



Project Number: 42414-043
Loan Number: 3063
June 2017

Proposed Remedial Action Plan Georgia: Sustainable Urban Transport Investment Program Tranche 3

This document will be disclosed by the Compliance Review Panel on the ADB website after the Board's decision on Management's proposed remedial actions, in accordance with the Accountability Mechanism Policy (2012).

Asian Development Bank

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L3063-GEO: SUSTAINABLE URBAN TRANSPORT INVESTMENT PROGRAM (SUTIP)
TRANCHE 3
REMEDIAL ACTION PLAN

1. This document outlines ADB Management's proposed remedial action plan ("Action Plan"), which is submitted to the Board of Directors for its consideration and approval pursuant to paragraph 191 of the Accountability Mechanism Policy (2012) ("**AM Policy**"). The Action Plan takes into account the comments of the Compliance Review Panel ("CRP") shown in attachment 2 and received on 29 May 2017. In accordance with paragraph 190 of the AM Policy, the executing agency has agreed to the remedial actions Action Plan on 30 May 2017.

A. Introduction

2. The Compliance Review Panel ("**CRP**") on 13 February 2017 submitted its final report ("**CRP Report**") for the above project ("**Project**"). The CRP found Asian Development Bank ("**ADB**") out of compliance with its operational policies and procedures in six aspects: (i) noise impacts, (ii) vibration impact, (iii) impacts on vulnerable groups, (iv) impacts on water and river ecology, (v) consultations, and (vi) environment categorization of the project. The report finds air quality impact compliant.

3. The Action Plan is attached as Appendix 1 and includes the actions and timelines to bring the Project into compliance with ADB's relevant policies. While it is ADB's responsibility to take all the required measures to bring the Project back into compliance with ADB's policies, the action to implement such measures 'on the ground' will be undertaken by Municipal Development Fund of Georgia ("**MDF**"), the executing agency for the loan, unless otherwise indicated in the Action Plan. Implementation will be monitored by ADB.

4. ADB acknowledges the ongoing cooperation of MDF in addressing the various issues which have arisen from ADB's noncompliance with its policies. This demonstrates Ministry of Regional Development and Infrastructure (MRDI) and MDF's strong commitment to ensure compliance with ADB's policies. Management is positive that, with the support of MRDI and MDF, ADB can implement the Action Plan effectively and within the required timeline.

B. Approach and Methodology

5. In order to bring the project back into compliance, and in response to the findings of the CRP report, ADB and MDF propose to undertake an integrated approach¹ involving additional studies for noise impact, vibration impact, impact on the river ecology and targeted consultations at the community level with a particular focus on the vulnerable. This approach will be instrumental in identifying suitable solutions that are technically feasible, cost effective, and compliant with all relevant standards. Several specific action items will be determined following completion of such studies. ADB and MDF will review and assess the results and any alternative options revealed by such studies, and identify specific remedial actions that will most effectively and efficiently bring the project back into compliance. The identified solutions and actions will be submitted, through CRP, to the Board Compliance Review Committee (BCRC) of the Board of Directors for review. ADB and MDF will take into account the BCRC's and CRP's views from this review prior to the definitive inclusion of such actions in the remedial plan and implementation. Also, as required by

¹ The integrated approach refers to identifying a solution based on the results of the additional actions, see section D. This will concurrently address all six OCRP findings to bring the Project as a whole back to compliance with ADB's policies. This will be done by examining options for addressing each OCRP finding.

ADB's Safeguard Policy Statement, consultations with communities must continue throughout the project, or if there are changes in the project. A summary of all the reports will be translated into local language, disseminated, and consulted with stakeholders, including the affected people. Final reports will be disclosed in ADB and MDF websites. An Action Plan agreed with the government is in **Appendix 1** and the schedule of actions proposed is presented in **Appendix 2**. ADB will share drafts of the additional studies with the CRP, as they become available to solicit CRP's feedback, prior to finalization of the results. A summary of cost estimates in relation to the actions is set out in **Appendix 3**.

