

Environmental and Social Action Plan - Nenskra hydropower Project

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirement (Legislative, Policy, Good Practice)	Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Status
PR1	EBRD PR1 - Assessment and Management of Environmental and Social Impacts and Issues						
S1	EIB S1 - Assessment and Management of Environmental and Social Impacts and Risks						
PS1	IFC PS1 - Assessment and Management of Environmental and Social Risks and Impacts						
1.1	Appoint and maintain a person (with a direct reporting line to JSCNH CEO) responsible for the ESAP implementation and for the compliance of the Project with the Lenders requirements.	ESAP and compliance owner to be appointed	Lenders requirements	JSCNH	As soon as and as long as the ESAP and the lenders requirements are effective.	Person appointed and maintained, acting as the main contact for the lenders E&S advisors.	
1.2	Ensure the timely availability of resources (staff, budget, equipment) for the ESAP/compliance owner (appointed under Action 1.1) to organize and implement JSCNH E&S obligations under the ESAP and ESMP.	E&S resources to be made available	Lenders requirements	JSCNH	As soon as and as long as the ESAP and the lenders requirements are effective.	Resources budgeted and mobilized timely.	
1.3	Require the EPC contractor to appoint and maintain a person (with a direct reporting line to the EPC contract manager) responsible for the effective implementation of the EPC contract E&S obligations and for the compliance of the EPC contract activities with the Lenders requirements	EPC Contractor E&S compliance owner to be appointed	Lenders requirements	JSCNH to require EPC contractor to implement	As long as the EPC contract is effective.	Person appointed and maintained, acting as the main contact for JSCNH ESAP / compliance owner (see action 1.1).	
1.4	Require the EPC contractor to ensure the timely availability of resources (staff, budget, equipment) for the ESAP/compliance owner (appointed under Action 1.3) to organize and implement the EPC contractor's obligations under the ESAP and ESMP.	E&S resources to be made available	Lenders requirements	JSCNH to require EPC contractor to implement	As long as the EPC contract is effective.	Resources budgeted and mobilized timely.	

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1.5	Ensure the implementation of the Environmental and Social Management Plan (ESMP) in compliance with lenders requirements and national legislation	Achieve compliance with Lenders E&S policies and standards	Lenders Requirements National legislation	JSCNH	As soon as and as long as the ESAP and the lenders requirements are effective.	Timely implementation of ESMP.	
1.6	Update the ESMP (and/or the associated plans) as required as the project progresses or due to changes, and in any case before commissioning/operation starts, in line with the lenders requirements	Ensure all E&S mitigation and monitoring measures in the ESMP actions are properly implemented and that any additional requirements as a result of design changes are fully implemented	Lenders requirements	JSCNH	At least every six months during construction and annually during operation, consider the need for updates. Update before commissioning and operation. Integrate ESMP in the ESMS once certification is obtained (see action 1.10)	Plan updated when necessary and in any case before commissioning	
1.7	Submit regular reports to the Lenders on: <ul style="list-style-type: none"> • Environmental, social, occupational health and safety performance • Status of ESMP implementation • status of each ESAP action • Status of Environmental Health and Safety 	To ensure measures within the ESIA/ESMP and permit conditions are being implemented appropriately.	Lenders Requirements	JSCNH	Reports to be submitted on a quarterly basis during construction, and annually after. ESAP implementation status update reports to be submitted one month prior to scheduled disbursements.	Reports submitted on time, with no objection from lenders	

