

Environmental and Social Mitigation Measures Plan

Big Almaty Ring Road Project

August 2019

About This Document

This document is the *Environmental and Social Mitigation Measures Plan* for the Big Almaty Ring Road Project (the *Project*).

Bakad Investment and Operation Limited Liability Partnership will implement the Project and(hereinafter referred to as *SPV*).

The Project will potentially be funded by a group of international financial institutions, hereinafter collectively referred to as *Lenders*. The Lenders may include: the European Bank for Reconstruction and Development (*EBRD*), the Asian Development Bank (*ADB*), the International Finance Corporation (*IFC*) and the Islamic Development Bank (*IsDB*).

At all Project stages, *SPV* will seek to minimize negative impacts of the Project activities on human health, environment and affected communities, while maximizing benefits for residents within the Project area of influence (*AoI*) as well as for other parties affected by the Project.

The *Environmental and Social Mitigation Measures Plan* has been developed to collect, arrange and track the Grantor's commitments under the Project Standards, including mitigation measures resulting from the Environmental and Social Impact Assessment (*ESIA*) and provided by the Project design (embedded controls).

Unless the context requires otherwise or otherwise defined below, capitalised terms used but not defined in this plan shall have the meaning attributed to such terms in the Lenders' Direct Agreement [dated on or about the date of this plan] / [to be entered into in relation to the Project].

In this plan, the following capitalised terms shall have the following meanings :

- (i) **ESIA** has the meaning given to it in the LDA
- (ii) **Bakad Right of Way** has the meaning given to it in the ESIA.
- (iii) **Project Standards** means Kazakhstan laws, regulations, Lender's requirements, standards, guidelines and other documents, which are detailed for each specific environment in ESIA Volume III Technical Appendixes.
- (iv) **OVOS** means Local Environmental Impact Assessment;
- (v) **Land Acquisition Audit** means an audit that is carried out by SPV as part of Consortium's Site Acceptance to verify that the Site is free of any limitations and encumbrances and that the construction will not cause damages and safety risks to the property and people living nearby the Site.
- (vi) **Resettlement Action Plan** means the action plan for the Project to manage any involuntary physical and economic displacement impacts caused by any future unanticipated land acquisition and resettlement which was prepared by the Concessionaire in accordance with the EBRD Performance Requirement 5 and the Land Acquisition and Resettlement Principles.
- (vii) **Stakeholder Engagement Plan** means the plan that describes the stakeholder engagement process to date and details how the Project will continue to engage with external stakeholders during the following stages of its development including establishing and implementing a Grievance Process.
- (viii) **Environmental and Social Safeguard Monitoring Report** has the meaning given to it in the LDA

Environmental and Social Mitigation Measures Plan

#	Action	Timeframe	Performance criteria
1	<p>Grantor shall issue a letter stating that the design changes required under the ESIA are accepted in principle and the design will be amended accordingly.</p> <p>For all Sections of the Bakad Road, Grantor shall approve the Project design documentation and OVOS for each Section of the BAKAD Road reflecting any embedded controls, mitigation measures and actions required under the ESIA and the ESAP.</p>	<p>Issue of letter prior to signing of the Common Terms Agreement</p> <p>Approval of the Project design documentation and OVOS prior to start of construction of each respective Section of the BAKAD Road</p>	<p>Letter from CoR</p> <p>Design approval by Competent Authority for each section</p> <p>OVOS approval by Competent Authority for each section</p>
2	<p>The Grantor together with the Concessionaire will work on the revision of the project, including those sections which have already been approved, taking into account the mitigation measures required under the ESIA and ESAP and ensure that the design and OVOS are approved by the competent authority.</p>	<p>For Section 4, Section 8b and Section 1a: Not later than 12 months after signing of the Common Terms Agreement</p> <p>For all other sections: Prior to start of construction of each Section of the BAKAD Road</p>	<p>Design approval by Competent Authority for each section</p> <p>OVOS approval by Competent Authority for each section</p>
3	<p>Lenders require a Stage 2 Road Safety Audit (RSA) to be carried out in line with EU Directive 2008/906/EC on completion of final design and at key stages as indicated in the Directive.</p> <p>Following the RSA, Grantor shall approve the inclusion of all technically feasible safety improvements [recommended in the RSA] into the design.</p>	<p>RSA to be provided on completion of final design and at key stages as indicated in the Directive.</p> <p>Approval of design documentation including technically feasible safety improvements prior to start of construction of each Section of the BAKAD Road</p>	<p>RSA report and approvals for design documents with safety improvements recommended in the RSA</p>
4	<p>Throughout the project operational phase, SPV will implement a noise monitoring plan to assess the effectiveness of implemented measures required under the ESIA and ESAP. Based on the monitoring results, Grantor shall approve additional noise mitigation measures as required to ensure compliance with Project Standards for noise. Where background levels exceed any Project Standards for</p>	<p>First report to be received from SPV 4 months after the Services Commencement Date.</p> <p>Approval of required mitigation measures within 2 months after receipt of relevant noise monitoring report</p> <p>Impose any required speed limits within 2</p>	<p>Approval for required noise mitigation measures</p> <p>Speed limits in place (if needed)</p> <p>Resettlement Action Plan (if relocation is needed)</p>

