers, and by way of on-the-spot verification at the Task site. The existence of infrastructure was confirmed by analysing the GIS data, LBR excerpts and design documents, and by an on-the-spot verification at the Task site.

As regards social impacts, the basic source of information was the data acquired from available registries (such as the National Court Register) as well as data and information obtained by visiting the site of the Task. We have also based on the statistics of the CSO and materials available on the Internet (the websites of the Municipal Office of Kostrzyn nad Odrą). The collected data made it possible to perform social profiling, that is to classify the PAP to a specific group of beneficiaries entitled in connection with the Task.

The Project covering the Task titled 'Reconstruction of a bridge to ensure minimum clearance – Road bridge at km 2.45 of Warta river in Kostrzyn nad Odrą' will be executed on the basis of, *inter alia*, the Act of 10 April 2003 on special rules of preparation and execution of public road projects (Polish Journal of Laws No. 2018.1474), and thus the end date of the socioeconomic study was assumed to be the date of obtaining the Road Construction Consent (RCC).

Based on the analysed information sources, in particular the site visits, we have carried out thorough socioeconomic studies on the site of the Task, using questionnaires dedicated to particular persons. The questionnaires were in-depth – aside from answering the standard questions contained in the questionnaire, the respondents could express their position on the Task and flood protection.

In November and December 2018, there were meetings held as part of public consultation, participated by representatives of the Municipality of Kostrzyn nad Odrą. We have conducted public consultation and a survey on the social and financial position of the PAPs affected by Task 1B.5/2 and on its impact on the quality of life and financial standing (the impact on revenues). The interviewed target group included the natural persons whose real properties are located on the site or within the direct impact of the investment project – Task 1B.5/2.

On 14 January 2019, there was another (third) meeting held in the Municipal Office of Kostrzyn nad Odrą, participated by the Client, Consultant, a representative of the Municipality of Kostrzyn nad Odrą, and the institutions concerned by the project. The meeting was also attended by the parties interested in the project, whose properties are located on its site, including the representatives of the GDDKiA (Branch in Zielona Góra), Warta Mouth National Park, and PGW WP (Basin Management Board in Gorzów Wielkopolski).

The real properties to be acquired as part of this Task are owned by natural persons, legal persons, institutions and local government bodies. All these entities have been notified of the investment project and invited to participate in the meetings arranged as part of the public consultation. The questionnaires have been given to those who have the right of ownership in the properties located on the site or within the direct impact of the investment project, and to those having the right of perpetual

usufruct of the land. In order to conduct an extended socioeconomic study, the questionnaires were also sent to a wider group of respondents whose properties are located within the project impact zone.

However, the questions asked in the survey were not replied by all the natural persons to be relocated. The respondents were more eager to answering the additional questions (regarding whether they consider the Investment Project reasonable and whether the flood protection is necessary) than the standard questions asked in the questionnaire. Some respondents have indicated the risk of traffic disturbance caused by the Investment Project as well as their concerns that the works may be a threat to the buildings and cause their damage. Most respondents indicate that in order to optimise the flood protection for the Town of Kostrzyn nad Odrą and the surrounding villages, it is also required to rebuild two railway bridges situated in Kostrzyn nad Odrą. The respondents have also favourably assessed the investment project, indicating that it is reasonable and will have no impact on the PAPs' financial position.

5.2. General socioeconomic information

Kostrzyn nad Odrą is a town being a municipality, located in the north-western part of Lubuskie province, in Gorzowski district. Kostrzyn nad Odrą is situated at the outlet of Warta river to Odra, in the western part of Gorzów Valley. The town borders Boleszkowice and Dębno communes in the north, Górzycza and Słońsk communes in the south, and German district of Märkisch-Oderland in the west. The geographic location and accessibility of Kostrzyn are one of its greatest assets. The frontier town of Kostrzyn nad Odrą is situated only 75 km from Berlin, the capital of Germany. The outlet of Warta to Odra river is a junction of waterways and land routes. With a railway station having a very rare arrangement (two levels being the effect of building one railway line over another), Kostrzyn is directly linked with Szczecin, Wrocław, Katowice, Bydgoszcz and Warsaw. Owing to a system of rivers and channels, the town is also connected with the port cities in Poland and Germany.