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1.8	Include ESMP obligations in the EPC contractor's contract including (i) mechanism for inclusion of any additional E&S requirements that arise during finalisation of the ESIA package or due to design changes.	Ensure that the EPC contractor is contractually bound to deliver all ESIA and ESMP requirements, including as a result of design changes for which they are responsible and assist JSCNH where required	Lenders requirements	JSCNH: inclusion of the obligations in the contract EPC contractor: implementation of the obligations	By end of ESIA disclosure period.	Signed variation to EPC contract Design change management logs for each change. All plans and sub-plans prepared and implemented and compliance maintained	
	Include obligations in all contractors and subcontractors (contracted either by the EPC contractor or by JSCNH) contracts to work in compliance with the ESMP, Lenders E&S requirements and national legislation. Contracts need to include a mechanism for inclusion of any additional E&S requirements that arise during finalisation of the ESIA package or due to design changes.	Ensure that all contractors and subcontractors are bound to deliver all ESIA and ESMP requirements.	Lenders requirements	JSCNH and EPC contractor: inclusion of the obligations in the contract	Before new contracts agreed	Contracts include clear reference to ESMP and lenders requirements, and a clear description of the corresponding obligations	
1.9	JSCNH appoint appropriate, experienced and qualified people to the following positions; <ul style="list-style-type: none"> • Community Investment Officer • Communication Specialist • 2nd Land Acquisition Manager • Site Environmental Officer • Risk Communication Specialist • Security and human rights advisor 	Ensure that the ESHS management team is adequately staffed with appropriately qualified and experienced staff to meet the E&S requirements for the project	Lenders requirements	JSCNH	Three months prior to construction	CVs submitted to and the Lenders for non-objection Appropriately experienced and qualified people appointed and in post	

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1.10	Develop a Project Integrated Management System (IMS) certified ISO 9001, ISO14001 and OSHAS 18001 and covering all JSCNH activities for the operation phase.	Optimisation of environmental and social, health, safety, security and quality management through a formalised system. Provide resources for training and monitoring of E&S performance	Lenders requirements	JSCNH	Prepare the ESMS before commissioning (when updating the ESMP see action 1.6). Certification audit after the first year of operation Recertification audits every three years	Before operation: system prepared. After first year of operation: Certification obtained. Recertification obtained every three years.	
1.11	Develop a Corporate Social Responsibility (CSR) programme, linked with the Community Investment Strategy, the Stakeholder Engagement Plan, and the public safety objectives.	Establishing and delivering appropriate and sustainable community benefits	Lenders requirements	JSCNH	Prior to construction	CSR program document submitted to lenders	
	Consult on, implement and disclose annual Community Investment Plans in line with the multi-year Community Investment Plan strategy. This is partly to address potential influx issues associated with Project employment. Disclose activities through local media				Strategy completed before disclosure First annual plan before first disbursement Subsequent annual plans Reports on CIP management and achievements issued on a continuous basis through local media and at a minimum every six months	IPOE social expert signs off consultation process and plan Reports on CIP management and achievements disclosed through media, including website and local newspapers Priority investment plan for 2017 finalised and disclosed. Annual investment plans.	

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	Agree Memorandum of Understanding (MoU) for the community investment committee which; (i) rules the committee decision process, (ii) details responsibilities and accountabilities, and (iii) establishes the reporting system.				Prior to first disbursement	Community investment committee created and operating rules established MoU signed off	
1.12	Prepare and implement a contractor monitoring plan and procedures.	To ensure that EPC contractor and sub-contractors are implementing project E&S and OHS requirements at all times and through all stages of project implementation	Lenders requirements	JSCNH	Three months prior to construction.	Contractor monitoring plan and procedures submitted to lenders	
	Plan includes weekly inspections of construction site and EPC contractors' E&S and occupational health and safety (OHS) performance. Reporting on monitoring to be included in Lenders' reporting (Action 1.2).				Weekly inspections and quarterly reports throughout construction and commissioning	Inspection records submitted with quarterly reporting	
1.13	Undertake formal communication with the Georgian Ministry of Environment describing changes to the Project since EIA Approval and obtain confirmation if another EIA (or other approval procedure) is required to confirm acceptability of the changes.	Ensure that all material project permits are obtained and valid.	Lenders requirements Georgian legislation	JSCNH	Confirmation from the Georgian Ministry of Environment must be received prior to signing of the loan agreement. If an amendment of the national EIA is required this must be completed and approved before signing of the loan agreement.	Confirmation from Georgian Ministry of Environment that changes are acceptable.	