C. Implementation Timelines

6. The proposed Action Plan is to be implemented over a period of three (3) years, to be completed by June 2020. During this period, ADB and MDF will: (i) provide CRP with the final reports of the further studies, as stated in the Action Plan; (ii) monitor implementation of the actions on an on-going basis; (iii) and submit semi-annual progress reports to CRP at the end of June and December of each year. The reports to the CRP will detail, for each item, the latest status of the actions taken, in progress or to be taken, referencing the scheduled dates (including any updates) specified in the Action Plan. The objective of this semi-annual reporting is to assist the CRP in carrying out its monitoring and reporting to the ADB Board on the status of implementation of the Action Plan pursuant to paragraphs 192 – 194 of the AM Policy. The progress reports will be publicly disclosed on ADB's website. The CRP's monitoring reports will be publicly disclosed on ADB's website pursuant to paragraph 3 (viii) of Appendix 9 of the AM Policy.

D. Actions Taken and Update

7. As described in Section B, ADB and MDF have initiated activities that feed into the Action Plan to bring the project back into compliance. These activities are in the form of studies, surveys and researches including:

8. **Noise Impacts:** ADB has undertaken a study of the noise impacts of the project as required by the WHO noise standards reflected in the WB EHS Guidelines. As a part of this study, a comprehensive baseline of the ambient noise is established, followed by modelling for noise levels in the construction and operation stage of the project at various times in the future, and under various scenarios involving different mitigation methods. The report investigates four options through which compliance with the WHO standards reflected in the WB EHS Guidelines can be achieved, these are: (i) eight meter high noise wall and removal of five buildings (apartments 8, V, 12VG, 16A/B and hotel); (ii) nine meter high noise wall and removal of four buildings (apartments 8, V, 12VG and 16A/B); (iii) five meter noise wall, improved road surface, and removal of four buildings (apartments 8, V, 12VG and 16A/B); and (iv) five meter noise wall with noise tunnel. This study is expected to be completed by June 2017.

9. **Vibration Impacts:** MDF has initiated a vibration impacts study. Through this study the natural frequencies of the core and annexes (voluntary additions) of the buildings in the Ponichala area will be measured, the impacts of the vibration are then modelled for the core and annexes, if there are impacts, appropriate mitigation measures will be recommended. The study will include vibration modelling based on the changes in vibration impacts that may result from different noise mitigation scenarios and likely impacts and correspondent mitigation measures for the vibration affected buildings. The second draft will be ready in June 2017.

10. **Targeted Consultations:** MDF has initiated a process of developing a comprehensive communications strategy for the project. A national communication specialist has been recruited to assist MDF to develop this strategy, which includes undertaking targeted consultations in the project area, with a focus on vulnerable and in particular vision impaired people. These consultations will include a combination of household surveys, focus group discussions, semi-structured interviews and open meetings and will be undertaken under the close supervision of ADB.

11. **River Ecological Impacts:** A river ecology screening and impact assessment study has been initiated to investigate the ecological sensitivity of the river to the project, and will assess the impacts and likely mitigation measures. Samples will be taken from the river and will be tested, examined and analyzed by experts involved in the study.

12. **Storm Water drainage:** The MDF through design engineer will revise the storm water drainage design to protect the river water in case of traffic accidents. Contingency plans will be prepared as a part of the site specific environmental management plan.

E. Next Steps

13. Implementation of the actions in Appendix 1 is as agreed between ADB and MRDI/MDF by the proposed target date.

APPENDIX 1 PROPOSED ACTION PLAN

Note: All scheduled dates (unless otherwise stated) are for the completion of the relevant action by the end of the specified month.

1	Action to address ADB's noncompliance in relation to CRP's findings on noise impacts²	Scheduled date
1.1	Noise Impacts Study: Establish noise baseline in Ponichala and model under different scenarios to establish compliance with WHO standards reflected in the WB EHS Guidelines.	April 2017 (completed)
1.2	Draft Noise Impact Study report reviewed by ADB and MDF and shared with CRP for review.	May 2017
1.3	Selection of a noise mitigation approach which will bring the Project into compliance with ABD's policies and requirements.	June 2017
1.4	Start implementation of mitigation option following the integrated approach.	August 2017
2	Action to address ADB's noncompliance in relation to CRP's findings on vibration impacts³	Scheduled date
2.1	Vibration Impacts Study: Measure the natural frequencies of the core and annexes of the buildings in the Ponichala. Model the impacts of the vibrations from the project and provide appropriate mitigation measures.	April 2017 (completed measurement of Natural Frequency)
2.2	Draft report with measured natural frequency reviewed by ADB and MDF and shared with CRP for review.	April 2017 (completed)
2.3	Second draft of the vibration report submitted to CRP for comments, including vibration impact assessments on the core and annexes, if annexes are significant, of the buildings under different noise mitigation scenarios.	June 2017
2.4	Selection of a vibration mitigation approach which will bring the Project into compliance with ABD's policies.	June 2017
2.5	Start implementation of mitigation option following the integrated approach.	August 2017
2.6	Operation of an effective monitoring system of vibration impacts during construction phase and inclusion of following in the contractual agreement with contractor: (i) Plan of location of vibration monitoring system (for structural assessment vibration of foundation, for impact on people in the flats);	Construction phase