The town's surface water is concentrated in its south-eastern and south-western parts. These include Odra river and Warta river, including its lateral channel. The town is situated in the basin of Odra, which is linked here with Warta, its largest right-bank tributary. Both rivers are supplied by rain and snow. Consequently, the so-called low water (a temporary decrease in the level of water in surface watercourses) occurs in Kostrzyn nad Odrą in July and August, while swells and floods take place in March (as a result of thaws). Odra is a class I river, which in Kostrzyn flows within the Oderbruch Valley. Odra River Valley links here with Warta River Valley. Below the mouth of Warta, the Odra River Valley on the Polish side is very narrow.

The most interesting landscape qualities of the town and its surroundings include the Warta Mouth National Park and the Warta Mouth Landscape Park. The Park's landscape consists of open meadows crossed by a dense grid of channels and oxbows, as well as willow bushes. The Landscape Park is dominated by marshy pastures and meadows crossed by a grid of rivers and channels.

A natural complement of the landscape is created by riversides, forests and meadows. Kostrzyn nad Odrą has extensive green areas, which are concentrated in its northern (forests) and south-western parts, directly adjoining Odra and Warta. The situation along two major rivers is undoubtedly a valuable asset of the town in terms of landscape. The rivers connect with the surrounding biologically active areas via smaller water channels.

The population of Kostrzyn nad Odrą is approx. 17,918, 50.8% of which are women and 49.2% are men. Between 2002 and 2017, the population increased by 4.6%. The average age of inhabitants is 39.8, being slightly lower than the average age of the inhabitants of Lubuskie province and slightly lower

than the average age of the inhabitants of Poland overall. The town area is 46.14 km². Population density is 388.3 people/km².

Working-age inhabitants represent 61.8% of the entire population of Kostrzyn nad Odrą, while 19.3 % of inhabitants are at their pre-working age, and 18.9%, at the post-working age.

Total housing resources in Kostrzyn nad Odrą include 6,679 properities. This gives 370 flats per 1,000 inhabitants. This is comparable to the overall value for Lubuskie province and to the average index for entire Poland.

In Kostrzyn nad Odrą, there are 422 working persons per 1,000 inhabitants. This is much more than the value for Lubuskie province and much more than for Poland overall. Out of all working persons, 43.6% are women and 56.4% are men. The registered unemployment rate in Kostrzyn nad Odrą in 2017 was 3.0% (4.1% among women and 2.1% among men). It is much less than the registered unemployment rate for the Lubuskie province and much less than the registered unemployment rate for the entire country.

Amongst the professionally active residents of Kostrzyn nad Odrą, 156 persons commutes to other cities, while 570 working persons commutes to Kostrzyn from other communes, so the balance of incoming to outgoing employees is 414.

26.2% of the professionally active population of Kostrzyn nad Odrą work in the agricultural sector (agriculture, forestry, hunting and fishery), 43.3% in industry and construction, 13.2% in services (commerce, repair of vehicles, transportation, hospitality services, information and communication), and 1.3% work in the financial sector (financial and insurance business, real property management).

According to the REGON register, among the entities with legal personality in Kostrzyn nad Odrą, limited liability companies constitute the majority (192). By analysing the register in terms of the number of employees, we can conclude that there are predominantly micro-enterprises (2,092), hiring zero to nine persons. 1.0% (22) of entities declared agriculture, forestry, hunting and fishery as the type of conducted business; 21.0% (463) of entities declared their type of business to be industry and construction engineering, and 78.0% (1,718) of the registered entities are classified as 'other business'.