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	Maintain permit register as part of the Project IMS and monitor EPC contractor's compliance with permit conditions	Ensuring that permit conditions are met at all times.	Lenders requirements	JSCNH	Throughout Project implementation	Updated permit register submitted with quarterly reports	
1.14	Facilitate Lenders monitoring of the project by; <ul style="list-style-type: none"> providing all requested documentation in a timely manner arranging site visits and supporting logistics for Lenders and Lenders' consultants covering costs for monitoring visits for Lenders and Lenders' consultants 	Ensure that Lenders can monitor the project implementation and progress in line with the loan agreement and Lenders' governance requirements	Lenders requirements	JSCNH	Lenders - up to twice a year until all construction related activities are completed then annually during operation. Lender's E&S Consultant - timetable to be agreed with Lenders.	Monitoring visit reports delivered in line with schedule	
1.15	Commission external audit in case of complaint or significant non-compliance. On request of the Lenders, hire an independent consultant (chosen by mutual agreement between JSCNH and the lenders) for an E&S audit.	Ensure complaints and significant non-compliances are addressed robustly	Lenders requirements Georgian legislation	JSCNH	On request of the EBRD, in case of complaint or significant non-compliance (Max 2 audits per year)	Audit conducted and corrective actions implemented	
1.16	The following key plans and assessments shall be issued to the Lenders for review and non-objection as set out in the following list:		Lender requirements Georgian labour code	JSCNH EPC Contractor		All plans submitted to Lenders for review and non-objection in accordance with agreed timescales	
	EPC Contractor			Prior to completion of natural hazard risk assessments and final design of dam safety structures			

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	Detailed sediment assessment for Nakra			EPC Contractor	Prior to commissioning of Nakra weir		
	Detailed natural hazards assessment for all camps and technical installations, including (i) operational threshold/criteria for starting/stopping work in exposed areas and (ii) monitoring system definition			EPC Contractor	Prior to works at any camps or technical installations commencing		
	Site Decommissioning and Rehabilitation Plan (including rehabilitation for the temporarily used lands- including pastures)			EPC Contractor	Prior to the first work site being decommissioned		
	Detailed dam failure risk assessment and analysis			EPC Contractor	Prior to construction commencing on Nenskra dam body		
	Construction phase Emergency Preparedness Plan (EPP)			EPC Contractor	Prior to works at any camps or technical installations commencing		
	Operation phase EPP and downstream Flood Management Plan			JSCNH	Prior to first impoundment.		
	Reforestation Management Plan			JSCNH	12 months before commissioning		
	Recruitment and Labour Management Plan (including local employment management and Skills Development and Local Procurement Plan)			EPC Contractor	Prior to any person being hired		
	Retrenchment and Demobilisation Plan			JSCNH	One year prior to operation phase		

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	Employee Grievance Procedure			JSCNH	Prior to any person being hired		
	Community health and safety plans: <ul style="list-style-type: none"> • Community Safety Plan • Community Health Plan • Powerhouse and Penstock Area Health Plan • Occupational Health and Safety Management Plan • Traffic Management Plan 			EPC Contractor	Prior to main construction phase or first disbursement (whichever is earlier)		
	Security Management Plan (in line with Voluntary Principles on Security and Human Rights)			EPC Contractor	Prior to main construction phase or first disbursement (whichever is earlier)		
	Noise and vibration (including noise baseline monitoring plan)			JSCNH EPC Contractor	Three months prior to construction works commencing at powerhouse area		

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	Materials management and spoils disposal (including spoil disposal area (SDA) concept designs with top soil/biomass balance)			EPC Contractor	Framework plan prior to construction commencing or first disbursement (whichever is earlier). SDA concept designs / detailed plans on an ongoing basis, issued one month in advance of opening of each SDA		

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PR2 S8 PS2	EBRD PR2 - Labour and Working Conditions EIB S8 - Labour Standards IFC PS2 - Labour and Working Conditions						
2.1	Prepare and implement HR policy and procedures to meet Lenders and national legislation requirements. Key areas include but not limited to: <ul style="list-style-type: none"> • Grievance resolution, • Worker engagement, • Workers right to join a union at their own choice • Non-discrimination and equal opportunity • Retrenchment • Disciplinary procedures • Collective Agreement • Equal pay for equal work • Gender Equality • Bullying and harassment • Child labour and forced labour • Overtime, working hours • Work-life balance • Wages, benefits, and conditions of work and accommodation • Social security of permanent and temporary employees 	Improved human resources practices and compliance with National legislations and PR2 requirements	Lender requirements (EU/ILO standards) National legislations	JSCNH EPC contractor	Q3 2017	HR Policy and Procedures of JSCNH and EPC Contractor prepared and implemented	

