

European Bank for Reconstruction and
Development

**D4 R7 Highway Project - Slovak
Republic**

Environmental and Social Action Plan

Draft | 14 October 2015

Draft

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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Abbreviations used

EIA- Environmental Impact Assessment
ESAP- Environmental and Social Action Plan
SEP- Stakeholder Engagement Plan
LARF- Land Acquisition and Resettlement Framework
E&S – Environmental and Social
ESMS – Environmental and Social Management System
ESMP- Environmental and Social Management Plan
IE- Independent Engineer
MoE- Ministry of the Environment of the Slovak Republic
MoT- Ministry of Transport, Construction and Regional Development of the Slovak Republic
AESR- Annual Environmental and Social Report
PR- Performance Requirements
CIA- Cumulative Impact Assessment
VIA- Visual Impact Assessment
CA- Concessionaire Agreement
DCMP- Design Change Management Procedure
OHS MS- Occupational Health and Safety Management System
HR MS- Human Resources Management System
EPD- Employment Policy Document
GM- Grievance Mechanism
GIP- Good Industry Practice
WMP- Waste Management Plan
TSMP- Top Soil Management Plan
AQDMP- Air Quality and Dust Management Plan
GHG- Greenhouse Gas
H&S- Health and Safety
HSP- Health and Safety Plan
HSMP- Health and Safety Management Plan
PPE- Personal Protective Equipment
CTMP- Construction Traffic Management Plan
SSP- Site Security Plan
RSA- Road Safety Audit
EPRP- Emergency Preparedness and Response Plan
RAP- Resettlement Action Plan
NDS- Národná diaľničná spoločnosť (Slovak National Highways Agency)
PAP- People Affected by the Project
BMP- Biodiversity Management Plan
ZPD- Zoning Permit Documentation
CLO- Community Liaison Officer

1 Introduction

The D4 Highway and R7 Expressway PPP Project ('D4-R7 Project' or 'the Project') proposes the construction of a southern and eastern section of the ring road surrounding the City of Bratislava. Additionally, part of the southern expressway network, linking western and eastern parts of the Republic of Slovakia is proposed. The Government of Slovakia considers implementation of the Project as a strategic priority for strengthening the country's importance in the international transportation network, as well as resolving long-standing transportation issues in the City of Bratislava and surrounding communities.

The European Bank for Reconstruction and Development ('EBRD' or the 'Bank') is considering providing finance to the Slovak Ministry of Transport, Construction and Regional Development (MoT) for the D4-R7 Project.

As the Project involves the construction of new roads and potential negative impacts on Natura 2000 sites, EBRD has considered it a Category A Project, requiring it to be subject to comprehensive Environmental and Social Impact Assessment (ESIA), and the development of associated environmental and social documents and public consultations.

To support the Project, Ove Arup and Partners Ltd. (Arup) have been appointed by EBRD to undertake an Environmental and Social Due Diligence (ESDD), including a review of the existing EIAs, Zoning Permit Documentation and associated documentation against EBRD's Environmental and Social (E&S) Policy (2014) and its Performance Requirements (PRs), as well as applicable national and international requirements.

This document provides an Environmental and Social Action Plan (ESAP) for mitigation of the environmental and social impacts and to move the Project towards compliance with EBRD's E&S Policy (2014) and its PRs.

2 Environmental and Social Action Plan (ESAP)

The following environmental and social actions are required to fulfil the requirements of the EBRD's E&S Policy (2014), within the timescale indicated.

Responsibility for discharging ESAP actions will lie with the Concessionaire, and will be passed to the relevant contractors, if appropriate. The Concessionaire will also be responsible for monitoring actions discharged to contractors, and for ensuring completion within the agreed timescale.

All actions, documents and plans required by this ESAP will need to be agreed with and approved by the Independent Engineer (IE) or Lenders Technical Advisor. The concessionaire will be required to report compliance with the ESAP to Lenders through an Annual Environmental and Social Report (AESR). The AESR template is to be provided by the EBRD.

Additionally, compliance with the ESAP will be assured through independent checks and audits undertaken on behalf of the Lenders.

When relevant, the ESAP refers to the Concessionaire Agreement to indicate any cross-references between the two documents.

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirement (Legislative, EBRD PR, Best Practice)	Resources, Investment Needs, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Status
PR1	Assessment and Management of Environmental and Social (E&S) Impacts and Issues						
1.1	Appoint a qualified Environmental & Social Manager to take overall responsibility for compliance with EIAs, Permit requirements, ESAP, SEP, LARF and EBRD requirements related to E&S issues.	Effective and compliant environmental and social management.	Best Practice, EBRD PR1.	Concessionaire General Manager.	Prior to first disbursement.	Environmental & Social Manager to be by the IE; named on the Concessionaire's organisation chart. Job description with clear Roles and Responsibilities for the E&S Manager.	
1.2	As a part of the Project's Environmental and Social Management System (ESMS) aligned with ISO14001:2015 (required by the CA, Schedule 5) develop, and implement an overarching Environmental and Social Management Plan (ESMP) for the entire Project scope, covering the construction and operation phases. ESMP to describe methods to implement: <ul style="list-style-type: none"> All mitigation measures recommended in the EIAs, 	Effective E&S management of the Project.	EBRD PR1, Best Practice.	Concessionaire's E&S Manager and management team.	ESMP developed prior to first disbursement, and disclosed prior to commencement of construction works.	The ESMP is approved by the IE and in place. The ESMP is publically available on the Concessionaire's website at all times. Evidence of implementation of measures is available for Lenders and reported on a quarterly basis. Evidence of review and update. Summary of monitoring activities, and monitoring results are presented in the AESR.	

