



# FINAL REPORT



ODRA-VISTULA  
FLOOD MANAGEMENT PROJECT  
CO-FUNDED BY:

REPUBLIC OF POLAND  
WORLD BANK – LOAN NO. 8524-POL  
COUNCIL OF EUROPE DEVELOPMENT BANK – LOAN NO. LD 1866  
EUROPEAN UNION COHESION FUND  
NFOŚiGW

AUGUST 2023



**Final report on the implementation of measures specified in the Environmental Management Plan  
for Contract 1B.3/2**

FINAL REPORT  
ON THE IMPLEMENTATION OF MEASURES SPECIFIED IN THE ENVIRONMENTAL MANAGEMENT PLAN  
FOR CONTRACT 1B.3/2

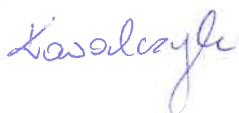

Odra–Vistula Flood Management Project

Subcomponent	1B Flood protection of the Lower and Middle Odra
Contract (Task)	1B.3/2 Stage II – The construction of docking-mooring infrastructure on Lower Odra River and on boundary sections of Odra River as well as new aids to navigation
Investor/Project Implementation Unit	State Water Management Polish Waters in Warsaw represented by the Director of the Regional Water Management Authority in Szczecin
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**Final report on the implementation of measures specified in the Environmental Management Plan  
for Contract 1B.3/2**

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## **Introduction**

The final report on the implementation of measures specified in the Environmental Management Plan describes the status of the implementation of the mitigation and monitoring measures for Contract 1B.3/2 Phase II - The construction of docking-mooring infrastructure on Lower Odra River and on boundary sections of Odra River as well as new aids to navigation over the duration of the entire Contract.

For this Contract, the following are presented, respectively:

- basic information about Contract 1B.3/2 (including, but not limited to, the material scope and basic dates of the Contract);
- basic information on the Environmental Management Plan for Contract 1B.3/2;
- organizational system of supervision over the implementation of the Environmental Management Plan;
- the status of implementation of mitigation measures listed in Appendix 1 to the EMP;
- the status of implementation of monitoring measures listed in Appendix 2 to the EMP;
- description of other ESHS measures and events;
- summary.

## **1. BASIC INFORMATION ABOUT CONTRACT 1B.3/2**

This Report on the implementation of measures resulting from the Environmental Management Plan (EMP) relates to Task 1B.3/2 Phase II – The construction of docking-mooring infrastructure on Lower Odra River and on boundary sections of Odra River as well as new aids to navigation.

The subject of the Contract was the construction of mooring infrastructure for icebreakers, which included:

- demolition work on the existing dolphin line at the Szczecin and Kunice locations,
- construction of a new mooring line including corrosion protection and installation of equipment: Szczecin, Zatoń Dolna, Osinów Dolny, Ługi Górzycykie, Pławidło, Kunice, and Biała Góra,
- construction of a steel-framed footbridge at the locations: Zatoń Dolna, Osinów Dolny, Ługi Górzycykie, Pławidło, Kunice, and Biała Góra,
- construction of a new mooring line signage for each location in accordance with the replacement Design of Navigation Signage.

**Table 1 Summary of key dates for the Contract**

<b>Action</b>	<b>Date</b>
Date of Contract signature	12/07/2021
Date of handing over the construction site	30/07/2021 – Szczecin, Osinów Dolny, Zatoń Dolna and Pławidło, and Biała Góra 30/08/2021 – Kunice 15/10/2021 – Ługi Górzycykie
Date of commencement of construction works	30/07/2021 – Szczecin 30/07/2021 – Zatoń Dolna 30/07/2021 – Osinów Dolny 30/09/2021 – Ługi Górzycykie 30/07/2021 – Pławidło 30/08/2021 – Kunice 30/07/2021 – Biała Góra
Date of signature of Annex 1	30/09/2021
Date of signature of Annex 2	27/09/2022
Date of signature of Annex 3	15/11/2022
Date of signature of Annex 4	11/04/2023
Date of signature of the Final Acceptance Protocol	31/05/2023

## **2. MITIGATION AND MONITORING MEASURES AS DEFINED IN THE EMP FOR CONTRACT 1B.3/2**

The Environmental Management Plan for Contract 1B.3/2 was prepared in July 2020 (final version). Subsequently, in July 2020, the World Bank issued a "No objection" approval approving the Environmental Management Plan as one of the documents of the bidding procedure for the selection of the Works Contractor under the Contract. This is a document systematizing the measures undertaken under the Contract, obliging all entities participating in Contract implementation to comply with the provisions contained therein. A detailed description of the conditions for the implementation of the Contract with respect to environmental management was prepared in the form of appendices to the Environmental Management Plan – Appendix 1 containing the Mitigation Plan, and Appendix 2 containing the Monitoring Plan.

### **2.1. CONDITIONS SPECIFIED IN APPENDIX 1 TO THE EMP**

In order to limit the negative impacts of the planned Task on the environment, Appendix 1 to the EMP provides a set of mitigation measures 1 to 96 to be applied by the Contractor. These measures were prepared on the basis of the conditions contained in the applicable administrative decisions on environmental protection issued for the Task (including the works notification) supplemented with the additional conditions designed at the stage of EMP preparation. A complete list of mitigation measures is compiled in Appendix 1 to the EMP, and divided into the following categories:

**Table 2 Thematic categories of the grouped activities listed in Appendix 1 to the EMP**

<b>Cat.</b>	<b>Category name</b>	<b>Item in table</b>
A	Requirements for the Task implementation schedule	1 - 2
B	Requirements for the transport service of the Task implementation area	3-17
C	Requirements for the location of construction site facilities.	18
D	Requirements for dredging works and spoil management	19 - 22
E	Requirements for removal of rushes	23 - 24
F	Requirements for the conservation of protected natural resources	25 - 43
G	Requirements for the prevention of environmental pollution (including the limitation of emissions into the environment)	44 - 53
H	Requirements for waste and waste water management	54 - 56
I	Requirements for the protection of human health and safety	57 - 66
J	Requirements for exceptional environmental hazards	67-75
F	Requirements for the protection of cultural monuments	76-77
L	Requirements for the Contractor's personnel involved in the implementation of the EMP	78 - 82
M	Reporting requirements for the reporting of the EMP implementation	83 - 86
N	Specific requirements of the ES World Bank policies	87 - 95
O	Guidelines for proceeding in the event of a state of epidemic or an epidemiological threat during the works	96



## **2.2. CONDITIONS SPECIFIED IN APPENDIX 2 TO THE EMP**

Appendix 2 to the EMP sets out a series of monitoring measures the Task Contractor is obliged to implement. These measures were prepared on the basis of the conditions contained in the works notification and applicable administrative decisions issued for the Task, supplemented with the additional conditions designed at the stage of EMP preparation. Monitoring measures listed in Appendix 2 to the EMP, item 1-96, include monitoring the implementation of mitigation measures listed in Appendix 1 to the EMP. The monitoring measures detailed in Appendix 2 to the EMP are allocated to the individual measure groups as indicated above.

In addition, items 97-100 set out the requirements for conducting environmental monitoring during the Task implementation period, in categories: P – Requirements for environmental monitoring (items 97-99) and R – Requirements concerning the check of compliance with the records of documents prepared by the Contractor (item 100).

The table of monitoring measures specifies, among other things, where, how, when, and how often monitoring will be carried out, as well as who is responsible for its implementation.

### **3. SYSTEM OF SUPERVISION OVER THE IMPLEMENTATION OF MEASURES SPECIFIED IN THE EMP FOR CONTRACT 1B.3/2**

Supervision over the implementation of mitigation and monitoring measures specified in the EMP for Contract 1B.3/2 was carried out at the level of all organizational units participating in the implementation of the Contract, i.e., the Contractor, Engineer, Project Implementation Unit (PIU), and Project Coordination Unit.

In addition, monthly meetings were held during the Contract period to discuss and review the implementation of the mitigation and monitoring measures from the EMP. Current requirements and problems related to the implementation of the measures defined in the EMP were also discussed during the monthly Construction Council Meetings. All meetings were attended by representatives of the Contract Engineer, the Employer (Project Implementation Unit), the Contractor, and the Project Coordination Unit. At the same time, during the execution of the Contract, there was ongoing monitoring of the correctness of the implementation of the various measures through regular inspections by the Engineer, the Engineer's environmental supervision team, and the Engineer's OHS supervision team at the construction site. Notes and reports from the various inspections were prepared, as well as the photographic documentation of the site, and sample photographs are included in Appendix 2 to this report. During field inspections and working meetings with the Contractor, ongoing measures were discussed, steps to be taken were identified, and ongoing recommendations were made. Recommendations were also communicated to the Contractor on a regular basis through ongoing correspondence and verification of the documentation provided by the Contractor. Supervision was also carried out to ensure that the Contract was carried out correctly in terms of the requirements of the Contract, as well as the applicable laws and regulations, including, but not limited to, the Construction Law and the Environmental Protection Law, and the administrative decisions obtained for the purposes of the Contract.

