

# Report on Public Consultations

07/04/2019, at 4:00 pm

Conference Hall  
Water Supervision Unit in  
Cracow  
278. Kryspinów Street  
32-060 Liszki



**Project/Contract:** *Odra-Vistula Flood Management Project (hereinafter referred to as the OVFMP)/ Works Contract 3A.3 Section 4 - Right embankment of the Vistula from the Skawinka estuary to the Kościuszko Barrage*

**Meeting organizer:** Consultant acting based upon an authorization of the State Water Holding Polish Water RZGW in Cracow (hereinafter referred to as the Consultant)

**Meeting type:** Public debate

**Speakers:** Agnieszka Gac-Ira – Project Manager on the Consultant Engineer's side, AECOM Polska Sp. z o.o.

Marta Rak – Senior Supporting Expert for Properties and Technical Assistance for the Client in the Consultant Engineer's Team, AECOM Polska Sp. z o.o.

**Attendees:** According to attached attendance lists (personal data anonymized)

Due to the fact that implementation of the Works Contract 3A.3 Section 4 - Right embankment of the Vistula from the Skawinka estuary to the Kościuszko Barrage is co-funded by the World Bank, in accordance with the Bank's operational policy OP 4.12 a document titled Land Acquisition and Resettlement Action Plan (hereinafter referred to as the Draft LA&RAP) was developed in Polish and in English. The Draft LA&RAP underwent public consultations in accordance with requirements of the World Bank's operational policies (OP 4.12). Their objective was to allow for acknowledging contents of that document by natural persons, institutions, and all interested parties, and to assure the possibility of providing potential remarks, questions and applications in reference to its contents.

In accordance with the operational policy OP 4.12, publication of the Draft Land Acquisition and Resettlement Action Plan started on June 12, 2019 with publication of an announcement in Dziennik Polski (local magazine) (Figure 7 in Appendix 2). The announcement invited natural persons, the authorities, and interested institutions to review the Draft LA&RAP for Works Contract 3A.3.

Every interested individual was able to acknowledge the Draft LA&RAP (hard copy) **from June 12, 2019 to July 2, 2019** (inclusive) in the following offices:

- State Water Holding Polish Waters, Regional Water Management Authorities in Cracow (PGWWP RZGW in Cracow), 22. Marszałka J. Piłsudskiego Street, 31-109 Cracow, on working days, from 9:00 am to 2:00 pm,
- State Water Holding Polish Waters, Regional Water Management Authorities in Cracow – Water Supervision Unit in Cracow, 278. Kryspinów Street, 32-060 Liszki, on working days, from 10:00 am to 1:00 pm,
- OVFMP Project Office, AECOM Polska Sp. z o.o., 1. Pokoju Alley (Building K1 – 4<sup>th</sup> floor), 31-548 Cracow, on working days, from 7:30 am to 3:30 pm;

or a digital version of the document published on the following publicly accessible websites:



- PGW WP RZGW in Cracow at - [www.krakow.rzgw.gov.pl](http://www.krakow.rzgw.gov.pl) (Figure 1 in Appendix 2),
- OVFM PCU at – [www.odrapcu.pl](http://www.odrapcu.pl) (Figure 2 in Appendix 2),
- Commune Office of Liszki at - [www.liszki.pl](http://www.liszki.pl) (Figure 3 in Appendix 2),
- City Office of Cracow at – [www.bip.krakow.pl](http://www.bip.krakow.pl) (Figure 4 in Appendix 2),
- District Starosty Office in Cracow at – [www.powiat.krakow.pl](http://www.powiat.krakow.pl) (Figure 5 in Appendix 2).

Every interested individual was able to provide remarks and applications in reference to the Draft LA&RAP in writing and in an oral form at the aforementioned addresses or in a digital form to the e-mail address: [jrp.krakow@wody.gov.pl](mailto:jrp.krakow@wody.gov.pl), on working days – from 06/12/2019 to 07/02/2019 (inclusive). The institution relevant for consideration of remarks and applications was the PGW WP RZGW in Cracow – contact persons: Mrs. Ewa Uczniak-Grzanka, tel. +48 12 628 09 83; and Mr. Rafał Sionko, tel. +48 12 628 09 83.