² This corresponds with Findings A of the CRPs Report (pages 8 – 13).

³ This corresponds with Findings B of the CRPs Report (pages 13– 20).

	<ul style="list-style-type: none"> (ii) Online analysis of vibration monitoring data (for structural assessment: DIN 4150-3 for impact on people DIN 4150-2); (iii) Definition of threshold values (early warning stage, exceedance) for an automatically generated message to a defined group of persons; (iv) Action plan in case of exceedance; and (v) Documentation and report of vibration monitoring. 	
2.7	Removal of loose parts from buildings subject to result of vibration impact study prior to beginning of construction work.	Prior to beginning of construction
2.8	Adequate securing of all annexes prior to construction work.	Prior to beginning of construction
3	Action to address ADB's noncompliance in relation to CRP's findings on impacts on vulnerable groups⁴	Scheduled date
3.1	Recruitment of a national communication consultant.	May 2017 (completed)
3.2	Prepare the methodology for targeted consultations with vulnerable people and groups.	May 2017
3.3	Conduct targeted consultations with vulnerable groups and people to assess impacts during (i) construction phase, and (ii) operations phase.	Jun 2017
3.4	Findings of the draft report to be reviewed by ADB and MDF and shared with CRP for review.	July 2017
3.5	The report findings and proposed measures will be translated in to local language and disseminated and discussed with affected people.	July to August - 2017
3.6	Implement identified mitigation measures following the integrated approach for protection of vulnerable people during (i) construction phase and (ii) operation phase.	Construction and operational phases
4	Action to address ADB's noncompliance in relation to CRP's findings on impacts on water and river ecology⁵	Scheduled date
4.1	River Ecological Impact: Establish baseline survey, conduct ecological screening and impact assessment study to investigate impacts of project construction and operation on the river, with particular attention paid to impacts on protected fish species, if detected.	April 2017
4.2	Draft report reviewed by ADB and MDF and shared with CRP for review.	June 2017
4.3	Translate summary of draft report into local language, disseminate and conduct consultations with local stakeholders.	
4.4	Implement mitigation measures, if required.	Construction and operational phases
4.5	Revise the design of the storm water drainage to protect the river water in case of traffic accidents. Contingency plans will be prepared as part	August 2017

⁴ This corresponds with Findings D of the CRPs Report (pages 21– 23).

⁵ This corresponds with Findings E of the CRPs Report (pages 23– 25).

	of the site specific environmental management plan. The volume of storm water retention basin with oil separator, has to in the magnitude to store the content of one full tank volume of a truck.	
5	Action to address ADB's noncompliance in relation to CRP's findings on consultations⁶	Scheduled date
5.1	Communications specialist, directed by the project team, prepares a methodology for conducting additional meaningful and targeted consultations with different stakeholders (this action is done in parallel to item 3.2 above).	May 2017 onwards
5.2	Conduct consultations in accordance with actions specified in action items 1.3, 2.3, 3.3 and 4.3.	June 2017 (continuous thereafter)
5.3	Records on consultation conducted for action items 1.3, 2.3, 3.3 and 4.3 to be reviewed by ADB and MDF and shared with CRP for comments.	July 2017
5.4	Findings of further consultations to be shared with CRP.	As part of updates
6	Action to address ADB's noncompliance in relation to CRP's findings on environmental categorization of the Project⁷	Scheduled date
	To be determined after the completion of all studies.	

⁶ This corresponds with Findings F of the CRPs Report (pages 26– 28).