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	<p>Final Statements of the MoE, Zoning and Building Permit documentation, to form a Commitment Register;</p> <ul style="list-style-type: none"> • All biodiversity mitigation measures included in the Biodiversity Management Plan (see item 6.1 of this ESAP); • Mitigation measures from any additional studies and assessments, including Cumulative Impact Assessment, and Visual Impact Assessment etc.; • Mitigation measures from all Management Plans required by this ESAP (actions under PR3 and PR 4); • Mitigation measures to reduce/prevent construction disturbance (e.g. working times, dust control, haulage routes etc.) for the communities living close to construction work areas and road corridor. 						

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	<ul style="list-style-type: none"> Mitigation measures resulting from the Detailed Design development and Design Change Plan; Mitigation measures/ requirements/ conditions arising from consents and permits. <p>The ESMP shall detail the measures, the programme for delivering measures, and the resources required.</p> <p>The ESMP shall cover adequate training requirements, performance monitoring and reporting through to the contractor and sub-contractor chain.</p> <p>ESMP shall be updated, as required, but as a minimum on 6-monthly basis within first 2 years of construction, and then – on an annual basis.</p>						
1.3	Complete and disclose to public a Cumulative Impact Assessment (CIA) for all Project sections, to cover issues of sourcing materials,	Holistic accountability of any impacts, risks	EU EIA Directive, EBRD PR1,	External consultant appointed by the Concessionaire	Prior to first disbursement.	Cumulative Impact Assessment (CIA) is completed and agreed with the IE. Key findings are publicly disclosed.	

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	waste deposits, transportation, supporting infrastructure, community impacts; the adequacy, induced impact and assessment of material supply, and capacity of waste facilities for the whole Project.	and mitigation measures for the Project as a whole and in conjunction with other developments and projects in the area. Minimise impact on environment and community by identifying and implementing adequate mitigation measures.	Good Practice.			Mitigation measures arising from CIA are included in the ESMP and implemented.	
1.4	Complete a Visual Impact Assessment (VIA) for Section 1 (Jarovce – Ivanka North) of the Project, and implement any	Minimise visual impact of the bridge over Danube River.	EBRD PR1, Good Practice.	External consultant appointed by the Concessionaire.	Prior to first disbursement.	VIA undertaken and approved by the IE, which includes proposed mitigation measures to minimise visual impact of the bridge over Danube River.	

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	<p>mitigation measures identified as a result of the assessment.</p> <p>Visual Impact Assessment should include:</p> <ul style="list-style-type: none"> • Visual baseline – Establishing the existing landscape character, visual envelope and number and location of visual receptors. As an output a Zone of Theoretical Visibility (ZTV) drawing(s) will be produced. • Site visit to confirm visual effects through site survey, and to gather photographic evidence from principal viewpoints. • Report Visual Impact Assessment comprising: <ul style="list-style-type: none"> - Visual Impact Schedules; Description of significant visual effects; - Mitigation measures - Residual effects identified. 	Improve scheme aesthetics.		Concessionaire.		<p>Mitigation measures arising from the VIA are reflected in the Project's Detailed Design, included in the ESMP as appropriate, and implemented.</p> <p>The VIA and information on bridge design selection are disclosed on the Concessionaire's website.</p>	

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	Disclose on the Concessionaire's website the VIA and information on bridge design selection.						
1.5	Obtain and maintain all required consents and permits from appropriate authorities (please refer also to clause 14 of the CA) A database tracking all permits and consents shall be developed and maintained.	Legislative compliance.	Slovak Regulations, EBRD PR1.	Concessionaire.	A database is in place prior to first disbursement. Permits are obtained on an ongoing basis as required.	A database tracking compliance on all permits and consents is in place and maintained. ESMP is updated to include additional mitigation measures/ requirements/ conditions arising from consents and permits. Details of permits and consents applied for and granted, as well as any concerns raised by the relevant authorities with respect to granting of the necessary permits should be presented to Lenders in the AESR.	
1.6	Develop and implement, a Design Change Management Procedure (DCMP) which includes assessment of, and where relevant, mitigation of environmental and social impacts of design changes.	Management of E&S impacts from design change Ensuring the changes are 'not	Best Practice.	Concessionaire, Design Manager to develop a methodology.	Prior to first disbursement.	DCMP is developed and approved by the IE and shared with Lenders. Records of the changes that have been considered in the form of a table including information on the proposed change, screening method, conclusions regarding significance of material	