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2.2	JSCNH to develop and implement an equal opportunities action plan to promote good HR policies and practices with respect to gender and equal opportunities in the Company's workforce and in its supply chain and to increase the share of its female workforce through improvements to HR policies and practices on a best-effort basis and to the extent practicably and realistically possible, taking into consideration the socio-economic environment in which the client operates.	Improved human resources practices	Lender's requirements Labour Law of Georgia EBRD Strategy for the Promotion of Gender Equality	JSCNH resources/ external consultants supported by the EBRD	Within one and a half years after the financing agreement becomes effective	Equal Opportunities action plan Progress update to lenders	
2.3	JSCNH to establish a "formal employee grievance mechanism" for all direct and sub-contracted employees and provide them information on channels for internal communication and raising grievances. The workers should be informed of the mechanism and procedures at the time of hire in their local language. As a best practice, options of anonymous grievance mechanism should be established to encourage concerns to be raised freely.	Improved employee/ contractor relationship and management Avoid potential court cases against the Project	Lender's requirements	JSCNH resources	Prior to main construction phase	Employee Complaints Procedure Complain tracker Progress update on resolution of employee complaints to lenders	

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2.4	JSCNH to ensure local employment KPIs/targets are achieved by its Contractors through effective monitoring of the contractors, and skill surveys, vocational trainings, and skill development programmes	Optimise the employment opportunities for local people in project affected villages Establishment of good neighbouring relationship with the communities	Lender's requirements Georgian Labour Code Voluntary and Best practice	JSCNH Contractors	Skill survey to be done prior to Construction works Achieving the local employment KPIs throughout the construction	<ul style="list-style-type: none"> • Skill survey conducted • Local recruitment offices are established • Local employment KPIs reported to the Lenders 	
2.5	Undertake construction labour audits against Georgian Labour Code, Lender requirements including contractor workers.	Ensure construction labour practice complies with the relevant national and Lender standards	Lenders requirements Georgian Labour Code	JSCNH External Consultant	Quarterly starting one month prior to main construction phase	<ul style="list-style-type: none"> • Quarterly Labour Audit Reports • Labour Actions tracker • Progress updates submitted to Lenders on corrective actions 	
2.6	Put in place individual employment contracts for all employees indicating at least working hours, role, payment, training etc.	Safeguard employee employment rights through a formal record of their responsibilities and entitlements	Lenders requirements Georgian Labour Code	JSCNH EPC Contractor	Draft contract conditions in place prior to recruitment process commencing. Worker contracts to be in place prior to construction or first disbursement, whichever is earlier.	Employment contracts in place	

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2.7	For Security Personnel: Include into security policy the following provisions and relevant training on: conflict resolution, crowd management, restraint and cautious exercise of the security activity, proportional use of force (if allowed) and basics of human rights. Keep records of training sessions. Conduct reference checks to ensure candidates do not have any criminal record or record of abuse or violation of human rights even if the recruitment goes through the security contractor.	Reduced security and human rights risks	EBRD PR2/ IFC PS2	Own resources, external consultants	As soon as the financing agreement becomes effective	Copy of the Security Management Plan to be prepared in line with Voluntary Principles on Security and Human Rights Training Records for security personnel Complaint tracker	
PR4 S9, S4 PS4	EBRD PR 4 - Health and Safety EIB S9 - Occupational and Public Health, Safety and Security; and S4 – Climate-related Standards IFC PS4 - Community Health, Safety, and Security						
4.1	Prepare Dam Safety Monitoring Plan	Dam safety	Lenders requirements ICOLD Georgian Ministry of Energy Good International Practice	JSCNH	Before commissioning	Plan completed and signed off by IPOE	
	Carry out regular dam safety audits by expert dam safety team (including representatives from Ministry of Energy, Engurhesi, ICOLD dam safety working group and a large EU hydropower operator)				Audit: 2 nd year then every 5 years after commissioning	Audit reports submitted to lenders in line with schedule	