⁷ This corresponds with Findings F of the CRPs Report (pages 28– 30).

APPENDIX 2

SCHEDULE OF ACTIVITIES

Action	CRP findings	March				April				May				June				July				August				September				October				November				December			
		W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4	W1	W2	W3	W4				
1 Recruitment of Consultant for noise modeling	Finding A																																								
2 Initiate measurement of ambient noise levels and new ambient noise modelling.	Finding A																																								
3 Recruitment of consultant for vibration modeling	Finding B																																								
4 Initiate measurement of measured natural frequency and to update the vibration modeling.	Finding B																																								
5 Initial draft report with measured natural frequency reviewed by ADB and MDF and comments provided to update the vibration modeling. ADB submitted the initial draft to the CRP.	Finding B																																								
6 Recruitment of consult for ecological screening	Finding E																																								
7 Recruitment of national communication expert	Finding D																																								
8 Preparation of communication strategy for meaning full and targeted consultation	Finding D & F																																								
9 Undertake special review mission to Georgia for preparation of action plan																																									
10 Signing MOU with Borrower																																									
11 Submission of draft action plan to CRP																																									
12 Submission of final Action Plan for Board submission																																									
13 Updated impact assessments on the buildings to be reviewed by ADB and MDF and shared with CRP.	Finding B																																								
14 The consultants to conduct an ecological baseline screening of the Mtkvari River.	Finding E																																								
15 Conduct targeted and meaningful consultations with the identified people and groups under action items 1.3, 2.3, 3.3 and 4.3 above	Finding D & F																																								
16 Submission of targeted and meaningful consultation report	Finding D & F																																								
17 ADB and MRDI select the best option for further action.	Findings A-F																																								
19 Implementation of final option.																																									
20 Operation of an effective monitoring system of vibration impacts action item 2.6																																									
21 Removal of loose parts from buildings action item 2.7																																									
22 Adequate securing of all annexes prior to construction work																																									
Source: Asian Development Bank Project Team																																									
Information flow																																									
Milestone date																																									

APPENDIX 3
SUMMARY OF COST ESTIMATES FOR ACTION PLAN

Action Estimated Cost
(in US Dollars equivalent)

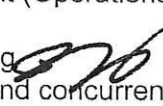
Action	Estimated Cost (in US Dollars equivalent)
Noise impacts Study	\$50,000
Implementation of noise mitigation plan	To be determined based on the selected option.
Ambient vibration survey and dynamic identification and vibration model update	\$60,000
Implementation of vibration mitigation plan	Additional cost to be determined (Bill 12 of the civil works contract already includes straitening of voluntary additions)
Vibration monitoring	Already include in the civil works contract
Engagement communication expert to conduct targeted and meaningful consultations	\$35,000
River ecology screening and impact assessment	\$20,000
Environmental categorization of the Project	No additional cost
Engagement by ADB or MDF of technical support as required	\$300,000

**Memorandum**
Compliance Review Panel

CRP2017DT028

29 May 2017

To: Wencai Zhang
Vice President (Operations 1)

From: Dingding Tang 
Chair, CRP and concurrently Head, OCRP

Subject: **Draft Remedial Action Plan on L3063-GEO: Sustainable Urban Transport Investment Program – Tranche 3—CRP's Comments**

1. Thank you very much for your memo dated 19 May 2017 sharing the draft remedial actions with the Compliance Review Panel (CRP) on the above project and seeking its comments in accordance with paragraph 190 of the Accountability Mechanism Policy (AMP).
2. The detailed comments of the CRP on the remedial action plan and its Appendix 1 are provided in the attached matrix. Appendix 2 will need to be updated in light of these comments. Appendix 2 will need to include the additional action items outlined by the CRP for actions 2.6, 2.7, and 2.8. These will also extend the time frame as they will extend into the construction phase. Moreover, the consultation requirements listed by the CRP under action items 1.3, 2.3, 3.3, and 4.3 will need to be included in the list of actions in Appendix 2.