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	The DCMP should include appropriate provisions for the public disclosure of material issues associated with design changes.	environmentally (or socially) worse than the approved design.		E&S Management team to undertake assessment.		change and environmental /social effect (including land acquisition and resettlement) and follow up/mitigation measures, if required.	
1.7	Compliance with the ESMS and OHS MS (see Action Nos. 1.2 and 4.2) procedures and requirements should be made contractually binding on all contractors.	Effective management of E&S risks and impacts from contractor activities.	Best Practice.	Concessionaire.	On-going.	Relevant clauses in the Tender documentation for any sub-contractors and suppliers, and in the contracts with sub-contractors and suppliers.	
1.8	Identify and assess E&S risks associated with primary supply chain contractors, and include mitigation measures in the Project ESMS and OHS MS.	Effective management of E&S risks and impacts from contractor activities.	EBRD PR 1, EBRD PR 2, Best Practice.	Concessionaire.	Prior to construction.	Evidence of E&S risks assessed. Records and procedures of the Project ESMS incorporating mitigation measures for the primary supply chain and contractors. Records of monitoring and checks.	
PR2	Labour and Working Conditions						
2.1	Develop and implement a Project specific Human Resources Management System (HR MS)	Efficient management of the workforce and	Slovak Labour Code, Best Practice, EBRD PR2,	Concessionaire's HR Department.	Prior to first disbursement, as soon as feasible, so Concessionaire	The HR management system is developed based on the principles of the EPD.	

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	<p>compliant with national and EBRD PR2 requirements.</p> <p>As a part of the HR MS, develop and implement an overarching Employment Policy Document (EPD), which sets out policy and procedural requirements regarding labour and working conditions, including:</p> <ul style="list-style-type: none"> • Working conditions; • Terms of employment; • Child Labour; • Forced labour; • Equal Opportunities/non-discrimination; • Workers organisations; • Workers accommodation (see EBRD/IFC Guidance Note); • Security personnel Requirements; • Grievance mechanism for all workers (employees and non-employees) on Project sites. <p>EPD requirements apply during Project construction and operation</p>	legal compliance	Workers' accommodation: processes and standards, a Guidance Note by the IFC and the EBRD, September 2009.		and Contractors implement EPD as soon as they commence any works.	<p>Employment Policy Document is in place, approved by the IE, prior to being passed to Lenders for their approval. EPD includes all required procedures covering EBRD PR 2 requirements.</p> <p>Information on changes to the HR policy and procedures is presented in the AESR.</p>	

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	to all parties including subcontractors and the supply chain.						
2.2	As a part of HR MS, develop and implement a worker Grievance Mechanism (GM) available to direct employees and non-employee workers during the project construction and operation.	Management of workforce complaints and prevention of conflict escalation and impacts on Project implementation.	Slovak Regulations, EBRD PR2.	Concessionaire.	Prior to first disbursement.	Grievance Mechanism is described in the Employment Policy Document. Evidence of the Grievance mechanism being widely communicated to all workforce prior to the commencement of work, for example as a part of induction training; and regularly during employment/contract, for example suggestion boxes distributed across the project sites. Grievance records, number of complaints submitted, number of unresolved complaints, records of action and resolution. Information on any collective disputes or court cases related to labour and working conditions is presented in the AESR.	
2.3	As part of EPD requirements, undertake periodic internal Labour Conditions checks and	Monitoring and timely management of risks relating to	EBRD PR 2 Best Practice.	Concessionaire HR Department, or Concessionaire/C	Quarterly during construction.	Report of labour checks. Records of improvement or non-conformities identified and follow-up actions taken.	

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	audits against the EPD and EBRD requirements.	labour conditions.		contractor EHS officers.			
PR3	Resource Efficiency and Pollution Prevention and Control						
3.1	Develop targets and objectives for resource conservation and energy efficiency for construction and operation phases of the Project. Identify opportunities and alternatives for resource efficiency (including water) and adopt technically and financially feasible and cost effective measures for minimising the consumption and use of energy, water and other natural resources.	Effective environmental management. Minimise use of resources, and cost.	EBRD PR 3, Good industry practice (GIP).	Concessionaire's E&S management team.	Within 6 months of first disbursement.	Targets and objectives to be set out in the ESMS (compliant with ISO 14001). ESMS Audit reports. Record of water and energy use monitoring is in place. Records of follow-up actions taken. Information on resource use presented in the AESR.	
3.2	Develop and implement Waste Management Plan(s) (WMP) as part of the ESMP (please refer also to the CA, Schedule 5, Appendix 5, clause 10a). All workers to be trained in WMP requirements. WMP should include, among others:	Waste Minimisation, Compliance with local and EU legislation.	Slovak regulations covering all types of construction waste, EBRD PR 3,	Concessionaire's E&S Management team.	Prior to construction works.	Waste Management Plan is approved by the IE, is in place and is implemented. Evidence of implementation, to include: <ul style="list-style-type: none"> Record of training in WMP requirements; Record of waste minimisation, storage, segregation and recycling; 	

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	<ul style="list-style-type: none"> Waste type and quantities; Procedure for waste collection and storage on site; A plan showing where wastes of different types can be deposited; Implementation of the waste hierarchy. <p>WMP should refer to health and safety procedures, and emergency procedures for containing and managing accidental spillages.</p>		EU Waste Framework Directive.			<ul style="list-style-type: none"> Reports of audits; Records of regular site inspections; Records of transportation and off-site disposal of waste. <p>Details of the types and amounts of wastes generated by the Project are presented in the AESR.</p>	
3.3	<p>Develop and implement a Hazardous Substance and Materials Management Plan. All workers to be trained in Hazardous Substance and Materials Management Plan requirements and provided with adequate PPE.</p>	Pollution Prevention. Protection of Staff.	Slovak regulation, EBRD PR 3, Best Practice.	Concessionaire's E&S Management team.	Prior to any construction works.	<p>Hazardous Substance and Materials Management Plan is approved by the IE, is in place and is implemented. Evidence of implementation should include:</p> <ul style="list-style-type: none"> Record of training; Records of inspection and audits. 	