Supervision of the implementation of the measures from the EMP included the preparation of reports in the Contractor's monthly reporting system, reviewed by the Engineer, and the Engineer's monthly reports. On the basis of the monthly reports, summary quarterly reports were prepared and submitted to the Project Implementation Unit, which was then forwarded to the Project Coordination Unit. The quarterly reports provided input to PCU reports subsequently submitted to the World Bank.

Information on the scope of operation of individual units is presented below.

#### **3.1. CONTRACTOR**

The Construction Manager was the person directly responsible for the implementation of measures specified in the EMP on behalf of the Contractor. In order to provide support to the Construction Manager in the implementation of the EMP, an EMP Coordinator and an environmental supervision team have been appointed within the Contractor's team, consisting of representatives of the following specialisations: botanist-phytosociologist (natural habitats and protected plant species), zoologist-ichthyologist (fish), zoologist-herpetologist (amphibians and reptiles), zoologist-ornithologist (birds), zoologist-mammal specialist (non-flying mammals).

The EMP Coordinator was to work on an ongoing basis with the Construction Manager, the rest of the Contractor's staff, and the environmental management expert on the Engineer's team were to ensure that the conditions of the EMP were implemented, and to conduct ongoing reporting on the above. In addition, the Contractor ensured the participation of archaeological supervision experts and sapper experts, throughout the duration of the Contract, to the extent consistent with the requirements of the EMP. At the end of each month, the EMP Coordinator prepared the so-called Checklist, where the current status of implementation of individual EMP conditions in a given month was described. The Checklist was forwarded to the environmental management expert on the Engineer's team, along with relevant attachments (including but not limited to applications, environmental supervision opinions, etc.).

### **3.2. ENGINEER**

Direct supervision of the implementation of the conditions of the EMP on behalf of the Engineer's team was carried out by an environmental management expert with the Engineer's environmental supervision team, working in this respect with the Resident Engineer, the supervising inspectors, and other members of the Engineer's team carrying out investor's supervision of the project. The Environmental management expert remained at all times in touch with the Construction Manager and the EMP Coordinator on the Contractor's team, establishing the scope of necessary conditions to be met at a given stage of the works, overseeing the status of implementation of individual EMP conditions, participating in the resolution of ongoing problems, and commissioning site inspections. At the end of each reporting period, the Environmental Management Expert reviewed the Contractor's environmental documentation and prepared their own reports monthly and quarterly) submitted to the Project Implementation Unit.

### **3.3. EMPLOYER/PROJECT IMPLEMENTATION UNIT [PIU]**

Direct supervision over the implementation of the EMP conditions on behalf of the Project Implementation Unit (PIU) was exercised by the Environmental Specialist, cooperating in this respect with the Head of the PIU, other members of the PIU team, as well as other organizational units of PGW WP RZGW in Szczecin. The Environmental Specialist and the Head of the PIU remained at all times in touch with the environmental management expert on the Engineer's team, overseeing the status of the implementation of the various conditions of the EMP and engaging in the resolution of ongoing issues. After the end of each reporting period (month and quarter), the Environmental Specialist and the Head of the PIU verified the current environmental documentation of the Contract and sent quarterly reports to the Project Coordination Unit.

### **3.4. PROJECT COORDINATION UNIT [PCU]**

Direct supervision over the implementation of the EMP conditions on behalf of the Project Coordination Unit was exercised by the environmental management expert, who cooperated in this respect with other members of the PCU team. The expert was at all times in touch with the Head of the PIU and the Environmental Specialist on the PIU team. At the end of each reporting period (quarter), the expert verified the environmental documentation submitted by the PIU and prepared the contribution to the PCU reports subsequently submitted to the World Bank.

#### **4. STATUS OF IMPLEMENTATION OF MITIGATION MEASURES INCLUDED IN APPENDIX 1 TO THE EMP**

In accordance with the content of Appendix 1 to the EMP for Contract 1B.3/2, the Contractor is responsible for the implementation of mitigation measures specified in items 1 to 96.

In total, the EMP for Contract 1B.3/2 provides for the implementation of 96 mitigation measures, of which 74 were implemented during the reporting period (July 2021 to May 2023) (there was no need to implement the remaining 22 measures – see below).

##### **4.1. MEASURES OF THE CONTRACTOR**

According to the information submitted in the Contractor's individual monthly reports, the measures implemented by the Contractor, included in Appendix 1, i.e., mitigation measures, were as per the following quantitative summary.

**Table 3 Quantitative summary of mitigation measures carried out by the Contractor, by month, during Contract execution**

<b>Reporting period</b>	<b>Measures implemented – I</b>	<b>Measures partially implemented – PI</b>	<b>Measures not implemented due to a lack of necessity – N/NN</b>	<b>Measures not implemented – N/N</b>	<b>Measure completed [N/C]</b>
July/August 2021	4	8	78	6	-
September 2021	6	14	71	5	-
October 2021	20	10	66	-	-
November 2021	63	3	30	-	-
December 2021	65	2	29	-	-
January 2022	44	3	49	-	-
February 2022	69	1	26	-	-
March 2022	65	3	26	2	-
April 2022	61	6	29	-	-
May 2022	65	3	28	-	-
June 2022	57	11	28	-	-
July 2022	65	3	28	-	-
August 2022	48	3	45	-	-
September 2022	64	3	29	-	-
October 2022	48	3	45	-	-
November 2022	65	3	27	1	-
December 2022	51	3	42	-	-
January 2023	69	2	25	-	-
February 2023	62	4	30	-	-
March 2023	64	3	29	-	-
April 2023	63	4	29	-	-
May 2023	18	-	22	-	56

The mitigation measures were carried out by the Contractor with the assistance of the person acting as EMP coordinator and specialists from the Contractor's environmental team. During the reporting period, the environmental supervision team consisted of representatives of the following specialisations: botanist-

phytosociologist (natural habitats and protected plant species), zoologist-ichthyologist (fish), zoologist-herpetologist (amphibians and reptiles), zoologist-ornithologist (birds) and zoologist-mammal expert (non-flying mammals).

The Contractor's resources also included sapper (UXO specialist) and archaeological supervision, provided throughout the Contract. The Contractor had an Explosive Ordnance Disposal Work Plan in place and the Sapper Supervision Team carried out ferromagnetic ground reconnaissance for unexploded ordnance, ammunition etc. on the site prior to the commencement of works. In the event of the need for the sapper supervision team to take action due to finding hazardous objects of military origin, i.e., unexploded ordnance, the supervision team was required to take the appropriate action in accordance with the procedure in item 69 of the EMP and to submit a report of any possible removal of explosive and hazardous objects each time. No materials of military origin, i.e., unexploded ordnance, were encountered during the Contract. The archaeological supervision team inspected the site for archaeological sources and objects of potential historical significance, and was required to produce an Archaeological Survey Report if objects of historical significance were encountered. No items of historic interest were encountered during the Contract.

Mitigation measures execution was arranged (if required by the terms of the Contract and/or EMP) and supervised by the Engineer, with the participation of the following members of the Engineer's team: environmental management expert, Contract Engineer's environmental supervision expert, Resident Engineer, and the Employer.

#### **4.2. MEASURES OF THE ENGINEER**

According to the information presented in the monthly and quarterly reports on the implementation of measures specified in the EMP, during the reporting period, the Engineer implemented 1 (1%) mitigation measure (in cooperation with the Contractor and the Employer – item 84 regarding monthly EMP meetings).

No shortcomings were identified in this respect during the reporting period. Due to the completion of the basic works in April 2023, the monthly meeting to discuss issues related to the implementation of the EMP and the Construction Council Meeting were abandoned in May 2023.

#### **4.3. MEASURES OF THE EMPLOYER**

According to the information presented in the monthly and quarterly reports on the implementation of measures specified in the EMP, during the reporting period, the Employer implemented 1 (1%) mitigation measure (in cooperation with the Contractor and the Engineer – item 84 regarding monthly EMP meetings).

No shortcomings were identified in this respect during the reporting period. Due to the completion of the basic works in April 2023, the monthly meeting to discuss issues related to the implementation of the EMP and the Construction Council Meeting were abandoned in May 2023.

#### **4.4. ISSUES CONNECTED WITH THE IMPLEMENTATION OF MITIGATING MEASURES FROM APPENDIX 1 TO THE EMP**

According to the information presented in the monthly and quarterly reports on the implementation of the measures set out in the EMP, the following issues and/or irregularities were identified during the reporting period in relation to the implementation of the 39 mitigation activities from Appendix 1 to the EMP for Contract 1B.3/2 (in order according to the item numbers in Appendix 1 to the EMP) or their partial implementation. A summary of the individual mitigation measures and a description of the status of their implementation over the duration of the Contract can be found in Appendix 1 to this report – Part I. Checklist for the implementation of the mitigation measures listed in Appendix 1 to the EMP for Contract 1B.3/2.