Among the natural persons running a business in Kostrzyn nad Odrą, the most frequently declared types of predominant business activity are wholesale and retail, repair of motor vehicles, including motorcycles (33.7%), and construction (11.9%).

Kostrzyn nad Odrą is home to cultural institutions such as the Cultural Centre of Kostrzyn, the Municipal Public Library or the Kostrzyn Fortress Museum. Among the municipal budgetary bodies, we may point out the Social Welfare Centre, Environmental Self-support Centre and the Municipal Sports and Leisure Centre. The town has four (4) municipal kindergartens, two (2) primary schools and two (2) municipal middle schools.

There are also preserved fortifications, which include the Kostrzyn Fortress, earth-and-brick ruins built in 1537–1568, the ruins of Mariacki Church of 1396, and the Evangelical (presently Roman Catholic) cemetery chapel of the Blessed Christ of Jesus, built at the turn of the 19th and 20th century.

5.3. Gender equality

Poland has introduced a legal prohibition of discrimination, which is expressed in the Constitution of the Republic of Poland of 2 April 1997. Article 32 stipulates that no one shall be discriminated against in political, social or economic life for any reason whatsoever. Discrimination against women means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of

impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field (Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979).

Willing to join the European Union, Poland had to adopt its legislation to the regulations applicable in the EU, including those governing gender equality. This has mainly brought amendments to the Labour Code, but also a change in the approach of politicians and public administration.

According to the Human Development Index (HDI) for 2012, applied by the United Nations Development Programme (UNDP), Poland is amongst the countries with a very high Human Development Index. It is ranked 39th among 187 countries, so above the average for the countries covered by EBRD activity and at a level similar to the average for Central Europe and the Baltic States. The Human Development Index consists of three components: health, education and standard of living. According to the UNDP's Gender Inequality Index (GII), Poland is classified even higher – on the 24th position in the world rank. The Gender Inequality Index is a measure representing the loss of development opportunities in a given country caused by unequal treatment, which covers three elements of evaluation: reproductive health, empowerment and labour market participation.

As regards women's participation in public life, the share of women in the elected public authorities is low. This also refers to the low percentage of female Members of Parliament. Similar negative trends are presented by other elected authorities: commune councils, district councils or province assemblies (women represent around 1/4 of all councillors). We should also highlight the noticeably low share of women among heads of communes and town mayors. What is interesting is the increase in the number of women acting as village administrators – this position is one of important functions in terms of civic participation and social capital building. Experience also shows that women are equal participants in public consultation procedures, and often even leaders due to their engagement and local activity. To conclude, we should indicate that in order to promote women and increase their representation in decision-making committees and business management, there are many citizens' initiatives and declarations by political parties, the examples set by other countries are popularised, the European Commission takes their own initiatives *ex officio*, etc., which should improve the equality of men and women in terms of participation in labour market and decision-making committees. The results for the last 10 years show a gradual progress in this field.

5.4. Particulars of the real property

The planned project, involving the demolition and construction of a road bridge to ensure minimum clearance, should be classified as a pro-ecological project, as it is to improve flood protection by enabling the operation of icebreakers and an unrestricted flow of ice-floe.

The existing bridge to be demolished is a road bridge that was built in the late 19th century as a 5-span structure. In the present condition, the bridge hinders and often prevents anti-ice protection in winter and the navigation of the icebreakers taking part in ice-breaking operations, and stops the flow of ice in the crucial moments of such operations by cutting off the icebreakers mooring downstream of the bridge, from the ice-breaking area on Warta river, and stopping ice floe on the supports.