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	<p>The plan should identify hazardous materials to be used for the project, assess risks associated with their use, transport and storage and identify measures for their management during construction and operation to minimise the risk of release.</p> <p>A layout and description of chemical and fuel storage area and measures to prevent pollution, including secondary containment should be part of the Plan.</p>						
3.4	<p>Develop and disclose a Top Soil Management Plan (TSMP) for the temporary use of land. In preparing the TSMP, engage with agricultural companies and cooperatives and other experts to integrate their views on the process; establish clear qualitative indicators and provide a grievance mechanism to gather any issues with the restored land.</p>		<p>Local regulation, EBRD PR5, EBRD PR3, EBRD PR10.</p>	<p>Concessionaire's E&S Management team.</p>	<p>Prior to construction activities involving stripping of top soil in areas of temporary occupation.</p>	<p>TSMP is in place and disclosed.</p>	

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	TSMP to be disclosed by Concessionaire on Concessionaire's website.						
3.5	Develop and implement an Air Quality and Dust Management Plan (AQDMP) that will form part of the ESMP.	Effective control of air pollution, including dust emission.	Good Industry Practice, EBRD PR3, EU standards.	Concessionaire's E&S Management team.	Prior to first disbursement.	<p>Air Quality and Dust Management Plan (AQDMP) is in place, and approved by the IE.</p> <p>Reports of audits; records of regular site inspections (including checks on trucks cover, use of wheel washing facilities, stockpile locations, control of dust generating activities, equipment maintenance, maintenance of public roads).</p> <p>Records of dust and air quality complaints, and corrective action taken.</p> <p>Equipment maintenance records.</p> <p>Records of training provided to operators (to ensure awareness of requirements for control of dust and other sources of air pollution).</p>	

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3.6	Complete a GHG assessment based on the available traffic study.	Estimation of project impact on overall GHG emissions and identifying opportunities for GHG reduction.	Best Practice EBRD PR3, EBRD Greenhouse Gas Assessment Methodology.	Concessionaire environmental specialist, or external consultant appointed by the Concessionaire.	Prior to construction.	GHG assessment is completed, approved by the IE, and shared with Lenders.	
3.7	<p>Include in the ESMP and implement all mitigation measures and monitoring requirements related to noise emissions during construction and operation.</p> <p>Review design and noise protection measures for the following communities: Jarovce, Rovinka, Most pri Bratislave, Ivanka pri Dunaji, Vajnory and the garden areas between Prievoz & Ketelec.</p> <p>Noise barriers should be installed as required from noise studies and analysis. Engagement is required with communities on noise</p>	Compliance with local and EU regulation Minimise risk of grievances.	Slovak and EU Regulations, EBRD PR3.	Concessionaire.	<p>Mitigation measures are included in the ESMP prior to first disbursement.</p> <p>Design review by end of detailed design.</p> <p>Barriers/noise protection measures installed by opening of Project road.</p>	<p>Noise minimisation and monitoring measures are included in the ESMP.</p> <p>Record of design being reviewed</p> <p>Record of engagement with communities.</p> <p>Barriers/noise protection measures installed.</p> <p>Record of noise monitoring.</p> <p>Record of complaint and corrective action taken.</p>	

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	protection final design. If there are no proposals for noise protection measures for these communities careful engagement on this issue will be undertaken with the Municipalities/Administrations and local communities.				Engagement with communities on finalisation of detailed design of noise protection measures.		
3.8	Develop and implement procedures for identifying and dealing with contaminated materials when encountered during construction, including treatment and disposal of contaminated soils. Procedures to be included into ESMS and ground investigations, as appropriate. Ground contamination tests must be undertaken prior to construction commencing.	Ensure compliance with Slovak regulation Minimise risk of environmental incidents.	Slovak Regulations EBRD PR 3	Concessionaire.	Prior to any excavation works.	Procedures for identifying and dealing with contaminated materials forms part of the ESMS and are approved by the IE. Evidence of implementing the procedures, including record of material testing, risk assessments, and subsequent action taken.	
3.9	Measures to prevent water pollution from construction activities should be defined in detail, based on Zoning and	Minimise risk of pollution from surface water	Slovak regulations	Concessionaire.	Prior to the first disbursement – measures	Measures and plan for monitoring their implementation are included in the ESMP and approved by the IE.	