Measures identified as not implemented [N/N] for the period July 2021 – May 2023 [measures not implemented are presented in the order assigned to the individual items in the EMP]:

- **item 27** (November 2022) – *Ongoing inspections conducted by the environmental supervision team during the Task implementation period.*

During the period indicated, the Contractor carried out construction work at the Szczecin location. The environmental supervision team did not carry out field inspections and therefore the measure was not implemented in full compliance with the EMP. The failure to carry out a field inspection constituted non-compliance with the provisions of the EMP, but did not adversely affect the state of the environment. After the Engineer's reminder during the EMP implementation meeting to provide information on planned works and environmental supervision inspections to the Contractor sufficiently in advance to enable the Engineer's environmental supervision inspections to be organised, the measure was being implemented correctly during other periods.

- **item 31** (March 2022) – *Obtaining a decision allowing for derogations from the rules on the plant, fungi and animal species protection. The Contractor shall precisely and timely implement the conditions contained in the above mentioned decisions [see also items 80, 81 and 86] and already obtained decisions (Attachment 8 to EMP).*

The Contractor carried out works in the Odra riverbed without complying with the deadline restrictions indicated in the derogation decisions issued for the Biała Góra and Pławidło and Kunice sites. Based on the progress of the works in February 2022 at the EMP implementation meeting, the Engineer recommended that the Contractor apply to the Authorities to either amend the derogation decision or consult the Authority again on a procedure that would allow the works to be carried out in the first half of March. The Engineer did not receive any information from the Contractor as to whether any attempts were made by the Contractor to change the derogation decision, and at the monthly EMP meeting the Contractor indicated that the work in March was being carried out due to the fish not being able to spawn in the conditions in early March. The Contractor's environmental supervision team declared that the works were carried out under the control of an ichthyologist, who took continuous measurements of the water temperature to check whether spawning was likely to occur – the results of the measurements indicated that there were no suitable conditions for the fish to spawn, as water temperature did not reach the required minimum temperature of 6°C. A note from the Contractor's environmental supervision team was attached to the Contractor's EMP report for the month of March stating that although the works were carried out outside of the scheduled timeframe there were no conflicts with the fish spawning season, site visits and water temperature measurements were conducted during which there were no signs of spawning or fish clustering in the vicinity of potential spawning grounds. In addition, it was noted during the Contractor's environmental supervision team's field visit that fish spawning had not started due to water temperature being too low. Thus, there were no effects on the natural environment of the work area, no environmental damage occurred and no corrective action was required. During other periods, the measure was being implemented in accordance with the EMP.

- **item 32** (March 2022) – *Dates for execution of works in the Odra riverbed. Works interfering with the Odra riverbed shall be carried out outside the spawning period of fish and spawn incubation, i.e. outside the period from 1 March to 30 June.*

In March 2022 the Contractor disregarded the time constraints of this item and carried out works in the Odra riverbed at the locations of Szczecin, Biała Góra, Pławidło and Kunice during the period designated as the fish spawning and incubation period. As a result, the measure was not implemented in full compliance with the EMP. As part of the corrective action, the Engineer repeatedly pointed out the need to take into account the time constraints and comply with the provisions of the environmental decision, derogation decisions or the EMP, and the possible need for the Engineer to stop the work if the work is not carried out in accordance with the EMP. The Contractor indicated that the works in March were carried out due to the

inability of the fish to spawn in the conditions in early March. The Contractor's environmental supervision team declared that the works were carried out under the control of an ichthyologist, who took continuous measurements of the water temperature to check whether spawning was likely to occur – the results of the measurements indicated that there were no suitable conditions for the fish to spawn, as water temperature did not reach the required minimum temperature of 6°C. Attached to the Contractor's EMP report for the month of March was a note from the Contractor's environmental supervision team stating that although the works were carried out outside of the scheduled timeframe there were no conflicts with the fish spawning season, site visits and water temperature measurements were conducted during which there were no signs of spawning or fish clustering in the vicinity of potential spawning grounds. In addition, it was noted during the Contractor's environmental supervision team's field visit that fish spawning had not started due to water temperature being too low. Thus, there were no effects on the natural environment of the work area, no environmental damage occurred and no corrective action was required. During other periods, the measure was being implemented in accordance with the EMP.

- **item 60** (July/August-September 2021) – *ES Code of Conduct. Conduct submitted with the bid and described in item 6.14 of the EMP text, including specific prohibited behaviours, and that they understand the consequences of engaging in such prohibited behaviours. The Contractor shall also ensure that the ES Code of Conduct is visibly presented in the places where the Contractor's personnel are located. This condition applies to the Contractor and its staff, regardless of the legal form of cooperation and Subcontractors and their staff respectively.*

During the period indicated, the Contractor did not submit a Code of Conduct for ES Personnel for approval by the Engineer. The Engineer informed the Contractor at the EMP implementation meetings of the need to submit the Contractually required documents. In October 2021, they submitted a Code of Conduct for Contractor Personnel (ES).

- **item 78** (July/August-September 2021) – *Training of the Contractor's staff in the EMP implementation. The Contractor shall be responsible for conducting the training (concluded with a test verifying the knowledge of the participants) on the terms and conditions of the EMP and protective guidelines during the construction process for its management and engineering and technical staff supervising the construction site, which should be prepared with the assistance of its team of environmental experts. Employees of the Contractor who will deal with fuels and other petroleum-derivative substances and other substances harmful to health and the environment shall be trained in the principles of the soil and water environment protection and application of protection measures, including the use of sorbents. In the monthly reports submitted to the Engineer, the Contractor shall provide information on the state of training of the Contractor's personnel in the EMP conditions in the current reporting period.*

In the indicated period, the Contractor did not conduct training for the Contractor's staff on the implementation of the EMP. At the first possible meeting regarding the implementation of the EMP, the Engineer informed the Contractor about the need to take steps in this respect. The Contractor conducted training of the Contractor's staff on the implementation of the EMP on 08 October 2021. The measure was being implemented properly during other periods.

- **item 82** (July/August 2021) – *Provision of sapper supervision team. The Contractor will ensure the participation of the sapper supervision team for the whole duration of the Task implementation period. Such team will be involved in the implementation of selected mitigation activities specified in the EMP (in particular the activities listed in item 61). Depending on the needs, the sapper supervision team may consist of at least one or more persons holding relevant industry licences. The team composition of the sapper supervision team requires the Engineer's approval.*

In July/August 2021 the Contractor did not submit the list of members of the sapper supervision for approval by the Engineer. At the first possible meeting regarding the implementation of the EMP, the Engineer informed the Contractor about the need to take steps in this respect. On 20 September 2021 the

Contractor submitted the list of members of the sapper supervision team. In other periods, the measure was being implemented correctly.

- **item 87** (July/August-September 2021) – *Contractor's responsibility for compliance with the ES. The Contractor shall ensure that all the requirements and conditions of the ES and the Code of Conduct referred to in item 60 are met. This condition applies to the Contractor and its staff, regardless of the legal form of cooperation and respectively – to Subcontractors and their staff.*

During the period indicated, the Contractor did not submit a Code of Conduct for ES Personnel. As a result, the measure was not being implemented in accordance with the EMP. The Contractor's responsibility for compliance with the ES shall continue throughout the duration of the Contract. As part of the corrective action in October 2021 the Contractor submitted a Code of Conduct for Contractor Personnel (ES). During other periods, the measure was being implemented in full compliance with the EMP.

- **item 91** (July/August-September 2021) – *Ensuring that staff employed in the implementation of the Task can submit complaints and requests. Contractor will inform all employees on the construction site about the possibility of lodging complaints about working and pay conditions and will provide an information leaflet with the necessary information on how to lodge complaints and requests, in which it will ensure that there are no repercussions for the person reporting a problem. The Contractor will keep a register of complaints and requests. The content of the leaflet and the format of the register will be agreed with the Consultant.*

During the period indicated, the Contractor did not submit either the content of the leaflet or the format of the Register of Complaints and Requests to the Engineer for agreement. At the first possible meeting regarding the implementation of the EMP, the Engineer informed the Contractor about the need to take steps in this respect. In October 2021 the Contractor submitted a design for the leaflet and a poster. During other periods, the measure was being implemented in full compliance with the EMP.