Detailed information on the possibility to acknowledge that document and on the possibility to file applications and remarks (along with indication of detailed contact data: telephone numbers, e-mail addresses, addresses of places where the draft document may be reviewed, opening hours) were published in an Announcement (Figure 6 in Appendix 2) placed:

- At websites of: PGW WP RZGW in Cracow at - [www.krakow.rzgw.gov.pl](http://www.krakow.rzgw.gov.pl), OVFM PCU at - [www.odrapcu.pl](http://www.odrapcu.pl), Commune Office of Liszki at - [www.liszki.pl](http://www.liszki.pl), City Office of Cracow at – [www.bip.krakow.pl](http://www.bip.krakow.pl), and District Starosty Office in Cracow at - [www.powiat.krakow.pl](http://www.powiat.krakow.pl);
- In local press – **Dziennik Polski**;
- On notice boards in the office of: PGW WP RZGW in Cracow, PGW WP RZGW in Cracow – Water Supervision Unit in Cracow, City Office of Cracow District Starosty Office in Cracow, and Commune Office of Liszki;
- As well as on notice boards placed in locations visited by the local society, i.e.: Cultural Center of Podgórze – Tynec Club, Local Kindergarten no. 133 named after Father Leon Knabit, Department Store at 74B. Bogucianka Street, and also on local notice boards at performance sites: at 2. Bogucianka Street and at 26. Benedyktyńska Street in Cracow, and at Św. Jana Kantego Street and at 3. Rynek Street in Liszki (Photos no. 8-12 in Appendix 2).

The aforementioned announcement also contained information on the possibility of attending an opened meeting and discussion for all interested individuals, organizations, and institutions, which was planned for July 4, 2019 (with indication of a place, date, and time of the meeting).

Additionally, that information was submitted (personal invitations) to public institutions interested in implementation of the Project, i.e. to the following:

- District Starosty Office in Cracow,
- City Office of Cracow,
- City Council of Cracow,
- Head of the Liszki Commune,
- Liszki Village Administrator.

Publication of the Draft LA&RAP – commenced officially on **June 12, 2019** – ended after 21 days on **July 2, 2019**. In the publication period for the Draft Land Acquisition and Resettlement Action Plan there were no visits of people, who would like to review the document provided, and there were no questions or applications received – neither by post nor by e-mail or phone – and they were not provided personally in Offices of the PGW WP RZGW in Cracow and in Kryspinów and in the Consultant Office. However, it was observed that there is an interest in that document. It was noted that files were downloaded from the websites listed under the

announcement.

No additional questions, remarks or applications on the Draft LA&RAP were also provided until the completion of works on this report. Such a small public interest in the Draft LA&RAP may result from the fact that compensation for the properties acquired for the State Treasury has been paid in most of the cases.

An opened public consultations meeting on the Draft **Land Acquisition and Resettlement Action Plan for the Works Contract 3A.3 Section 4 - Right embankment of the Vistula from the Skawinka estuary to the Kościuszko Barrage**, as implemented under the Odra-Vistula Flood Management Project, was held on July 4, 2019 at 4:00 pm in the office of PGW WP RZGW in Cracow – Water Supervision Unit in Cracow, 278. Kryspinów Street, 32-060 Liszki (Commune of Liszki).

14 people attended the meeting in Kryspinów, and the following persons were among the attendees: representative of the local authorities – Commune Office of Liszki, village administrators for the neighboring localities of Piekary, Kryspinów, and Jeziorzany. Representatives of units directly engaged in implementation of the OVFMP also attended the meeting, i.e.: Project Implementation Office of PGW WP RZGW in Cracow, OVFMP Project Coordination Unit, and the Consultant-Engineer's Team (including the: Project Manager, Supervising Engineer – Resident Engineer, and the properties team).

The meeting was opened by Mrs. Agnieszka Gac-Ira, Project Manager of the Consultant-Engineer's Team, and she welcomed the attendees and presented the purpose of the meeting briefly. Than Mrs. Marta Rak – Senior Supporting Expert for Properties and Technical Assistance for the Client in the Consultant Engineer's Team – spoke out and displayed a multimedia presentation. The aim and funding for the OVFMP were briefly discussed, information on the Contract in question was presented, and the most of the time was spent to discuss about legal regulations on payment of compensation, its establishment procedure, provision of appeals, and mechanism for filing claims and complaints. In accordance with requirements of the World Bank, the attendees were informed about the objective and contents of the developed Draft LA&RAP. While discussing the Draft LA&RAP, Mrs. Marta Rak drew special attention to measures minimizing social impact and to obligations of the Contractor on rules for acquiring the properties by the Investor in a public bidding procedure. Its representatives shall contact owners/holders of the area in vicinity of the embankments in order to establish conditions of acquisition. The process shall be implemented based upon the rule of voluntariness and on rules determined in an agreement concluded by and between the property owner and the Contractor. It shall be monitored by the Investor and by the Consultant acting in its name. She also noted that the Draft LA&RAP shall be updated with a frame agreement template for temporary acquisition, and that template shall be applied by the Contractor for the Works Contract 3A.3. She also informed the attendees that in case of unregulated legal status of a property, compensation would be paid into a court deposit; thus, she appealed to heirs for undertaking the soonest possible action to regulate ownership issues.

The attendees tried to report during the presentation several times, but they were requested to take notes on paper sheets provided and reminded that a discussion shall take place after finishing the presentation.