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	Building permit requirements, and included within the ESMP (please also refer to the CA, Schedule 2, clause 1.4.5).	Minimise risk of environmental incidents	Good International Practice EBRD PR4		and monitoring requirements included in the ESMP.	Record of inspections and audits. Record of permits and consents.	
PR4	Health and Safety						
4.1	Appoint a qualified, full time Health and Safety (H&S) Manager to take overall responsibility for Project H&S compliance.	Effective management of occupational H&S issues.	Best Practice, EBRD PR1, EBRD PR2, EBRD PR4.	Concessionaire General Manager.	Prior to first disbursement.	H&S Manager to be named on the Concessionaire's organisation chart. Job description with clear Roles and Responsibilities for the H&S Manager.	
4.2	Develop and implement Occupational Health and Safety Management System (OHS MS) for the entire Project in line with the requirements of OHSAS18001. OHS MS to include: <ul style="list-style-type: none"> Health and Safety Policy (HSP) EU and Slovak Legislation requirements Register; Relevant procedures and references to Method 	Effective mitigation and management of H&S risks and impacts from the Project.	EBRD PR2, EBRD PR4, Best Practice OHSAS18001	Concessionaire H&S Manager.	Prior to first disbursement.	OHS MS based on the pertinent requirements of OHSAS18001 in place and operational. Policy, required procedures and plans are in place and implemented. A clear commitment from senior management in the Health and Safety Policy to ensure adequate resource is provided to enable staff to deliver requirements. An organisational chart clearly shows lines of OHS responsibility, and reporting.	

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	<p>Statements and any relevant plans, for example, Traffic Management Plan;</p> <ul style="list-style-type: none"> Monitoring and reporting requirements and plan(s); E&S training requirements and plan(s). 					<p>Job descriptions with clear Roles and Responsibilities. Evidence of OHS MS monitoring. Evidence of training provided. OHS MS Audit Reports. Information on OHS training provided, number of accidents, as well as details on major accidents is presented in the AESR.</p>	
4.3	<p>As a part of OHS MS develop a detailed Health and Safety Management Plan (HS MP) for all stages of the Project, for construction and operation phase. Health and Safety Plan to include:</p> <ul style="list-style-type: none"> Risk assessments; Training plan; H&S operational control; Requirements for Personal Protective Equipment (PPE); Performance monitoring and reporting through the 	Effective mitigation and management of H&S risks and impacts from the Project.	Slovak regulations, Best practice, EBRD PR 2, EBRD PR 4.	Concessionaire H&S Manager.	Prior to any construction works.	<p>Health and Safety Management Plan is approved by the IE, in place and implemented. Evidence of training provided. Evidence of Inspections carried out. Site specific H&S Risk assessments.</p>	

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	contractor and subcontractor chain.						
4.4	<p>Develop and implement a detailed Construction Traffic Management Plan (CTMP) and obtain approval from respective authority and emergency services (please refer also to the CA, clause 17.2, 21.4.2, Schedule 2, Appendix 1 to Part 1, clause 1.1.1, Schedule 8, clause 3.8.1.8).</p> <p>The Plan shall:</p> <ul style="list-style-type: none"> Ensure the safe transport of raw materials, and transportation and disposal of waste, and include measures to avoid or control community exposure; Ensure safety of access routes during the Project construction stage, avoid haul routes through communities as far as possible and narrow roads that present risks over 	Management of EHS risks to workers, road users and communities from construction traffic.	Slovak regulations, Best practice, EBRD PR 2, EBRD PR 4.	Concessionaire.	Prior to any commencement of construction works.	<p>The CTMP is approved by the IE, in place, approved by the respective authority, appropriately disclosed and implemented.</p> <p>Evidence of internal inspections checking implementation.</p> <p>Evidence of relevant information being distributed to the drivers.</p> <p>Evidence of relevant information being distributed to the community, updates on the Concessionaire's website, grievance log and stakeholder engagement log (includes references to mass media activities).</p>	

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	<p>the safety of the community members;</p> <ul style="list-style-type: none"> Review alternative routes for access to agricultural land during construction and engage with the agricultural companies/cooperatives to avoid and/or establish if any disruptions may cause loss of business; Include information about delivery routes, times, cleaning roads, speed restrictions and monitoring; Include driver awareness, signage, information and awareness raising among the general public. <p>Drivers must be trained and competent to operate plant and vehicles, and must be made aware of local hazards e.g. pedestrian routes to schools, non-motorised user facilities and inappropriate traffic routes such as housing estates or past schools.</p>						

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	Communication with public to be via an agreed mechanism and commensurate with the issue, via a Project Community Liaison Officer, mass media (and Concessionaire's website), and grievance mechanism.						
4.5	Develop and implement a Site Security Plan (SSP) for construction and operation project stages. Training and awareness to be provided for construction workers on site security arrangements.	Ensuring a 'Good neighbour' relationship and preventing any risks to and from third parties.	EBRD PR 4, Best practice, Voluntary Principles on Security and Human Rights.	Concessionaire.	Prior to any construction works.	Site Security Plan is in place and approved by the IE. Evidence of implementation of the SSP on site. Grievances from public or workers. Records of incidents.	
4.6	Incorporate recommendations of Stage 1 (Draft design) Road Safety Audits into the scheme design, to include all roads subject to design. <i>In line w/ EU directive 2008/96/EC Article 4 with mandatory inclusion of viable safety improvements into the design phase. RSA to be conducted by an independent and</i>	Ensuring safety of the road design.	EU and Slovak regulations, EBRD PR4.	Concessionaire Design team.	Aligned with design progress. To be completed prior to start of construction.	Evidence of changes incorporated in response to the recommendations of the road safety audit.	