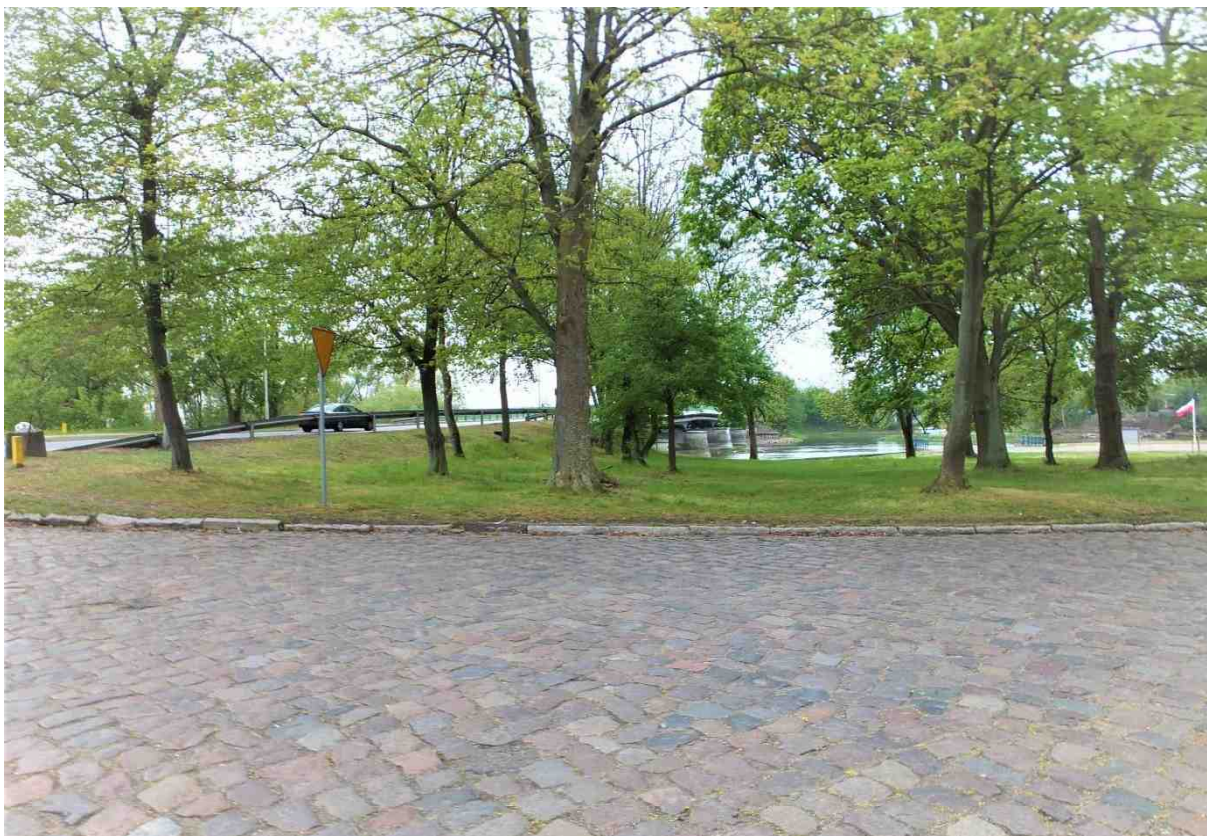
Bridge over Warta river – present condition

We should emphasize that the desired effects may only be achieved by demolishing completely all the components of the existing bridge and then building a new bridge.

The road bridge concerned by the project is located at km 107+211 of National Road 31 from Szczecin to Słubice (Sikorskiego street) – km 2.45 of Warta river, in Kostrzyn nad Odrą, and is used as a crossing over Warta river.

The total area of development on the project site is approx. 1.26 ha, but the facility alone takes approx. 0.5 ha, which corresponds to around 40% of the total site of the project. The planned works will not cause any spatial alterations in the land development. The project site is not covered by the adopted local development plans, and the design concerns the reconstruction of the already existing service infrastructure, without changing the use of the land.

The investment project requires modifications in the existing right-of-way. The plots which the State Treasury is not entitled to use for construction purposes will have to be partially dispossessed in accordance with the Act on special rules of preparing and executing projects involving public roads (the Road Act).