- **item 95** (July/August-September 2021) – *The Contractor shall be obliged to apply and comply with all labour law regulations in force in Poland, in particular all provisions of the Labour Code, and shall act in accordance with the ES Code of Conduct. In particular, the following issues should be reflected in the Contractor's employment policy and the remuneration regulations: ensuring equal pay for employees performing the same work without taking into account gender, sexual orientation or age; ensuring that persons employed in the Contract are not persecuted or discriminated against on the basis of gender, sexual orientation and age; ensuring that the Contractor, in accordance with the possibilities and conditions and the Polish Labour Code provisions, will meet the living and social needs of employees in the workplace; ensuring by the Contractor to make it easier for employees to improve their professional qualifications.*

During the period indicated, the Contractor did not submit an ES Code of Conduct. The Engineer monitored the implementation of the measure at the Construction Council Meeting. The Contractor submitted the Code of Conduct for Contractor's Staff (ES) to the Engineer for approval in October 2021 and received approval for the document. During other periods, the measure was being implemented correctly and in accordance with the EMP.

Measures identified as partially implemented [PI] for the period July 2021 – May 2023 (measures presented in the order assigned to the individual items in the EMP):

- **item 1** (July/August-October 2021 and March-December 2022) – *Terms and conditions of the EMP concerning the dates of works. When establishing the schedules of works and at the stage of their execution, the Contractor shall take into account the conditions of the EMP concerning dates and times of various types of works to be carried out, including: permissible dates for works in the Odra riverbed (see item 32); permissible hours for execution of works (see item 38); permissible dates for execution of works in the land part (see item 33) permissible dates for removal of rushes (see item 23).*

During the period July/August-October 2021, the measure was being implemented in partial compliance with the EMP due to the lack of Engineer's approval of the material and financial schedule submitted by the



Contractor. When taking corrective action, the Engineer reviewed the document and made comments. Following the submission of the Material and Financial Schedule by the Contractor on 23 November 2021, the Engineer accepted the revised document. During the course of the Contract between March and December 2022, the Contractor submitted revisions to the Material and Financial Schedule due to the need to revise the deadlines for the works. In the submitted revisions to the Material and Financial Schedule, the Contractor did not take into account, among other things, the permissible dates for carrying out works in the Odra riverbed or in the land section, or if obtaining derogation decisions on scaring birds covered by species protection at the Biała Góra location was the condition for carrying out works, which is why the Engineer when verifying the submitted documentation, made comments and called on the Contractor to revise the Material and Financial Schedule. On 18 January 2023, the Engineer accepted the submitted document.

*- item 2 (July/August-October 2021) – Terms and conditions of the EMP concerning activities to be carried out before the commencement or at the initial stage of works. When establishing the schedules of works and at the stage of their execution, the Contractor shall take into account the conditions of the EMP concerning activities to be carried out before the commencement or at the initial stage of works, including: conditions concerning the execution and equipping of construction backup facilities (see items 18, 47, 48, 55, 56, 63, 64); conditions concerning the transport service for the construction site (see items 3-17); condition concerning carrying out a one-off environmental inventory (see item 26); conditions concerning preparation of documents (see items 4, 20, 25, 54, 57-60, 67); conditions for obtaining the Engineer's approval for the person of the coordinator for the implementation of the EMP and the composition of the environmental supervision team and the sapper's supervision team (see items 79, 80, 82); conditions for training on EMP implementation rules (see item 78); conditions for carrying out other types of training (see items 64, 66, 81, 89, 94).*

During the period July/August-October 2021, the measure was being implemented in partial compliance with the EMP due to the lack of Engineer's approval of the material and financial schedule submitted by the Contractor. When taking corrective action, the Engineer reviewed the document and made comments. Following the submission of the Material and Financial Schedule by the Contractor on 23 November 2021, the Engineer accepted the revised document.

*- item 12 (January-March 2022) – Conditions for using access roads to the Task implementation area. Transport related to the implementation of the Task will be carried out mainly by waterway. In the event of the use of access roads to the Task implementation area in a given location of a berthing place, the following conditions shall apply (the conditions are specified in items 3 - 13), including the Contractor being obliged to prepare photographic documentation of the entire area of the Task implementation area and access roads, with particular emphasis on the technical condition of roads and buildings located in the vicinity of transport roads for building materials.*

The Contractor took a photographic inventory of the entire Task area (including access roads) and the wharf in Urad and submitted it to the Engineer in November 2021. During the indicated period, due to the handover of the photographic documentation, but not the start of transport by land, the measure was partially implemented. The partial completion status of the measure was not due to the Contractor's negligence but due to the technology adopted for the works.

*- item 18 (June 2022) – No land based construction site backup facilities are envisaged. The Contractor shall provide construction site backup facilities on board the vessels.*

In June 2022, an inspection by the Engineer's environmental supervision team found that the Contractor had not provided sanitary facilities within the construction facilities located on the vessels. As a result of the irregularities found in relation to the organisation of the construction facilities, the Engineer called on the Contractor to rectify the irregularities as a matter of urgency, and the Contractor rectified the irregularities immediately. During other periods, the measure was being implemented in compliance with the EMP.

- **item 19** (April 2022 – April 2023) – *Testing the quality of sediments for removal. The contractor will carry out verification tests of the quality of sediments to be removed in locations selected on the basis of bottom surveys (carried out after the mooring sites are completed) in order to carry out the necessary dredging/pre-treatment works. The required scope and methodology of testing are specified in the Regulation of the Minister of the Environment of 11 May 2015 on the recovery of waste other than installations and devices (Journal of Laws of 2015, item 796).*

*The contractor will also carry out verification tests of spoil if required by the Dredging works plan and the spoil management plan (see item 20), the method of management (in accordance with the requirements of the sediment recipient) or in the event of the situation indicated in item 21. The Contractor will submit reports on sludge quality tests to the Engineer.*

During the period indicated the measure was not implemented in full compliance with the EMP as the Contractor had carried out bottom surveys after the piledriver works, but had not selected locations where dredging should be carried out. In accordance with this item, spoil tests should be carried out for locations selected on the basis of bottom surveys carried out after the construction of the mooring spaces. The Contractor carried out sediment quality testing in 2021 for disposal based on soundings (i.e., prior to the works) and not, as indicated in this item, based on bottom soundings carried out after the mooring spaces had been completed. However, the Engineer conditionally accepted the results of the sludge tests completed by the Contractor in 2021. After reviewing the Dredging Work Plan by letter dated 08 February 2023, the Engineer indicated that no dredging work was required, so there was no need to repeat the sludge quality testing.

- **item 20** (April 2022 – January 2023) – *Dredging works plan and the spoil management plan. The Contractor will prepare a Dredging works plan and a spoil management plan in accordance with the description in chapter 6.14 of the EMP for dredging works in location selected on the basis of bottom surveys (conducted once the mooring sites are completed) in order to conduct necessary dredging/pre-treatment works. Spoil management method should be determined in accordance with the provisions for waste management, in accordance with the results of laboratory tests determining the degree of spoil contamination (see item 19). The dredging works plan and the spoil management plan need the Engineer's approval before dredging works commence.*

During the period indicated the measure was not implemented in full compliance with the EMP. The Contractor, having carried out piledriver work, carried out the river bottom soundings, but did not select locations where dredging should be carried out and did not submit a Dredging Works Plan together with a Spoil Management Plan. In accordance with the EMP, spoil tests should be carried out for locations selected on the basis of bottom surveys carried out after the construction of the mooring spaces. The Contractor failed to submit the Dredging Works Plan together with the Spoil Management Plan and, as a result, the Engineer on 22 June 2022 and 16 August 2022 requested the Contractor to immediately submit the Dredging Works Plan and to comply with the Engineer's Order No. 2 dated 14 April 2022. Delays related to the Contractor's failure to submit information on the location and scope of the dredging works required to be carried out under the Contract, or the need to repeat spoil tests, may have resulted in delays in obtaining the required administrative decisions and approvals for the dredging works. The above posed a risk of delays in the implementation of the Contract, due to the inability to carry out the dredging work within the required timeframe. On 28 October 2022 the Contractor submitted a Dredging Works Plan together with a Spoil Management Plan. The Engineer submitted comments on the document by letter dated 25 November 2022. The Contractor provided a revised document on 24 January 2023. The Contract Engineer verified the documents submitted, including the results of the repeated soundings carried out in December 2022 by the Contractor at the Osinów Dolny location (included in the revision of the Dredging Works Plan together with the Spoil Management Plan) and the need for dredging. After reviewing the documentation by letter dated 08 February 2023, the Engineer waived the need for the Contractor to further revise the Dredging Works Plan due to the lack of need for dredging works, and therefore the measure was not required as of February 2023.