Attachment: Comments Matrix

cc: Chair, Board Compliance Review Committee; Director General, CWRD; Deputy Director General, CWRD; Deputy Director General, SDCC concurrently Chief Compliance Officer, SDCC; General Counsel, OGC; Country Director, GRM

MFF 0043: SUSTAINABLE URBAN TRANSPORT INVESTMENT PROGRAM (SUTIP)
Loan 3063 (SF)-GEO: SUTIP Tranche 3

CRP'S COMMENTS ON THE REMEDIAL ACTION PLAN

Proposed Remedial Actions by Management	CRP's Comments
<p>A. Introduction</p> <p>1. The Compliance Review Panel ("CRP") on 13 February 2017 submitted its final report ("CRP Report") for the above project ("Project"). The CRP found Asian Development Bank ("ADB") out of compliance with its operational policies and procedures in six aspects: (i) noise impacts, (ii) vibration impact, (iii) impacts on vulnerable groups, (iv) impacts on water and river ecology, (v) consultations, and (vi) environment categorization of the project. The report finds air quality impact compliant.</p> <p>2. This document outlines ADB Management's proposed remedial action plan ("Action Plan") to be submitted to ADB's Board for its consideration pursuant to paragraph 191 of the Accountability Mechanism Policy (2012) ("AM Policy"). In accordance with paragraph 190 of the AM Policy, the executing agency has agreed on 17 May 2017 to the remedial actions.</p> <p>3. The Action Plan is attached as Appendix 1 and includes the actions and timelines to bring the Project into compliance with ADB's relevant policies. While it is ADB's responsibility to take all the required measures to bring the Project back into compliance with ADB's policies, the action to implement such measures 'on the ground' will be undertaken by Municipal Development Fund of Georgia ("MDF"), the executing agency for the loan, unless otherwise indicated in the Action Plan. Implementation will be monitored by ADB.</p> <p>4. ADB acknowledges the ongoing cooperation of MDF in addressing the various issues which have arisen from ADB's noncompliance with its policies. This demonstrates Ministry of Regional Development and Infrastructure (MRDI) and MDF's strong commitment to ensure</p>	<p>This proposed remedial action needs to be submitted with CRP's comments to the Board for its review and consideration.</p> <p>The CRP is pleased to recognize the commitment of the ADB to conduct remedial actions to bring the project into compliance with ADB's requirements. As mitigation measures for vibration and noise impacts, for the protection of vulnerable people and ecological impacts will depend on outcomes of studies and consultations, the specific measures will be agreed upon with the CRP once studies and consultations have been completed.</p>

Proposed Remedial Actions by Management	CRP's Comments
<p>compliance with ADB's policies. Management is positive that, with the support of MRDI and MDF, ADB can implement the Action Plan effectively and within the required timeline.</p>	
<p>B. Approach and Methodology</p> <p>5. In order to bring the project back into compliance, and in response to the findings of the CRP report, ADB and MDF propose to undertake an integrated approach involving additional studies for noise impact, vibration impact, impact on the river ecology and targeted consultations at the community level with a particular focus on the vulnerable. This approach will be instrumental in identifying suitable solutions that are technically feasible, cost effective, and compliant with all relevant standards. Also, as required by ADB's Safeguard Policy Statement, consultations with communities must continue throughout the project, or if there are changes in the project. An Action Plan agreed with the government is in Appendix 1 and the schedule of actions proposed is presented in Appendix 2. ADB will share drafts of the additional studies with the CRP, as they become available to solicit CRP's feedback, prior to finalization of the results. A summary of cost estimates in relation to the actions is set out in Appendix 3.</p>	<p>To better understand the proposed "integrated" approach, the action plan should spell out what "integrated approach" means and what is the operational relevance of this approach for the remedial actions to be selected. The CRP assumes that what is referred to is that the option selected for noise mitigation also impacts the vibration mitigation actions and vice versa. Hence, the presentation needs to clarify the operational relevance of the "integrated approach".</p>
<p>C. Implementation Timelines</p> <p>6. The proposed Action Plan is to be implemented over a period of two (2) years, to be completed by June 2019. During this period, ADB and MDF will: (i) provide CRP with the final reports of the further studies, as stated in the Action Plan; (ii) monitor implementation of the actions on an on-going basis; (iii) and submit semi-annual progress reports to CRP at the end of June and December of each year. The reports to the CRP will detail, for each item, the latest status of the actions taken, in progress or to be taken, referencing the scheduled dates (including any updates) specified in the Action Plan. The objective of this semi-annual reporting is to assist the CRP in carrying out its monitoring and reporting to the ADB Board on the status of implementation of the Action Plan pursuant to paragraphs 192 – 194 of the AM Policy. The progress reports will be publicly disclosed on ADB's</p>	<p>(i) ADB needs to submit to CRP its semi-annual progress reports until all remedial actions have been completed up to 3 years. Remedial actions might extend beyond the 2-year framework laid out in the program as the CRP asks for inclusion of some measures which will take place when construction work commences (See action items 2.6, 2.7 and 2.8 in Appendix 1.)</p> <p>(ii) The CRP asks for submission of reports and comments prior to finalization and CRP review of mitigation option selected.</p>