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4.2	<p>Ensure all reports related to the following topics are shared with both the owner's technical and E&S teams as part of the approval process:</p> <ul style="list-style-type: none"> • control and back-up power systems for the Nakra intake gates • communication system between the operators at Nenskra and Nakra • all intake and outfall structures • Nakra fish pass • Environmental flow pipe and bottom outlet at Nenskra dam • Nenskra dam and reservoir • reservoir impoundment 	Ensuring key aspects of the design fulfil necessary E&S functions	Lenders requirements Georgian legislation	EPC Contractor	As studies are completed	Reports approved by owner's E&S and technical teams.	
4.3	Implement all recommendations of the IPOE	Ensure dam safety and minimise risk of flooding to downstream communities	Lenders requirements Georgian legislation	JSCNH EPC Contractor	Prior to works at any site where IPOE recommendation has not been signed off	Sign off by IPOE	

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4.4	<p>Ensure through the OHS management system that no new activity/work starts unless an on-site job- and task-specific hazard analysis was undertaken in presence of the staff and of a qualified OHS supervisor/manager, including the following aspects:</p> <ul style="list-style-type: none"> • Staff's own language(s) • Personal and Collective Protection Equipment • Record-keeping, including near misses and incidents • Toolbox talks to share information on risks, accident prevention, etc. 		Good International Practice	JSCNH EPC Contractor	Throughout construction and operation	on-site job- and task-specific hazard analysis carried-out	

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PR5	EBRD PR5 - Land Acquisition, Involuntary Resettlement and Economic Displacement						
S6	EIB S6 - Involuntary Resettlement						
PS5	IFC PS5 - Land Acquisition and Involuntary Resettlement						
5.1	<p>Monitor implementation of LALRP through;</p> <ul style="list-style-type: none"> internal monitoring by JSCNH including detailed records of all aspects of compensation entitlements and payments external monitoring by independent consultant to report to the Lenders 	Ensure appropriate compensation is paid to project affected persons	Lenders requirements Georgian legislation	JSCNH Georgian government	<p>Monthly internal monitoring and reporting during first 3 years of LALRP implementation then quarterly until LALRP completion.</p> <p>External monitoring and reporting to Lenders every 6 months</p>	<p>Details recorded of all affected persons, their compensation entitlements and the status of payment in the Project database. Details maintained as up to date and accurate on a continuous basis. Monitoring reports issued, including options for corrective measures.</p>	
	Undertake Livelihood Restoration completion audit		Lender's requirements	JSCNH	3 years after completion of LALRP		

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PR8	EBRD PR8 - Cultural Heritage						
S5	EIB S5 – Cultural Heritage						
PS8	IFC PS8 – Cultural Heritage						
8.1	Prepare and implement Chance Finds Procedure	Minimise risk of impacts on cultural heritage	Lenders requirements Georgian legislation	EPC Contractor	Prior to construction	Plan prepared and submitted to Lenders for review and non-objection received prior to implementation Records of implementation held for Lender review	
PR10	EBRD PR10 - Information Disclosure and Stakeholder Engagement						
S10	EIB S10 - Stakeholder Engagement						
PS1	IFC PS1- Assessment and Management of Environmental and Social Risks and Impacts						
10.1	Implement Stakeholder Engagement Plan (SEP) which includes project level grievance mechanism Monitor effectiveness of SEP implementation	Ensure effective stakeholder engagement and maintain good community relations	Lenders requirements	JSCNH EPC Contractor	SEP to be fully implemented prior to first disbursement. Then, ongoing through early works and construction	SEP signed off by IPOE Regular community meeting minutes and billboard notifications available for Lender review Minutes of public consultations on E&S Studies and Management Plans Regular maintenance and updating of Project website Records of engagement with NGOs and national level Stakeholders	

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10.2	Develop a project level external communication plan	Ensure effective stakeholder engagement and maintain good community relations	Lenders requirements	JSCNH	Prior to financial close	Communication plan	
10.3	Maintain an effective community grievance mechanism (established in July 2016)	Ensure effective stakeholder engagement and maintain good community relations	Lenders requirements	JSCNH EPC Contractor	Ongoing through early works, construction and Operation Monthly and six-monthly reports during early works and construction	Record of Grievance Resolution Committees meetings Grievance registers available in Naki and Chuberi Town halls Grievance database maintained. Monthly and six-monthly reports on Grievance management are available and contain agreed information. Annual public awareness campaigns on EPP and Dam Safety	
10.4	Maintain access to environmental and social documents of interest to the public	Ensure effective stakeholder engagement and maintain good community relations	Voluntary and best practice	JSCNH	Ongoing throughout Project lifetime	ESIA package and other relevant documents available on the company website	