Bridge over Warta river – view from Sikorskiego street

The investment project will be located on the following plots:

a/ in precinct 004 Śródmieście – plots number: 268/2, 394/42, 394/40, 394/39, 351, 394/36, 390/9, 344, 345/1, 345/3, 346/11 and 394/82;

a/ in precinct 006 Stare Miasto – plots number: 64, 62 and 2/3.

The investment project will also affect the following plots:

a/ in precinct 004 Śródmieście – plots number: 390/7, 336/102, 378, 347, 348/1, 349, 350, 352/1, 345/5, 344/2, 390/13, 394/93, 394/91, 394/89, 351/2;

a/ in precinct 006 Stare Miasto – plots number: 62/2 and 2/1.

The water plot number 2/1 (the water of Warta river), located in precinct 006 Stare Miasto, owned by the State Treasury, will be taken free of charge for project purposes under Article 20a(1) of the Road Act.

A detailed list of the investment properties and the properties to be restricted in use is set out in Appendices 4 and 5, respectively.

The properties that will not be acquired by the State Treasury but are essential for the Investment Project to operate will have to be restricted in use. As of today, only one owner of a property (plot no. 350 in precinct 004 Śródmieście) has applied for the purchase of the entire property due to the restriction of use, because, as he claims, the works to be conducted both on and directly next to his property will materially alter the present peaceful environment and landscape, and will make the living in that place excessively burdensome.

We should indicate that this particular family household will be subject to the acquisition of the entire property (plot no. 394/36, precinct 0004 Śródmieście; area: 0.0169 ha) for project purposes under the

Road Construction Consent, which property directly adjoins plot no. 350, which will be restricted in use. Both plots (394/36 and 350) functionally compose one real property, which is divided into two separate plots only in land survey plats. The implementation of the investment project, implying the expropriation of the whole plot no. 394/36 and the restriction in use on the developed plot no. 350, will not only reduce the actual area of the plot – the spatial arrangement of the property will change to the detriment of its owners.

During the planned second stage of public consultation, all the PAPs whose properties are located in the direct impact zone will be advised of their option to apply for the purchase of the whole property according to their rights set forth in Article 124(5) of the RPM Law in conjunction with Article 11f(2) of the Road Act.

As of today, the other owners of the properties located in the Investment Project's impact zone have not applied for the purchase of their properties but only expressed their concern regarding the required modernisation of utilities on their plots. We should highlight that all the design works for the construction of the bridge and, consequently, the division of property were carried out in such a way to minimise the interference in the plots that include residential buildings. In most cases, the interference in the properties located within the impact zone is limited to temporary restrictions in using the properties. The building permit design was prepared so to possibly limit the impact zone to the boundaries of those properties which are already owned by the State Treasury and are intended for roads or water. During implementation, there will be no interference that would involve expropriating the property or its part developed with residential buildings and transferring it to the State Treasury.

As indicated above, the design works were carried out in a way to minimise the area of land that must be acquired, that is within the boundaries of the plots. Where the investment project is carried out close to developed properties owned by natural persons, this only in two cases will entail:

a/ partial expropriation of a property representing no more than 3.36 % (0.0025 ha) of the total property area (plot no. 351);

/b complete expropriation of a property with an area of 0.0169 ha, which, despite acquiring the entire plot, has not been deemed to generate any revenue that may provide support to the household. Therefore, the impact has not been classified as significant (plot no. 394/36).