- **item 25** (March 2022) – *In order to avoid damage to marginal lake habitats, spawning disturbances, migration of fish and other aquatic organisms, the Contractor shall present, in the Quality Assurance Plan, a schedule and a plan of works, developed in consultation with the environmental supervision team (referred to in item 80). The Quality Assurance Plan must be approved by the Engineer before the start of the works included in it. The Contractor shall update the provisions of the above mentioned Quality Assurance Plan in accordance with the recommendations of the environmental supervision team, resulting from the observation of a one-off nature inventory (see item 26) or current inspections of the environmental supervision team (see item 27).*

The Contractor identified protection measures for marginal habitats for spawning disturbance, migration of fish and other aquatic organisms in the approved General Quality Assurance Plan. The Contractor also indicated in the General QAP that they will comply with the provisions of the EMP and carry out the works in accordance with the Material and Financial Schedule. Despite updating the General QAP with protective measures for marginal habitats and ichthyofauna, the Contractor failed to comply with the above condition, i.e., to respect the deadline related to the protection period for fish spawning and egg incubation, during which no work should be carried out in the Odra riverbed (i.e., outside the period from 1 March to 30 June). Due to the Contractor's failure to comply with the deadline included in the Material and Financial Schedule accepted by the Engineer, related to the protection period for fish spawning and egg incubation, during which no work should be carried out in the Odra riverbed (i.e., outside the period from 1 March to 30 June), in March 2022 the measure was not implemented in full compliance with the Material and Financial Schedule. The Contractor indicated that the works in March were carried out due to the inability of the fish to spawn in the conditions in early March. The Contractor's environmental supervision team declared that the works were carried out under the control of an ichthyologist, who took continuous measurements of the water temperature to check whether spawning was likely to occur – the results of the measurements indicated that there were no suitable conditions for the fish to spawn, as water temperature did not reach the required minimum temperature of 6°C. Attached to the Contractor's EMP report for the month of March was a note from the Contractor's environmental supervision team stating that although the works were carried out outside of the scheduled timeframe there were no conflicts with the fish spawning season, site visits and water temperature measurements were conducted during which there were no signs of spawning or fish clustering in the vicinity of potential spawning grounds. In addition, it was noted during the Contractor's environmental supervision team's field visit that fish spawning had not started due to the water temperature being too low. During other periods, the measure was being implemented in accordance with the EMP.

- **item 27** (April 2022) – *Ongoing inspections of the environmental supervision team during the Task implementation period. Works and other works carried out during the Task implementation period shall be carried out under the current supervision of the environmental supervision team (referred to in item 80). These experts, in accordance with the speciality and type of works carried out, should, inter alia, carry out regular inspections of the entire Task area (at least once a month) and currently submit their comments and recommendations to the Contractor's Team responsible for carrying out the works in accordance with the conditions of the EMP. Written minutes attached to the monthly reports on the implementation of the conditions of the EMP (referred to in item 83) should be drawn up from the executed inspections.*

The Contractor conducted field inspections carried out by the environmental supervision team during the period indicated, but did not submit the environmental supervision team's inspection notes, therefore the measure was considered to be carried out in partial compliance with the EMP.

- **item 45** (June 2022) – *Technical functionality and maintenance of vehicles, machinery and equipment. The following conditions shall apply to the technical performance and maintenance of vehicles, machines and equipment: construction and dredging works shall be carried out using only technically operational machinery, in such a way as to prevent pollution from getting into water and soil; the Contractor shall continuously carry out current inspections of the condition of vehicles, machinery and equipment and eliminate the possibility of any pollution entering the soil and water environment, including in particular the occurrence of spillage of*

*fuels, hydraulic oils and petroleum-derivative substances, both during servicing, transport and operation of vehicles, machinery and equipment with available organisational means; the vessels used in the implementation of the Task should be maintained in a technical condition ensuring proper protection of waters against pollution by harmful substances, in particular petroleum-derivative substances.*

In June 2022, the measure was not being implemented in full compliance with the EMP due to irregularities identified during the Engineer's OHS inspection of the site related to the misuse of equipment. The irregularities are described in detail in the OHS reports. The Contractor took steps to rectify the irregularities and complied with the Engineer's recommendations.

- **item 54** (September 2021) – *Preparation of Waste Management Plan (WMP). Prior to the commencement of works, the Contractor shall prepare a Waste Management Plan and shall obtain its approval by the Engineer. (see item 6.14 of the EMP text).*

During the indicated period, the Contractor carried out activities related to the development of the documents required by the EMP – Waste Management Plan (WMP). Due to the on-going procedure for agreement and approval of the document, the measure was marked as implemented in partial compliance with the EMP. The Engineer took corrective action by commenting on the submitted document and the Contractor, carrying out actions and eliminating failures, submitted a revised WMP, which was approved by the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 55** (June 2022, February 2023 and April 2023) – *Waste management rules.*

During the periods indicated, the measure was not implemented in full compliance with the EMP due to irregularities found during the Engineer's OHS inspection of the site related to inadequate waste management. The irregularities were described in detail in the OHS reports. The Contractor took steps to rectify the irregularities and complied with the Contract Engineer's recommendations. In subsequent periods, the measure was being implemented correctly.

- **item 56** (June 2022) – *Rules for management of household and municipal waste water. One shall provide the construction backup facilities with tight bathroom and toilet facilities for household waste water and ensure that they are emptied regularly by authorised entities.*

In June 2022, the measure was not being implemented in full compliance with the EMP due to irregularities found during the Engineer's OHS inspection of the site in relation to the improper handling of social and domestic wastewater – the portable toilet was located on land. The irregularities were described in detail in the OHS report. The Contractor took steps to rectify the irregularities and complied with the Engineer's recommendations. The OHS Inspection Report was an appendix to the Monthly Report on the implementation of the activities defined in the EMP. In subsequent periods, the measure was being implemented correctly.

- **item 57** (September – December 2021) – *Preparation of documents related to the security in the Task implementation area. In the Task implementation area, order and proper organisation of works shall be maintained. Prior to the commencement of works, the Contractor shall prepare and obtain the Engineer's approval for the following documents related to safety on the construction site: Health and Safety protection plan (the BIOZ plan) - see Section 6.14 of the EMP text.*

During the period indicated, the Contractor carried out activities related to the development of the documents required by the EMP – Occupational health and safety protection plan (the BIOZ Plan). Due to the ongoing procedure for document agreement and approval, as well as the successive drafting of the site-specific document, the measure was being implemented in partial compliance with the EMP until its completion. The Engineer took corrective action by commenting on the submitted documents, and the Contractor implemented the measures and eliminated the irregularities by submitting revised documents. In January 2022 the BIOZ plans received the approval of the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 58** (November 2021 – January 2022) – *Preparation of documents related to the security in the Task implementation area. In the Task implementation area, order and proper organisation of works shall be maintained. Prior to the commencement of works, the Contractor shall prepare and obtain the Engineer's approval for the following documents related to safety on the construction site: Plan of the organization of works and management of the construction site, see Section 6.14 of the EMP text.*

During the period indicated, the Contractor carried out activities related to the drafting of the documents required by the EMP – the : Plan of the organization of works and management of the construction site and Plan of the organization of works on water. Due to the on-going procedure for agreement and approval of the documents, the measure was being implemented in partial compliance with the EMP. The Engineer took corrective action by commenting on the submitted documents, and the Contractor implemented the measures and eliminated the irregularities by submitting revised documents. In February 2022, the documents received approval from the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 59** (October 2021) – *Preparation of documents related to the security in the Task implementation area. In the Task implementation area, order and proper organisation of works shall be maintained. Prior to the commencement of works, the Contractor shall prepare and obtain the Engineer's approval for the following documents related to safety on the construction site: Safe Shipping Project (Instruction on operating and movement of vessels during the works) described in detail in item 6.14 of the text of the EMP, which the Contractor shall agree with the director of the Inland Navigation Office and the waterway administration.*

During the period indicated, the Contractor carried out activities related to the preparation of documents required by the EMP – Safe Shipping (Navigation) Project (SNP). Due to the on-going procedure for agreement and approval of the document, the measure was being implemented in partial compliance with the EMP. The Engineer took corrective action by commenting on the submitted document, and the Contractor implemented the measures and eliminated the irregularities by submitting a revised document. In November 2021, the document received the approval of the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 62** (June 2022 and February-April 2023) – *Implementation of guidelines regarding requirements concerning the work safety. The Contractor shall ensure implementation of detailed guidelines concerning the work safety, among other things in the scope of: construction site management, including hazardous zones; storage and transport; electrical systems and equipment; machines and technical devices; earthworks; works carried out on water; demolition works; underwater works, contained in the legal regulations in force.*

During the period indicated, the measure was not implemented in full compliance with the EMP, due to irregularities found during the Engineer's OHS inspection of the site in relation to the requirements for work safety. The irregularities were described in detail in the OHS report. The Contractor took steps to rectify the irregularities and complied with the Engineer's recommendations. The OHS Inspection Report was an appendix to the Monthly Reports on the implementation of the activities defined in the EMP. In other periods, the measure was being implemented correctly.