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	<p>noise, the Grantor shall approve additional noise mitigation measures to ensure compliance with Project Standards for noise.</p> <p>If the noise monitoring reports indicate exceedance of any Noise Standard, as a mitigation measure the Grantor shall adjust the speed limits for those sections as necessary to allow compliance with the Project Standards for noise.</p> <p>In case, compliance with the Project Standards for noise cannot be achieved by mitigation measures, Grantor shall relocate the affected people subjected to noise levels above limits in the Project Standards for noise.</p>	<p>months after receipt of relevant noise monitoring report</p> <p>Any required resettlement to be completed within 12 months after receipt of relevant noise monitoring report</p>	
5	<p>SPV will update the Air Quality (AQ) assessment and conduct a Health Impact Assessment (HIA) by 30 July 2020 to identify any highly impacted responsive receptors and provide specific mitigation measures to address any major residual impacts focused on measures for specific receptors. The Grantor shall approve and implement the mitigation measures identified under the updated AQ assessment and the HIA.</p> <p>In the project operational phase, SPV will implement an AQ monitoring plan as contemplated in the ESAP to assess the effectiveness of implemented measures. If any AQ monitoring report for any season indicates exceedance of relevant Project Standards for AQ, as a mitigation measure the Grantor shall adjust the speed limits for those sections. as necessary to allow compliance with the Project Standards for AQ.</p> <p>In case compliance with Project Standards for AQ cannot be achieved by mitigation measures, Grantor shall relocate the sensitive receptors subjected to major significance AQ impacts. The significance of the AQ impacts will be identified based on the methodologies defined under ESIA Volume III Technical Appendixes.</p>	<p>Approval and implementation of required mitigation measures required under the HIA within 3 months after receipt of the HIA report</p> <p>Quarterly review of AQ monitoring reports, with first report to be received 4 months post commencement of operation</p> <p>Approval of required mitigation measures within 2 months after receipt of relevant AQ monitoring report.</p> <p>Impose any required speed limits within 2 months after receipt of relevant AQ monitoring report</p> <p>Any required resettlement completed: 12 months after receipt of relevant AQ monitoring report</p>	<p>Approval for required air quality mitigation measures</p> <p>Speed limits in place (if needed)</p> <p>Resettlement Action Plan (if relocation is needed)</p>
6	SPV and the Grantor (in	Prior to the finalization	Community Severance