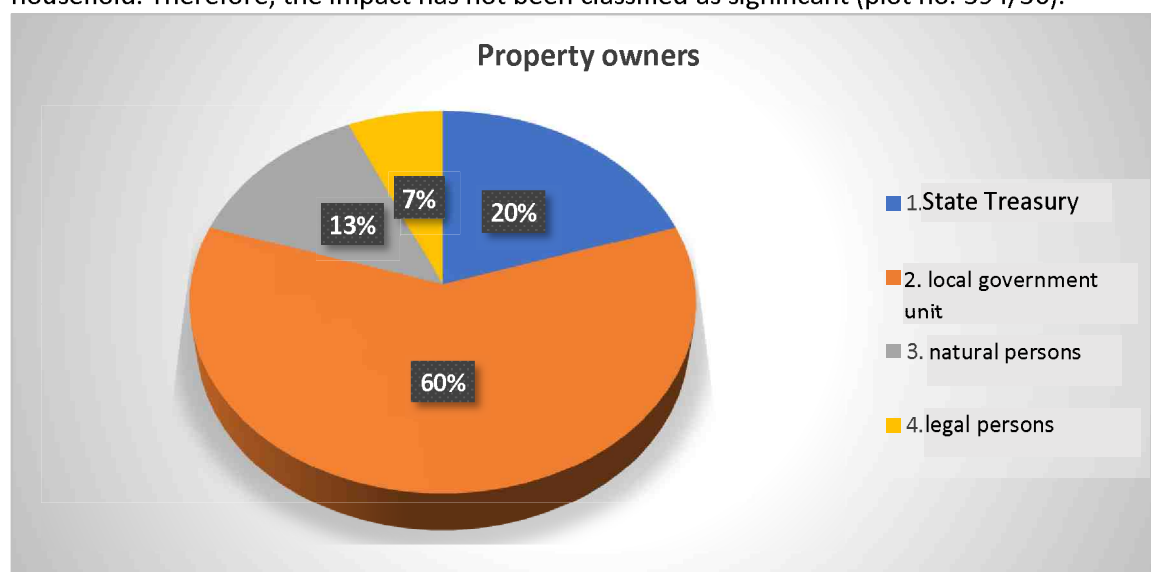


Diagram 1. The plots covered by the survey classified by ownership

The analysis of the percentage share of occupied properties indicates that most properties to be acquired are owned by a local government unit, the Municipality of Kostrzyn nad Odrą (60%), and by the State Treasury (20%), while only a few (three) of the properties to be covered by the works belong to natural or legal persons (20% of the occupied properties in total). The acquisitions for project purposes will also concern one property owned by the State Treasury, which is under perpetual usufruct by Warta Mouth National Park.

The Investment Project will also imply the restriction of using the properties as a result of;

- relocation of the power network,
- relocation of the telecommunication network,
- relocation of the gas pipeline,
- relocation of the water supply network,
- relocation of the sanitary sewerage system,
- construction of a sewerage outlet,
- reconstruction of individual exit roads,
- reconstruction of public exit roads,
- construction of provisional civil structures.

The restriction of use will concern the properties located within the project impact zone.

Sikorskiego street, which runs through Kostrzyn nad Odrą, constitutes National Road 31 (technical class: G) managed by the GDDKiA. It is a two-lane bituminous single carriageway with an overall width of 8.6 m, provided on both sides with pedestrian pavements running by the road edge, approx. 2.5 m wide.



View of Sikorskiego street; on the left side, there is a property to be purchased at the owner's request – source: maps.google.com

The reconstruction of National Road 31 (Sikorskiego street) will entail the construction and relocation of rainwater and combined drainage systems as well as the water supply, sanitary sewerage, gas and power networks. In addition, a road lighting system will be made. The project will additionally involve

the construction of a mixed-use path, the reconstruction of the existing pedestrian paths/pavements, and the adaptation of roads and public and individual exit routes.

The area to be transformed by the project mostly covers a paved right-of-way of National Road 31. It also concerns its shoulder covered by grass as well as the slopes by the road and Odra river bank, which are filled with trees. We have found 180 trees that may require to be cleared, but these represent common species and are mostly young specimens, less than twenty years old.

5.5. Conclusions from socioeconomic study

According to the Provincial Heritage Conservation Officer for Lubuskie Province in Zielona Góra (Branch Office in Gorzów Wielkopolski), the road bridge to be rebuilt, located in Kostrzyn nad Odrą, at km 2.45 of Warta river and at km 107+211 of National Road 31, is a monument as defined by Article 3(1) and (2) of the Act on the protection and care of monuments, and is entered into the list of immovable monuments, which the Mayor of Kostrzyn nad Odrą received from the Provincial Heritage Conservation Officer for Lubuskie Province.