- **item 63** (June 2022) – *Ensuring conditions of hygiene. a) watertight toilet facilities must be provided and use of them by the staff shall be ensured. (Rules for management of household and municipal waste water are set out in item 56).*

In June 2022, the measure was not being implemented in full compliance with the EMP due to irregularities found during the Engineer's OHS inspection of the site in relation to the improper handling of social and domestic wastewater – the portable toilet was located on land. The irregularities were described in detail in the OHS report. The Contractor took steps to rectify the irregularities and complied with the Engineer's recommendations. The OHS Inspection Report was an appendix to the Monthly Report on the implementation of the activities defined in the EMP. In subsequent periods, the measure was being implemented correctly.

- **item 65** (June 2022) – *Ensuring hygienic conditions. Adequate amenities shall be provided for posted employees. When organising the site backup facilities, the provisions referred to in items 18, 55, 56 concerning the prohibition on establishing the land based backup facilities, municipal waste management and domestic and household waste water management shall apply.*

In June 2022, the measure was not implemented in full compliance with the EMP due to irregularities found during the Engineer's OHS inspection of the site in relation to the organisation of the construction facilities in accordance with the provisions indicated in sections 18, 55, 56 on the prohibition of land-based facilities, management of municipal waste, and domestic wastewater. The irregularities were described in detail in the OHS report. The Contractor took steps to rectify the irregularities and complied with the Engineer's recommendations. The OHS Inspection Report was an appendix to the Monthly Report on the implementation of the activities defined in the EMP. In subsequent periods, the measure was being implemented correctly.

- **item 66** (July/August – September 2021) – *Prevention of HIV-AIDS and other infectious diseases, including COVID 19*

*The Contractor, through an approved service provider, shall implement an HIV-AIDS awareness-raising programme (including conducting an appropriate training) and take all other measures to reduce the risk of HIV transmission among the Contractor's personnel and the local community. These activities shall be carried out in accordance with the detailed conditions set out in the Bidding Documents of the contract (Part 3, Section VIII - General Conditions, Clause 6.7). The training will also cover other infectious diseases (e.g. COVID 19).*

During the period indicated, the Contractor did not conduct training, did not implement an HIV-AIDS awareness programme, and did not take other measures to reduce the risk of HIV transmission among the Contractor's staff and the community. As a result, the measure was not implemented in full compliance with the EMP. In October 2021 the Contractor conducted relevant training and took measures to reduce the risk of HIV/AIDS transmission by organising an information campaign (posters and leaflets) and ongoing monitoring of the COVID situation. In subsequent periods, the measure was being implemented correctly.

- **item 67** (October 2021) – *Rules for flood risk management. In connection with the risk of flooding, the Contractor shall prepare a document entitled: Flood management plan for the construction site and shall obtain the Engineer's approval (see item 6.14 of the EMP text). In the event of flood occurrence, the Contractor shall follow the procedures described in the above mentioned document.*

During the indicated period, the Contractor carried out activities related to the development of the documents required by the EMP – Flood Management Plan (FMP). Due to the on-going procedure for agreement and approval of the document, the measure was being implemented in partial compliance with the EMP. The Engineer took corrective action by commenting on the submitted document, and the Contractor implemented the measures and eliminated the irregularities by submitting a revised document. In November 2021, the document received the approval of the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 70** (September – October 2021) – *Rules for management of leakage of petroleum-derivative substances. In connection with the risk of possible leakage of petroleum-derivative substances, the Contractor shall prepare a document, a so-called spillage procedure and shall obtain its approval by the Engineer. In the event of occurrence of the above mentioned leakage, the Contractor shall follow the procedures described in the above mentioned document,*

During the period indicated, the Contractor carried out activities related to the preparation of documents required by the EMP – Spillage Procedure. Due to the on-going procedure for agreement and approval of the document, the measure was being implemented in partial compliance with the EMP. The Engineer took corrective action by commenting on the submitted document, and the Contractor implemented the measures and eliminated the irregularities by submitting a revised document. In November 2021, the

document received the approval of the Engineer. In subsequent reporting periods, the measure was being implemented correctly.

- **item 74** (September 2021) – *Guidelines for safety on the waterway / prevention of shipping accidents. Prior to the commencement of works, a Safe Shipping Project should be prepared, which requires approval by the Director of the Inland Navigation Office in Szczecin, the Director of the Maritime Office in Szczecin (in case of using sea waters) and with appropriate waterway administration.*

During the period indicated, the Contractor carried out activities related to the preparation of documents required by the EMP – Safe Shipping Project. Due to the ongoing procedure of agreement and acceptance of the document by the Director of the Inland Navigation Office, the measure was being implemented in partial compliance with the EMP until its completion. In October 2021, due to the opinion of the Director of the Inland Navigation Office that the document does not need to be agreed with the Authority, the measure could be considered to have been implemented correctly.

- **item 75** (October 2021 and January 2022) – *Guidelines for safety on the waterway / prevention of shipping accidents. work area and the waterway must be marked in accordance with the Inland Navigation Act and the local law to inform about the existing hazards and restrictions in shipping traffic. The method of marking and the location of the marking should be agreed with the Director of the Inland Navigation Office in Szczecin and with the competent waterway administration,*

In October 2021, the measure was not being implemented in full compliance with the EMP due to the Contractor's failure to install signage for the works area and waterway, which was completed in November 2021. In January 2022, due to the lack of construction works, the Contractor did not install signage for the works area and the waterway in accordance with the Temporary Design of Navigation Signage agreed with the Inland Navigation Office during the current reporting period, which was not due to negligence or irregularities in the Contractor's operations, but due to the progress of the works. In subsequent periods, the measure was being implemented correctly.

- **item 79** (July/August 2021) – *Appointment of the EMP coordinator in the Contractor's team.*

During July/August 2021, the measure was not implemented in full compliance with the EMP due to the Engineer's failure to accept the EMP Coordinator on the Contractor's team, which, following clarification of the expert's availability, was done in September 2021.

- **item 82** (September 2021) – *Provision of sapper supervision team. The Contractor will ensure the participation of the sapper supervision team for the whole duration of the Task implementation period. Such team will be involved in the implementation of selected mitigation activities specified in the EMP (in particular the activities listed in item 61). Depending on the needs, the sapper supervision team may consist of at least one or more persons holding relevant industry licences. The team composition of the sapper supervision team requires the Engineer's approval.*

In September 2021, the measure was not being implemented in full compliance with the EMP due to the lack of Engineer's approval of the Contractor's sapper team, which, after clarification and completion of the necessary certificates and authorisations, was obtained in October 2021.

- **item 83** (September 2021, October 2021 and April 2022) – *Reporting on the state of implementation of the EMP in monthly reports.*

During the period indicated, the measure was not being implemented in full compliance with the EMP due to the late submission of the Monthly Reports on the implementation of the measures set out in the EMP, as well as their incompleteness (lack of inspection notes from the Contractor's environmental supervision team). During other periods, the measure was being implemented correctly.

- **item 85** (September 2021, October 2021, and April 2022) – *Reports of the Contractor's environmental team. The Contractor's environmental team keeps reporting: a) preparing periodic reports (monthly, quarterly and final reports) on the implementation of conditions specified in the EMP (in the form of a checklist with the necessary attachments, including reports on the implementation of environmental supervision) submitted to the Engineer and requiring his / her approval.*

During the period indicated, the measure was not being implemented in full compliance with the EMP due to the late submission of the Monthly Reports on the implementation of the measures set out in the EMP, as well as their incompleteness (lack of inspection notes from the Contractor's environmental supervision team). During other periods, the measure was being implemented correctly.

- **item 88** (July/August-September 2021) – *Prevention of sexual harassment and mobbing. The Contractor shall ensure that during the execution of the Contract, such conditions are in place as to prevent mobbing and sexual harassment to its staff and Subcontractors' staff, as well as to other persons (whether related to the execution of the Contract or third parties).*

During the period indicated, the Contractor submitted a candidate trainer and a scope of training on sexual harassment and mobbing prevention, for which obtained the approval of the Engineer, and scheduled the first certified training for all employees, including new hires, for October 2021. In addition, the Contractor stated that they will ensure that working conditions are such as to prevent incidents of mobbing and sexual harassment. As a result of the actions taken by the Contractor at this stage, it was considered that the measure was being implemented in partial compliance with the EMP. In subsequent periods, the measure was being implemented correctly.

- **item 89** (July/August-September 2021)– *Awareness-raising on the prevention of sexual harassment and mobbing. The Contractor shall, through an approved and qualified service provider, conduct training and implement an awareness-raising programme on the prevention of sexual harassment and mobbing. These activities shall be carried out throughout the entire term of the Contract, including the defects notification period at least every two months. These will take the form of information, education and awareness-raising campaigns.*

During the period indicated, the Contractor submitted a candidate trainer and a scope of training on sexual harassment and mobbing prevention, for which obtained the approval of the Engineer, and scheduled the first certified training for all employees, including new hires, for October 2021. In addition, the Contractor stated that they will ensure that working conditions are such as to prevent incidents of bullying and sexual harassment. As a result of the actions taken by the Contractor at this stage, it was considered that the measure was being implemented in partial compliance with the EMP. In subsequent periods, the measure was being implemented correctly.