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	<p><i>certified auditor. Road Safety Audit(s) will be commissioned by MoT.</i></p> <p>Where the Road Safety Audit recommendations are not implemented, the justification for any declined recommendations have been declined should be presented to Lenders for agreement.</p>						
4.7	<p>Complete Stage 2 (Detailed design) and Stage 3 (Pre-opening) Road Safety Audit for the Project, to include all roads subject to construction activities.</p> <p><i>A Road Safety Audit in accordance with 2008/96/EC Article 4 with mandatory inclusion of viable safety improvements into the scheme construction. RSA to be conducted by an independent and certified auditor. Road Safety Audit will be commissioned by the Concessionaire. Where the road</i></p>	Ensuring safety of the road design.	EU and Slovak regulations, EBRD PR4.	External auditor appointed by the Concessionaire.	Prior to opening to traffic / completion of construction. Audits may need to be phased to construction programme.	Audit Report. Evidence of recommendations being implemented into the finalised scheme.	

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	safety auditors' recommendations are not implemented, the reason why each recommendation has been declined needs to be confirmed with the Lenders.						
4.8	Road safety inspections should be carried out on existing roads that are included with the scheme but not affected by construction proposals; (as required by EU directive 2008/96/EC Article 6) and if appropriate action plans for remedial road safety measures should be developed.	Increasing road safety, reducing hazard potential.	EU and Slovak regulations, EBRD PR4.	External auditor appointed by the Concessionaire.	In parallel to Stage 2 (Detailed design) Road Safety Audit.	Inspection Report. Evidence of recommendations being implemented.	
4.9	Review the provision of facilities and access arrangements for non-motorised users and agricultural vehicles along the Project corridor (please refer also to item 5.3 of this ESAP and the CA, Schedule 2, clauses 1.1.2). Ensure footways and cycleways are provided on the mainline and/or side roads. Consideration should be also be given to	Ensure safety and adequacy of the design for Non-Motorised Users.	EBRD PR 4, Best Practice	Concessionaire's Design team.	At the beginning of detailed design stage.	Record of review / Minutes of meeting Record of implemented changes- if relevant.	

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	equestrian requirements and the need for crossing provision to discourage pedestrians from trying to cross the mainline at inappropriate locations.						
4.10	<p>Develop and implement a comprehensive Emergency Preparedness and Response Plan(s) (EPRP) for both construction and operation phase of the project (please refer also to the CA, Schedule 5, Appendix 2, clause 4.28, Appendix 4, clause 4.18, Appendix 5, clause 10).</p> <p>The plan shall address all foreseeable incidents including fire, explosion, road accidents, natural hazards (including earthquake and flooding), terrorist activity and other threats.</p> <p>The plan shall be prepared in consultation with the local emergency services, and shall include plans to prevent, prepare for and respond to emergencies affecting road users (vehicles and</p>	<p>Compliance with Slovak regulations.</p> <p>Minimise impact on workers, community and environment arising from emergency situations.</p>	<p>Slovak regulations, EBRD PR4, Good Practice.</p>	<p>Concessionaire.</p>	<p>Prior to construction.</p>	<p>Emergency Preparedness and Response Plan approved by the IE, in place and implemented.</p> <p>Record of consultation with local authorities.</p> <p>Record of approvals by the respective authority.</p> <p>Record of information provided to the community.</p> <p>Record of drills.</p> <p>A summary of any emergency and response training that has been provided and information on emergency response exercises or drills carried out is included in the AESR.</p>	

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	<p>pedestrians) and the community. All necessary information shall be conveyed to road users and the wider community.</p> <p>Frequency of testing emergency response plans to be risk based and tailored to construction activities and potential impact to sensitive receptors. Consultation with local emergency services should be undertaken.</p> <p>Adequate arrangements to be in place during construction, and operation phases.</p> <p>The plan shall be approved by the appropriate authorities.</p>						
4.11	For any permanent buildings develop, gain approval of, and implement appropriate life and fire safety provisions and plans.	Ensure building safety Reduce risk of incidents/accidents related to buildings.	EBRD PR 4 Best Practice	Concessionaire.	As required.	Safety plans are developed and approved by local authorities.	

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4.12	<p>All plant and vehicles must be maintained to comply with local and European roadworthiness requirements.</p> <p>Ensure adequate maintenance and service of the site/construction equipment and vehicles as part of the ESMP implementation.</p>	<p>Ensure compliance with local and EU regulations.</p> <p>Reduce risk of road accidents, and environmental incidents.</p>	<p>Slovak and EU regulations, EBRD PR4, Good practice.</p>	<p>Concessionaire.</p>	<p>Prior to first disbursement (requirements included in the ESMP).</p> <p>During construction.</p>	<p>Record of vehicle maintenance and internal inspections checking compliance with local and EU requirements.</p>	
4.13	<p>Undertake project review / risk assessment against issues related to climate change resilience.</p> <p>Analyse potential direct and indirect impact related to climate change on the project, such as increasing temperature and heat waves, precipitation intensity and cycle changes, thermal expansion of paved surfaces, culvert and drainage infrastructure damages, increase in high winds, storms and storm surges, or increased risks of accidents in severe weather. Assess if any additional adaptive measures are required to</p>	<p>Climate risk and priorities are identified and mitigated.</p> <p>Increase road safety.</p>	<p>EBRD PR 4, Good Practice.</p>	<p>Concessionaire.</p>	<p>During the detailed design.</p>	<p>Record of analysis.</p> <p>Risk assessment matrix, measures adopted or reasoning for not adopting identified measures.</p>	