However, as the Conservation Officer indicates, the road bridge was rebuilt in 1945 and then in 2000, and as a result its architectural and historic values have disappeared. Therefore, the bridge may be rebuilt as per the concept plan presented in the reconstruction design for Task 1B.5/2 – Bridge reconstruction – Road bridge at km 2.45 of Warta river in Kostrzyn nad Odrą.

The bridge over Warta river is located on the historic path running eastwards from the Kostrzyn Fortress built in the 16th century. In consequence, we should assume that the existing bridge is located in the place of the former bridge crossing whose residues may be hidden in the soil layers at the banks of Warta.

The investment project is situated on protected areas established under the Nature Conservation Act of 16 April 2004: Natura 2000 area PLC080001 – Mouth of Warta River, Warta Mouth Landscape Park, Warta Mouth National Park.

The project will be implemented at the boundary of Warta Mouth National Park, within plot no. 2/3, whose northern boundary delimits the boundary of the Park. With regard to the Natura 2000 areas and Warta Mouth Landscape Park, Warta river in the area of the bridge in Kostrzyn nad Odrą forms their western boundary.

The planned demolition and construction of a new road bridge at km 107+211 or National Road 31 in Kostrzyn nad Odrą may potentially materially affect the environment.

For the time of building the target bridge, a by-pass road will be made via a provisional bridge on the southern side of the existing facility, which will imply minor inconvenience for the residents.

Since the project site is located directly next to a residential area and, consequently, close to many households, in the first place the investor has taken measures aimed at reaching an agreement as to the form and amount of due compensation, in case it is necessary to acquire the whole or a part of properties owned by natural persons. On the other hand, the investor has initiated discussions and an information campaign targeted at the institutions whose properties are located in the site of the project.

The persons to be relocated will be provided with any assistance to obtain support granted by offices and institutions to citizens. One of the Project Affected Persons has applied for the purchase of the entire property that she owns. That property will not be subject to any expropriation to the benefit of the State Treasury, but it will be restricted in use. The procedure of acquiring the property at the

owner's request is specified in Chapter 6.4: Applicable legal provisions and valuation methodologies, section: Imposing restrictions in the use of real property.

While surveying the PAPs, we have not found any persons from vulnerable groups in the site of the Task.

Ten respondents, representing families managing family households located in the direct impact zone (Mostowa street), have submitted a letter to the Mayor of Kostrzyn nad Odrą indicating that attention must be paid during implementation to the possibility to adjust traffic solutions and to rebuild Mostowa street, where the properties are located.

The properties situated in the areas to be expropriated are owned by private entities and institutions – they are mostly urbanised areas being developed or under development, as well as road facilities.

The information acquired in the survey mostly regard issues that do not change quickly, and in most cases there are no grounds to suspect that the information will become outdated on initiating the actual expropriation procedure. Nevertheless, the properties will have to be surveyed.

6. APPLICABLE LEGAL PROVISIONS AND VALUATION METHODOLOGIES

This LA&RAP for the specified Task included in Sub-Component 1B (Flood protection on Middle and Lower Odra) is based on Polish laws and, as it is funded by the World Bank, on Operational Policy OP 4.12. Involuntary Resettlement.

The Loan Agreement between Poland and the World Bank is an international law act, and by concluding it Poland has committed to apply the World Bank's policies.

In the event of discrepancy between Polish legal provisions and the WB policies, it is required to apply the provisions being more favourable to the community affected by the Project.

6.1 Obligations arising from Operational Policy OP 4.12¹¹

The obligations arising from OP 4.12 apply if the Project implementation requires:

- a) the involuntary taking of land resulting in:
 - (a) relocation or loss of shelter,
 - (b) loss of assets or access to assets,
 - (c) loss of income sources or livelihood,
- b) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the Project Affected Persons.