- **item 90** [July/August-September 2021] – *Reporting cases of sexual harassment and mobbing. It is the Contractor's duty to inform the Consultant immediately about all reported cases and suspicions concerning sexual harassment and mobbing. All reported cases and suspicions concerning sexual harassment and mobbing should be entered in the register of complaints and requests kept by the Contractor. In the case of mobbing or sexual harassment, the Contractor shall be obliged to take actions aimed at immediate termination of such behaviour and to take all legal measures against the perpetrators of such behaviour. The Contractor shall be also obliged to provide all necessary assistance and support to the victims of such conduct.*

During the period indicated, the Contractor did not provide a template for the Register of Complaints and Requests and therefore the measure was not implemented in full compliance with the EMP. At the Construction Council Meeting 2 the Engineer requested that a template for the Register of Complaints and Requests and the content of the information leaflet be provided as soon as possible. The Contractor, when undertaking corrective action in October 2021, submitted a template for the Register of Complaints and Requests, which was accepted by the Engineer. In subsequent periods, the measure was being implemented correctly.



- **item 91** (October-November 2021) – *Ensuring that staff employed in the implementation of the Task can submit complaints and requests. Contractor will inform all employees on the construction site about the possibility of lodging complaints about working and pay conditions and will provide an information leaflet with the necessary information on how to lodge complaints and requests, in which it will ensure that there are no repercussions for the person reporting a problem. The Contractor will keep a register of complaints and requests. The content of the leaflet and the format of the register will be agreed with the Consultant.*

The Contractor submitted a leaflet about the planned training and the opportunity to comment, but the Engineer requested that the content of the leaflet be modified in order to make it clear and unambiguous. After correction of the submitted leaflet by the Contractor in December 2021, the Engineer approved the final form of the leaflet. In subsequent periods, the measure was being implemented correctly.

- **item 92** (June 2022 and February-April 2023) – *Ensuring accident-free working conditions. The Contractor shall ensure such conditions in the Task area and outside the Task area (during activities related to the execution of the Task, e.g. during transport) as to prevent accidents involving persons related to the execution of the Contract, including Contractor's, Engineer's, Investor's, Subcontractors' staff, etc., as well as third parties. In the event of such accidents, it is necessary to: immediately ensure proper handling of the injured party; secure the location of the accident; inform the Engineer as soon as possible about the accident and about the Contractor's reaction to the accident; notify the relevant services and allow them to reach the place of the accident.*

During the period indicated, the measure was not being implemented in full compliance with the EMP, due to irregularities found during the Engineer's OHS inspection of the site in relation to the provision of safe working conditions. The irregularities were described in detail in the OHS report. The Contractor took steps to rectify the irregularities and complied with the Engineer's recommendations. The OHS Inspection Report was an appendix to the Monthly Reports on the implementation of the activities defined in the EMP. In subsequent periods, the measure was being implemented correctly.

- **item 96** (July/August-September 2021) – *Guidelines on the course of action in the event of a state of epidemiological threat or epidemic being announced in the course of works.*

During the period indicated, the measure was not implemented in full compliance with the EMP. The Contractor implemented some of the principles derived from the guidelines included in Measure no 96, but did not provide training on HIV/AIDS and Sars-CoV-2/Covid-19, and only assured at this stage that they will implement an HIV-AIDS awareness programme and take all other measures to reduce the risk of HIV transmission among the Contractor's staff and the community. In subsequent periods, the measure was being implemented correctly.

## 5. STATUS OF IMPLEMENTATION OF MONITORING MEASURES FROM APPENDIX 2 TO THE EMP

As stated in Appendix 2 to the EMP for Contract 1B.3/2, the entities responsible for implementing monitoring measures listed in Appendix 2 to the EMP are: Contractor 99 measures (items 1-78, 80-100) and Engineer 100 measures (items 1-100). In total, the EMP for Contract 1B.3/2 provides for the implementation of 100 monitoring measures, all of which should be implemented during the reporting period. A summary of the implementation of the monitoring activities is presented in Appendix 1 to this report – Part II. Checklist for the implementation of monitoring measures listed in Appendix 2 to the EMP for Contract 1B.3/2.

### 5.1. MEASURES OF THE CONTRACTOR

During the reporting period, the Contractor monitored the mitigation measures implementation as described in Appendix 2 to the EMP. Monitoring was conducted through:

- verification of the requirements specified in the EMP for the current stage of works;
- verification of documents regarding the fulfilment of the conditions of the EMP;
- ongoing inspections in the work area;
- measures indicated in Appendix 2 to the EMP.
- ongoing arrangements with representatives of the Engineer and the Investor.

In the reporting period, the Contractor implemented 76 (76%) monitoring measures, where:

- 76 (76%) of the measures were completed to the extent required during the reporting period (items 1, 2, 12, 15-20, 23, 25-35, 38-41, 43-45, 47-68, 70-75, 78-92, 94-96, 99, 100 in Appendix 2 to the EMP);

- 11 (24%) of the measures in the reporting period were found not to have been implemented, these were monitoring measures assigned to the Contractor and deemed not to be relevant to the reporting period – there was no need to implement them (items 3-11, 13, 14, 21, 22, 24, 36, 37, 42, 46, 69, 76, 77, 93, 97, 98 in Appendix 2 to the EMP).

Monitoring measures were conducted by the Contractor with input from specialists on the Contractor's environmental team and the EMP coordinator, the OHS coordinator, and the sapper and archaeological supervision team.

### 5.2. MEASURES OF THE ENGINEER

During the reporting period, the Engineer conducted measures to monitor implementation of mitigation measures as described in Appendix 2 to the EMP. Monitoring was conducted through:

- verification of the requirements specified in the EMP for the current stage of works;
- verification of the Contractor's and Investor's documents regarding the fulfilment of the conditions of the EMP;
- ongoing inspections in the work area;
- measures indicated in Appendix 2 to the EMP;
- ongoing arrangements with representatives of the Contractor and the Investor.

During the reporting period, the Engineer generally completed 100 (100%) monitoring measures:

- a) 100 (100%) measures were completed to the extent required during the reporting period (items 1-100 in Appendix 2 to the EMP).

The monitoring measures were implemented by the Engineer with the assistance of specialists from the environmental team, including environmental management experts, the Engineer's environmental supervision team, and the Resident Engineer.

### **5.3. ISSUES RELATING TO IMPLEMENTATION OF THE MONITORING ACTIVITIES FROM THE APPENDIX**

According to the information presented in monthly reports on the implementation of measures specified in the EMP, in the reporting period no problems were found with the implementation of monitoring measures described in Appendix 2 to the EMP for Contract 1B.3/2. This was also confirmed by the Engineer's monitoring measures.

## **6. OTHER MEASURES AND EVENTS RELATED TO THE ENVIRONMENT, LOCAL COMMUNITY, HEALTH AND SAFETY**

During the execution of the Task, the Contractor implemented a number of ESHS requirements (environmental, social, health and safety aspects), which are standardised by national regulations governing environmental, health and safety, and labour law.

No instances of non-compliance with the Contract requirements were identified in this regard. There were no failures and, in particular, no incidents of contamination of the ground or waters with petroleum substances or substances hazardous to the environment related to the execution of the works or resulting from the execution of the Contract, nor were there any emergency situations that would require extraordinary intervention measures. Furthermore, during the course of the Contract, there were no complaints or conflicts, either from the Contractor's employees or the public, regarding possible violations of labour rights, wages, discrimination, or inappropriate behaviour by persons employed on the Contract, including sexual harassment and mobbing. At the same time, during the course of the Contract there were no extraordinary events, hazards, or disasters caused by or resulting from the execution of the Contract, resulting in risks to the environment or to human life and health. There were no health and safety incidents, serious accidents, injuries, or other incidents requiring medical treatment, or deaths.

### **6.1. OTHER ACTIVITIES AND EVENTS CONCERNING THE ENVIRONMENT, LOCAL COMMUNITY**

During the reporting period, the Contractor conducted preparatory and main works under Contract 1B.3/2, including, but not limited to, the implementation of various measures specified in the Environmental Management Plan to the extent assigned to the Contractor.

In addition, during the reporting period, the Contractor implemented, inter alia, the following other environmental and community measures related to the implementation of Contract 1B.3/2 in terms of:

- protection of adolescents employed to execute the Contract.

The Contractor did not employ any adolescents under the age of 15 during the Contract.

- elimination of inappropriate behaviour of persons employed to execute the Contract (including sexual harassment and mobbing).