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	<p>collaboration with each other) will develop a Community Severance Mitigation Plan (CSMP) which will identify relevant mitigation measures acceptable to Lenders and will define implementation responsibilities. Grantor will assume an overall responsibility over the implementation of the CSMP. SPV will report to Lenders on Grantor's approvals of the relevant design changes.</p>	<p>of detailed design and its submission to the Competent Authority. If the sectional approach is adopted, then the CSMP for the relevant section needs to be prepared by SPV and approved by Lenders before the detailed design for that section is finalized and submitted to the Competent Authority.</p>	<p>Management Plan prepared by SPV and approved by Lenders</p> <p>Implementation of CSMP to be verified through regular monitoring, including External Monitor.</p>
7	<p>SPV shall carry out a land acquisition audit of the entire Project as part of site handover process in order to confirm if additional permanent land acquisition and resettlement is required or not.</p> <p>If the site handover, design or/and construction will be carried out section by section, then SPV must conduct a sectional land acquisition audit to certify absence/presence of additional permanent land acquisition and resettlement needs.</p>	<p>Prior to commencement of construction works within the BAKAD Right of Way (at each relevant section if sectional handover/construction is planned)</p>	<p>Land acquisition audit report approved by Lenders</p>
8	<p>If the land acquisition audit confirms the need for additional land acquisition and resettlement, SPV shall develop a Resettlement Action Plan (RAP) and Grantor shall implement RAP. The implementation of RAP will be verified by External Monitor through the preparation of the Completion Report.</p>	<p>Prior to commencement of construction works within the BAKAD Right of Way (at each relevant section if sectional handover/construction is planned)</p>	<p>Resettlement Action Plan developed by the SPV and approved by the Lenders</p> <p>Resettlement Action Plan adopted and implemented by Grantor</p> <p>Completion Report issued by External Monitor and approved by Lenders</p>
9	<p>Grantor shall ensure that the legal framework and required approvals are in place and effective to enable the Grantor and SPV to carry out future land acquisition and resettlement in line with the Land Acquisition and Resettlement Principles and EBRD PR5.</p>	<p>Prior to any future land acquisition and resettlement.</p>	<p>Completion Report produced by External Monitor and approved by Lenders prior to the start of the construction works</p>
10	<p>Grantor shall allow all stakeholder engagement activities and direct access to the affected people required under the Stakeholder Engagement Plan (SEP), Land Acquisition Audit (LAA), and</p>	<p>As per schedule agreed in SEP, LAA and RAP</p>	<p>Approval of stakeholder engagement activities and external monitoring</p>

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	Resettlement Action Plan (RAP) in accordance with the schedule and format required under such plans.		
11	The Grantor shall ensure that petrol stations along the BAKAD road are designed in accordance with Kazakh laws and regulations to include appropriate storage of hazardous materials and treatment of liquid and solid wastes to avoid contamination of local soils/ecology near these facilities.	Prior to the Services Commencement Date	Design documents
12	<p>In cases when compensation/entitlements under the Kazakh legislation are not yet provided to affected persons (APs) Grantor shall ensure timely release of funds to akimats and transfer of compensation payment to APs, as well as ensure provision of replacement land plot(s), where necessary. Access to property shall be allowed to owners (business APs shall be allowed to operate) until the compensation is paid and AP is relocated. Adequate timeframe (up to 3 months) shall be provided to AP to acquire a new place and relocate.</p> <p>APs that already undertook agricultural activities shall be allowed to collect harvest or will be compensated for the loss of harvest.</p>	Prior to commencement of construction works within the BAKAD Right of Way	Land acquisition audit report approved by Lenders
13	In cases of APs with informal property located within the BAKAD Right of Way, Grantor shall ensure access to property and allow APs to reside in informal houses until the housing/compensation issue is resolved and APs relocate. APs shall be allowed to salvage materials from structures located on affected land plot. Grantor, in consultation with SPV, shall also consider review of design to avoid/minimize impact of informal houses, if technically possible.	Prior to commencement of construction works within the BAKAD Right of Way	Land acquisition audit report approved by Lenders
14	In case of APs still living in acquired houses, Grantor shall consider provision [to APs] of salvageable materials. Access to property shall be ensured until the compensation is paid and AP is relocated. Following compensation payment, an adequate timeframe (up to 3	Prior to commencement of construction works within the BAKAD Right of Way	Land acquisition audit report approved by Lenders

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	months) shall be provided to relevant AP to acquire a new place and relocate.		
15	Grantor shall establish and ensure operation of a Grievance redress mechanism (GRM). Resolution of grievances shall be pursued in accordance with established GRM and the Grievance Redress Committee shall seek resolution of issues on a case-by-case basis. GRM shall be used to address complaints lodged throughout project implementation, including those related to unviable residual land plots.	Prior to first disbursement by any Lender	Approval of a GRM
16	Grantor shall ensure proper collaboration between state agencies required for planning and implementation of land acquisition and resettlement (LAR) activities for the Project. Grantor shall ensure allocation of appropriate human and time resources, and shall nominate key staff members of state entities involved in LAR activities and ensure their participation in capacity building and project activities.	Throughout the project implementation	Nomination and training of key staff members
17	Grantor shall ensure that the mitigation measures proposed based on the results of HIA are implemented in accordance with the timeframes set out in the HIA.	Prior to Services Commencement Date	Evidence of implementation to be presented in Environmental and Social Safeguard Monitoring Report to be approved by Lenders