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	ensure climate change risks are mitigated.						
4.14	If a large group of workers are brought in from outside Slovak Republic, undertake a thorough review and monitor H&S and social risks (e.g. of exposing workers and local communities to disease etc.).	Minimising risks to community and worker H&S.	Best practice EBRD PR 4	Concessionaire.	As required, during construction works.	Tracker of number of in-coming and out-going workers. Evidence of risks and issues assessed and actions taken. If necessary, additional H&S measures are employed and documented, including the provision of worker accommodation standards in line with EBRD guidelines.	
PR5	Land Acquisition, Involuntary Resettlement and Economic Displacement						
5.1	Avoid and minimise impacts of land acquisition and resettlement during the Detailed Design stage of the Project, during construction and in the course of any design change. For any additional land required for the Project the land where residential structures are present	Avoidance or minimisation of resettlement impacts.	EBRD PR 5.	Concessionaire.	Detailed Design Stage and on-going.	Evidence that the detailed design minimises impact on land of affected communities, structures or economic activities and livelihoods. Socio-economic assessment prepared to inform any targeted RAP which must be disclosed prior to additional acquisition of land occurring.	

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	should be avoided and socio-economic impacts must be assessed in line with EBRD PR 5 and the LARF.					DCMP assessment records. Evidence that the Project construction Schedule and the timing for the land vacation accounts for seasonality of agricultural and other activities, to minimise the impacts of the Project. Grievance and action records.	
5.2	Liaise with the NDS with regards to LARF implementation. Implement LARF actions that are indicated in LARF as Concessionaire's responsibility. When required input to the NDS reports on LARF implementation.	Effective management of and compensation for land acquisition and resettlement impacts.	EBRD PR 5	Concessionaire.	Liaison prior to first disbursement. Implementation as per LARF and on-going.	Monitoring records input into NDS quarterly reports on LARF implementation and LARF-related stakeholder engagement progress to NDS (when relevant). A summary status of resettlement status activities (that are under Concessionaire responsibility) is presented in AESR.	
5.3	Ensure continuous access for owners/users to properties, businesses and land parcels fragmented by the Project (see also Action No. 4.9 of this ESAP).	Effective management of Project's impact on PAPs and public.	EBRD PR5, Good practice.	Concessionaire.	During any construction works, throughout the project development.	Plans showing access for owners/users to properties and land parcels fragmented by the Project. Evidence of information provided to land owners / users.	

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	Where access restriction is unavoidable and significantly disrupts livelihood, provide appropriate assistance or compensation for the impact.					Evidence of assistance provided to land owners/ users – if relevant	
5.4	Ensure that an external grievance mechanism (see ESAP item 10. 3) is applied to land acquisition and resettlement process and widely communicated to all PAPs and public, so if needed they can raise any issues related to land acquisition and resettlement.	Effective management of impacts and complaints from PAPs and public.	EBRD PR 5, EBRD PR 10.	Concessionaire.	Prior to first disbursement.	Evidence of the external grievance mechanism being communicated to the PAPs and public. Log of grievances addressing land acquisition and resettlement issues at all Project stages. Information on grievance records and management is presented in the AESR and if applicable LARF monitoring reports.	
5.5	Undertake monitoring and evaluation of LARF implementation (completion audits) and, if applicable, the targeted RAP.	Effective implementation of LARF.	EBRD PR5	Concessionaire, Independent Consultant to undertake the Partial Completion and Completion audit.	On-going monitoring during the implementation of the LARF actions under Concessionaire responsibilities. The Partial Completion Audit – 1Q after the end of	Annual report by Concessionaire to the EBRD on implementation of their LARF responsibilities Monitoring record and input to the NDS's quarterly reports on LARF implementation progress to EBRD. Partial Completion Audit and Completion audit, report, and	

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					Construction & rehabilitation/return of agricultural land temporarily occupied. The final Completion Audit for any actions remaining for the operational period and to report on the outcomes of rehabilitation shall be done at end of Year 1 of operation.	provisions for participation of stakeholders/affected communities.	
PR6	Biodiversity and Living Natural Resources						
6.1	Develop and implement a Biodiversity Management Plan (BMP) in accordance with PR6. The BMP should detail the practical, biodiversity-related	Effective management of biodiversity issues	EBRD PR 6.	Concessionaire with assistance of international biodiversity specialist.	Prior to first disbursement.	BMP is developed and approved by the IE, before it is passed to Lenders for their approval. Once approved by Lenders, BMP is publicly disclosed.	

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	<p>actions to be undertaken during the implementation of the Project, along with responsibilities, timeframes and monitoring requirements, and associated procedures.</p> <p>The BMP also includes actions that need to be taken during the detailed Project design phase (i.e. pre-construction).</p> <p>The BMP to form part of the Project's ESMP and to be implemented through Project's ESMS.</p> <p>Once developed and approved by the IE and Lenders, the BMP should be disclosed as a part of the Project's disclosure package.</p> <p>The BMP should be a live document and be updated and enhanced as necessary throughout all Project phases, as necessary.</p>	<p>Ensure adequate implementation and monitoring of all recommended mitigation and compensation measures</p> <p>Achieve 'no net loss' of biodiversity.</p>					
6.2	Carry out regular reviews and report on implementation of the BMP (by the Project biodiversity specialist)	Ensure adequate implementation of all	EBRD PR 6, Best Practice.	Concessionaire with assistance of international	First review within 3 months of construction	Regular, 3-monthly reports on BMP implementation.	