The Contractor periodically conducted informational, educational, and awareness-raising activities during the course of the Contract through the implementation of an sexual harassment and mobbing awareness programme, and counteracted the aforementioned behaviours by having an approved expert conduct employee training. The Contractor also ran an information campaign by providing an information leaflet. In addition, the Contractor had an Ethics Officer to whom employees could report any concerns or inappropriate behaviour. An e-mail, [wsparcie@aarsleff.pl](mailto:wsparcie@aarsleff.pl), was launched as a tool for direct communication and safe reporting of any complaints/requests/reports of actions not complying with the applicable procedures/policies. The status of the inbox was monitored regularly. During the course of the Contract, no inappropriate behaviour by persons employed on the Contract related to incidents of sexual harassment and mobbing was reported. The Engineer did not record any reports or irregularities in this regard.

- ensuring proper social and employment conditions for workers employed on the Contract, including equal pay for workers performing the same work without regard to sex, sexual orientation or age, the absence of harassment and discrimination on grounds of sex, sexual orientation and age, and facilitating the workers' professional development.

The Contractor applied and complied with all applicable Polish labour law, including the Labour Code, and followed accepted C-EMSP procedures and the ESHS Code of Practice. In addition, the Contractor provided

internal Employee Work Regulations and an internal Code of Good Practice. In addition, the Contractor's company from a long time back have an Ethics Officer to whom employees could report any concerns or inappropriate behaviour. The Contractor organised an information campaign through posters and information leaflets provided. In addition, for the duration of the Contract, a Register of Complaints and Requests was prepared in case of complaints/requests by employees, but no irregularities were reported in this respect by persons employed in the Contract during the Contract.

- requirements for extraordinary environmental hazards and to comply with the rules recorded in documents drawn up prior to the commencement of the works and updated as necessary.

During the execution of the Task, the Contractor continuously monitored compliance with the rules recorded in documents drawn up prior to the commencement of the works and updated them as necessary, in particular: the OHS Plan (the BIOZ Plan), the Waste Management Plan, the Site Flood Management Plan for the duration of the works, the Spillage Procedure, the Dredging Works Plan, the ES Code of Conduct. The Contractor monitored the risk of flooding or other emergencies on an ongoing basis.

## **6.2. HEALTH AND SAFETY MEASURES AND INCIDENTS**

During the reporting period, the Contractor implemented, inter alia, the following other health and safety measures related to the implementation of Contract 1B.3/2 in terms of:

- ensuring the safety and protection of health of the persons employed to execute the Contract, including the provision of OSH services required by law.

During the period of execution of the Contract, the Contractor provided continuous health and safety supervision, i.e., had a health and safety specialist with qualifications and professional experience in accordance with Polish labour law, who carried out regular inspections of the construction site each month. If irregularities were found, each time a report was drawn up from the health and safety inspection and recommendations were made to the Contractor. The Contractor provided an OHS Coordinator on their team who, in addition to ongoing site inspections, provided training to Subcontractor personnel in accordance with the EMP guidelines and applicable law. The Site Manager conducted daily health and safety job training prior to the commencement of work.

- prevention of HIV/ AIDS.

The Contractor implemented an awareness programme on the spread of HIV-AIDS and other infectious diseases (e.g. COVID 19) throughout the Task period. The Contractor conducted periodic refresher training (every 2 months) for the Contractor's employees through the approved service provider on the following topics: Raising awareness of the spread of HIV and SARS CoV-2 coronavirus as a prevention of AIDS and COVID-19 disease incidence. The Contractor also took other measures to reduce the risk of transmission of such diseases among the Contractor's staff and the community, including the provision of leaflets for staff and an information poster on HIV/AIDS prevention. During the period of the Covid-19 pandemic, the Contractor continuously monitored the COVID situation and developed guidelines:

- in the case of COVID, an infected person or one with symptoms of infection was immediately obliged to inform their immediate superior, as well as to provide all the necessary information (persons with whom they had contact for more than 20 minutes within 14 days, the time elapsed from the last visit to the place of work until the first symptoms appeared, in the absence of symptoms, the date of the test result was decisive), in order to prevent the spread of the virus,

- the details of the employee diagnosed with SARS-CoV-2 were kept confidential and shared only with the Contractor and/or immediate supervisor,

- for the compliance by staff with sanitary guidelines being paramount, in particular with regard to the duration of isolation/quarantine and the recommendations of the Chief Sanitary Inspector, the Ministry of Health and other national institutions involved in COVID containment activities.

Until the epidemic was lifted in Poland, the Contractor submitted weekly reports to the Engineer indicating the number of COVID-19 infected workers.

Measures to prevent coronavirus infection, including the need to monitor the disease and in case of its occurrence – to take appropriate steps, were also implemented by the Contract Engineer and the Employer.

### **6.3. EXCEPTIONAL EVENTS, RISKS, AND DISASTERS**

There were no exceptional events, risks, or disasters caused by or resulting from the Contract during the course of the Contract.

However, there was a construction accident at the Biała Góra site in the first quarter of 2023, which resulted in the flooding of a pontoon with an excavator. The Contractor notified the relevant services (State Fire Brigade Słubice, Inland Navigation Office in Szczecin, Water Management Station Słubice, Voivodeship Inspectorate for Environment Protection Zielona Góra) as well as the Engineer and the Employer of the accident. The Contractor followed the recommendations and instructions of the services. In connection with the incident, the environmental supervision team carried out a thorough inspection of the Biała Góra site on 16-17 March 2023. During the inspection, work was being done to raise a pontoon with an excavator, which had become flooded as a result of the accident. The supervision included a thorough inspection of the construction site and the accident site directly, particularly with regard to possible contamination of the water environment. Possible fuel and oil spills and the appearance of oil stains on the water surface were verified. Barriers were set up within the area of the accident. As a result of the observations made, it was concluded that the accident that occurred did not affect the ecosystem of the Odra and that there was no leakage of petroleum substances into the waters of the Odra.

On 18 March 2023 the submerged pontoon, including equipment, was lifted. The entire lifting operation took place under the control of the State Fire Brigade in Słubice and in contact with the Voivodeship Inspectorate for Environment Protection, i.e., in accordance with all procedures. The pontoon, once buoyant and with the permission of the Inland Navigation Office, was towed to Nowa Sól.

No spillage or leakage of petroleum substances has occurred on site during the lifting of the pontoon and since the incident. No signs of fish die-off were observed. The event had no negative environmental impact.

### **6.4. ACCIDENTS**

During the performance of the Contract, there were no incidents related to accidents, including accidents involving the Contractor's staff, the Engineer, or the Employer.

## 7. SUMMARY

This document provides a report on the implementation of measures identified in the Environmental Management Plan (EMP) for the project: Works Contract 1B.3/2 Stage II – The construction of docking-mooring infrastructure on Lower Odra River and on boundary sections of Odra River as well as new aids to navigation as part of the *Odra-Vistula Flood Management Project (OVFMP)*.

The report covers measures implemented during the period:

- from the date of commencement of works under Contract 1B.3/2 (i.e., **from 30 July 2021**);
- by the date of signature of the Final Protocol (i.e., **31 May 2023**).

During the reporting period, the Contractor carried out works within the scope of the Contract (see description in Chapter 1), including the implementation of 74 mitigation measures specified in Appendix 1 to the EMP, monitored 76 items specified in Appendix 2 to the EMP, and attended other environmental, community, health and safety events.

In the reporting period, the Engineer supervised the works carried out under Contract 1B.3/2, including the implementation of the measure specified in the Environmental Management Plan within the scope assigned to the Engineer, monitored the implementation status of 100 mitigation measures specified in the EMP and participated in other events related to the environment, local community, health and safety.

In the reporting period, the Employer implemented measures assigned to it related to the implementation of Contract 1B.3/2, including the measure specified in the Environmental Management Plan in the scope assigned to the Investor, monitored the implementation of mitigation measures specified in the EMP, and participated in other events related to the environment, local community, health and safety.

As a result of monitoring measures implemented by the Contractor, the Engineer, and the Employer, it was determined that during the reporting period:

- a) 74 out of 96 mitigation measures specified in Appendix 1 to the EMP were implemented;
- b) 22 of the 96 mitigation measures identified in Appendix 1 to the EMP were not implemented [there was no need to implement them during the reporting period];
- c) 100 out of 100 monitoring measures specified in Appendix 2 to the EMP were implemented;

A summary of the implementation of the monitoring activities is presented in Appendix 1 to this report – *Part III. List – quantitative summary of the implementation of measures listed in Appendix 1 and 2 to the EMP, in the reporting period.*

## 8. LIST OF APPENDICES

- Appendix 1 – Checklist for the implementation of measures listed in Appendices 1 and 2 to the EMP for Contract 1B.3/2
- Appendix 2 – Photographic documentation