After the presentation the meeting attendees were allowed to speak out. Two ladies (village administrator of Piekary and village administrator of Jeziorzany) emphasized that the localities they represent (located on the left bank of the Vistula River) also wait for redevelopment of flood embankments, and in their opinion the condition of those embankments is even worse than in case of the embankments to be extended under Contract 3A.3. Representatives of PGW WP RZGW in Cracow declared that they shall analyze that case. The ladies left the meeting afterwards, as they were not interested in the discussed Works Contract 3A.3, but in the embankment on the left bank of the Vistula River.

During the meeting in Kryspinów the following questions were asked and answered:

1. Does the Works Contract – considering the extension of flood embankments on one side of the river only – provide protection for the entire area?

Answer: Redevelopment of the right embankment shall secure the protection for areas located beyond the embankments on the right bank of the River Vistula. Those are urbanized areas with the highest population density. It was assured that is not an only assignment to be implemented under the OVFMP Project, and other embankments/hydraulic objects will be also redeveloped, if financial resources would be available, to protect the entire area too the greatest extent.

2. When will the embankment on the left bank be redeveloped?  
Answer: The PGW WP is currently not able to provide any valid information.
3. Does the redevelopment of embankments also include redevelopment of pumping stations in Skawina and Liszki?  
Answer: Those pumping stations are located beyond the area of works for Contract 3A.3. However, the construction works for the Contract discussed today include designing and development of a pumping spot at the embankment culvert on Heligunda Stream at chainage km 63+115 of the embankment.
4. Are the Flood Risk Management Plans – the ones that were developed in cooperation with representatives of local authorities and that included all necessary actions informed back then – still valid? After the catastrophic flood of 2010 the Commune provided a concept of actions, which are priority ones, and one of them was even implemented – dry flood polder Piekary. That concept included flood protection for the left bank.  
Answer: Flood Risk Management Plans remain an officially adopted and approved action plans. Those plans shall be reviewed every 6 years, and – if necessary – they would be updated. If that assignment was included in the Plan than it is a guarantee that it would be implemented in future.
5. Is the possibility of filing applications for the purchase of remnants limited in time? (*the same question was asked on a question sheet – it was answered during the meeting*)  
Answer: There are no legal limitations for the time in which one may apply for the purchase of remnants. However, we recommend to do it immediately, if the owner or the perpetual usufructuary deems that the remaining part of the property is not fit for application for previous purposes (that issue was discussed in details during the presentation).
6. When will the performance of works under Contract 3A.3 start?  
Answer: In accordance with the schedule, a Contractor shall be selected this year; thus, it is likely that implementation will start in the end of this year or in the beginning of 2020.
7. When will mowing of the embankment start?  
Answer: The mowing of embankments has already been started and is done successively – the embankments should also be mown in section in question soon.
8. And what about maintenance of embanked areas? We see that the embanked area overgrows with shrubs and trees with the lapse of time. Nonetheless, we also observe that e.g. in case of Sanka – with flood embankments originating from the '30s – the embanked area regularly raises; the river floods twice a year, and a small layer of silt is brought each time, but throughout the years the area rises and the embanked area's capacity gets reduced. We request for analyzing that phenomena.  
Answer: Maintenance of embanked areas depends on financial resources of the Polish Waters. The event of bringing the silt is a fact, and the Polish Waters are aware of that phenomena.

After providing answers by the Consultant and by the Employer to all of the questions, the meeting was finished.

The attendees were thanked for attending and participating in the meeting. After ending the official part of the meeting (presentation), the attendees acknowledged a construction design and land splitting maps; and they were also able to get information on detailed technical solutions from the Supervising Engineer – Engineer Resident. Two people left their e-mail addresses with a request for provision of land splitting maps. Sheets with property splitting they requested for were submitted to both e-mail addresses on 07/05/2019.

During the meeting, participants were provided with an information brochure on the Works Contract 3A.3, this brochure was very popular. Participants asked for the possibility of taking additional copies of brochure for people who may also be interested in the Contract and did not take part in the meeting. The Employer encouraged to take brochures and its further forwarding to interested PAPs.

Remarks and conclusions provided during the debate were analyzed in terms of necessary correction for the final version of the document. Considering the character of questions asked during the meeting and the absence of remarks and conclusions from the public in the publication period for the Draft LA&RAP for Contract 3A.3, authors of the document stated that its contents do not require implementation of changes resulting from the publication procedure. Within the framework of text replacement notified by PIO PGW WP RZGW in Cracow

the final LA&RAP was updated with an agreement template for temporary acquisition, which was handed over by the OVFM Project Coordination Unit.

After updating the document with a report on the publication procedure and with the aforementioned agreement template, the final LA&RAP shall be submitted to the World Bank in order to obtain the “No Objection” clause.

This is the final assumption under the report.

Report developed by:

Marta Rak

Appendices:

1. Attendance list for the meeting of 07/04/2019 (personal data anonymized).
2. Photo documentation – documented announcements.