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	Review BMP at least annually for applicability, and update the BMP as necessary based on these annual reviews.	recommended mitigation and compensation measures Achieve 'no net loss' of biodiversity.		biodiversity specialist.	works commencement.	Updated BMP presented to Lenders when updated.	
6.3	Pre-construction surveys required by the Monitoring Plans (part of ZPD) for each section of the Project should be appropriately timed and their results should be fed to the detailed design as appropriate. Detailed methodology, programme and reporting format must be agree with the IE at least 1 month prior to any survey works starts.	Minimise impact on biodiversity.	EBRD PR 6	Team of qualified ecologists (as per ZPD requirements) appointed by the Concessionaire.	As required by the Monitoring Plans. Three pre-construction surveys must be undertaken between March and December.	Survey methodology, programme and report format is approved by the IE and shared with Lenders. Survey reports are in place. Outcome of surveys is included in the BMP (see item 6.1 above) and fed into the detailed design.	
6.4	A route walk-over to be carried out by an experienced ecologist to update baseline and verify the selected sites for pre-construction surveys. Detailed methodology, programme and reporting format	Minimise impact on biodiversity.	EBRD PR 6	At least two qualified local ecologist, and assistance from international expert appointed	Prior to pre-construction survey required by the Monitoring Plan.	Surveys methodology, programme and report format is approved by the IE and shared with Lenders. Surveys reports are in place. Outcome of surveys is included in the BMP (see item 6.1 above) and fed into	

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	must be agree with the IE at least 1 month prior to any survey works beginning.			by the Concessionaire.		the schedule for pre-construction survey.	
PR7	Indigenous People – NOT APPLICABLE						
PR8	Cultural Heritage						
8.1	Zoning and Building Permits requirement related to archaeology and cultural heritage should be included in the ESMP and implemented. These include requirements for further surveys to be carried out, recording and reporting requirements in line with national requirements and PR8.	Adequate and effective management of archaeological and cultural heritage issues.	Slovak regulations, EBRD PR 8.	Concessionaire.	Requirements included in the ESMP Prior to first disbursement. On-going implementation.	Relevant action items included in the ESMP.	
8.2	Develop and implement a Chance Finds Procedure, in coordination with appropriate authority.	Management of accidental archaeological finds.	Best practice, EBRD PR 8.	Concessionaire.	Prior to construction works.	Chance Finds Procedure.	
8.3	Ensure appropriate disclosure of information and consultations with authorities, specialist organisations and institutions, and	Communication regarding appropriate management	Best practice, EBRD PR 8.	Concessionaire.	On-going.	Records of consultations, meetings, approvals. Records of grievances – if relevant.	

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	communities regarding archaeological finds, impacts on cultural heritage and changes in Project design and implementation.	of impacts on archaeological finds and cultural heritage.				Internal records, details of CLO are available on the Project and/or Concessionaire's website.	
PR 10	Information Disclosure and Stakeholder Engagement						
10.1	Appoint a lead Community Liaison Officer (CLO) and appropriate number of specialist support staff. Number of Community liaison specialists should be proportionate to the scale and intensity of stakeholder engagement activities and needs.	Management of stakeholder engagement.	EBRD PR 10, Best practice.	Concessionaire.	Prior to first disbursement.	CLO to be named on the Concessionaire's organisation chart. Job description with clear Roles and Responsibilities for the CLO. Sufficient human and technical resources, and authority to effectively manage communication with project stakeholders should be provided by senior management.	
10.2	Implement and regularly update, at least annually for applicability, and update the Stakeholder Engagement Plan (SEP).as necessary based on these annual reviews	Management of stakeholder engagement.	EBRD PR 10, Best Practice.	Concessionaire (main contact is CLO). in cooperation with MoT – if required.	On-going.	Up-to-date SEP is disclosed on the Project website. Evidence of SEP implementation, including consultation events with specific groups and meetings held, updated register of stakeholders and activities.	

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						A summary of stakeholder engagement activities, including engagement under LARF, is presented in the AESR.	
10.3	As a part of SEP implementation, implement an external Project grievance mechanism for all Project stages.	Management of public and PAP complaints and prevention of conflict escalation and impacts on Project implementation.	EBRD PR 10, Best Practice.	Concessionaire, in cooperation with MoT – if required.	Prior to first disbursement.	<p>In addition to SEP, the Grievance Mechanism is described in relevant HR procedures and widely communicated to affected communities and on the Project website prior to the commencement of any works.</p> <p>The Grievance Mechanism should be implemented during Project construction and operation.</p> <p>Grievance records, number of complaints submitted, number of unresolved complaints within 1month timeframe in SEP, records of action and resolution.</p> <p>Information on number of grievances received from various stakeholders, a summary of any issues raised in complaints or grievances and an explanation how they were resolved is presented in the AESR.</p>	