To reduce the impacts of these activities, the borrower is obliged to prepare a LA&RPF and a LA&RAP, depending on whether specific interventions and related impacts have been identified or not.

OP 4.12 also states that:

- All feasible alternative projects should be implemented in such a way to avoid or minimise resettlement, and where resettlement may not be avoided, actions should be taken to minimise their scale and impact.
- Resettlement process should be planned and implemented as a development activity, by providing adequate means and assets allowing PAPs to participate in benefits resulting from Project implementation. The assistance should be offered to social groups affected by resettlement, in order to improve their economic status, income and livelihood, or at least to restore their previous status.
- Before the resettlement, the displaced persons should receive full compensation at replacement value, assistance in relocation as well as assistance and support in the transition period.
- The lack of title to the land should not bar compensation.
- Particular attention should be paid to vulnerable groups and individuals (e.g. single mothers, the disabled, the poor).
- The communities should be given opportunity to participate in planning, implementation and monitoring of the resettlement process.
- The resettled should be assisted in integration with the host community.
- The resettlement process should be closely linked to the schedule of the main Task, so that the resettled receive compensation before starting the construction or other activities covered by the Project.
- The resettlement should be monitored and evaluated.
- For rural or farming land, even when it is possible to apply financial compensation, land-for-land compensation is recommended, if economically feasible. The farms that completely lost

¹¹The chapter is consistent with the LA&RPF.

their fixed assets and became entirely unprofitable should receive compensation equal to the value of the entire farm.

- For losses that are difficult to compensate for financially, such as access to public services, access to clients or suppliers, fishery areas, access to pastures and forest areas, efforts should be made to grant access to equivalent and culturally relevant resources and income opportunities.

6.2 Polish legal requirements

The most important normative acts governing the acquisition of rights in real property necessary to implement the Tasks are as follows:

- The Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws 1997, item 483, as amended),
- The Civil Code of 23 April 1964 (Journal of Laws 2019, item 1040, as amended), hereinafter: CC,
- The Real Property Management Law of 21 August 1997 (Journal of Laws 2020, item 65, as amended), hereinafter: RPM Law,
- Regulation of the Council of Ministers of 21 September 2004 on the appraisal of properties and preparation of appraisal reports (Polish Journal of Laws 2004, No. 207, item 2109, as amended),
- The Construction Law of 7 July 1994 (Journal of Laws 2019, item 1186, as amended), hereinafter: CL,
- The Water Law of 20 July 2017 (Journal of Laws 2020, item 310, as amended), hereinafter: WL,
- The Act of 10 April 2003 on special rules of preparing and implementing projects involving public roads (Journal of Laws 2019, item 1474).

The Civil Code governs the legal relations between natural persons and legal persons, including the conclusion of real property transfer agreements. The principle of freedom of contract applies, which also covers the freedom to decide whether and with whom the contract should be made. The agreement is concluded by unanimous declarations of the parties. The Civil Code provides for a special form of concluding contracts concerning a real property. They should be made in the form of a notarial deed, otherwise being null and void. In addition to the general regulations for trading in real property, the CC introduces the rules of settlement between property possessors and owners. These regulations are semi-imperative, so the parties to the contract may settle them otherwise.

The mechanism of involuntary acquisition of rights in real properties is specified in the Flood Act and the RPM Law.

6.3 Acquiring properties – rules and procedures in view of the provisions of the Act of 10 April 2003 on special rules of preparing and implementing projects involving public roads (hereinafter: Road Act).

In accordance with the Road Act, the expropriation of a real property or a part thereof, as well as the restriction in using a real property or a part thereof, is effected by way of the Road Construction Consent (RCC). With regard to national roads, as in this Investment Project, the consent is issued by the voivode. Expropriation takes place at the moment the RCC becomes final.