Proposed Remedial Actions by Management	CRP's Comments
<p>website. The CRP's monitoring reports will be publicly disclosed on ADB's website pursuant to paragraph 3 (viii) of Appendix 9 of the AM Policy.</p>	
<p>D. Actions Taken and Update</p>	
<p>7. As described in Section B, ADB and MDF have initiated activities that feed into the Action Plan to bring the project back into compliance. These activities are in the form of studies, surveys and researches including:</p>	
<p>8. Noise Impacts: ADB has undertaken a study of the noise impacts of the project as required by the WHO noise standards reflected in the WB EHS Guidelines. As a part of this study, a comprehensive baseline of the ambient noise is established, followed by modelling for noise levels in the construction and operation stage of the project at various times in the future, and under various scenarios involving different mitigation methods. The report investigates four options through which compliance with the WHO standards reflected in the WB EHS Guidelines can be achieved, these are: (i) eight meter high noise wall and removal of five buildings (apartments 8, V, 12VG, 16A/B and hotel); (ii) nine meter high noise wall and removal of four buildings (apartments 8, V, 12VG and 16A/B); (iii) five meter noise wall, improved road surface, and removal of four buildings (apartments 8, V, 12VG and 16A/B); and (iv) five meter noise wall with noise tunnel. This study is expected to be completed by June 2017.</p>	<p>The draft reports need to be submitted to the CRP for its review and comments before finalization and prior to selection of a mitigation option. At least a summary of the report needs to be translated into local language, disseminated, and consulted with stakeholders, especially the affected people. The final report should be disclosed to the public by posting it on ADB's website and MDF's project website, if possible.</p>
<p>9. Vibration Impacts: MDF has initiated a vibration impacts study. Through this study the natural frequencies of the core and voluntary additions of the buildings in the Ponichala area will be measured, the impacts of the vibration are then modelled, if there are impacts, appropriate mitigation measures will be recommended. The study will include vibration modelling based on the changes in vibration impacts that may result from different noise mitigation scenarios and likely impacts and correspondent mitigation measures for the vibration affected buildings. The second draft will be ready in June 2017.</p>	<p>(i) Vibration impacts need to be assessed on core structures and on annexes, if buildings have significant annexes. An assessment on core structures only is not sufficient.</p> <p>(ii) Draft study needs to be submitted to CRP for review and comments prior to finalization.</p> <p>(iii) Draft study needs to be disclosed and consulted with relevant stakeholders including, particularly, the affected people. Final report should be disclosed on ADB and MDF websites.</p>
<p>10. Targeted Consultations: MDF has initiated a process of developing</p>	<p>The communications strategy should be submitted</p>

Proposed Remedial Actions by Management	CRP's Comments
<p>a comprehensive communications strategy for the project. A national communication specialist has been recruited to assist MDF to develop this strategy, which includes undertaking targeted consultations in the project area, with a focus on vulnerable and in particular vision impaired people. These consultations will include a combination of household surveys, focus group discussions, semi- structured interviews and open meetings and will be undertaken under the close supervision of ADB.</p>	<p>to the CRP for review and comments prior to the commencement of consultations. Records need to be kept on consultations conducted and be available for monitoring by the CRP.</p>
<p>11. River Ecological Impacts: A river ecology screening and impact assessment study has been initiated to investigate the ecological sensitivity of the river to the project, and will assess the impacts and likely mitigation measures. Samples will be taken from the river and will be tested, examined and analyzed by experts involved in the study.</p>	<p>The report needs to be submitted to the CRP for review and comments prior to finalization. The final report should be disclosed at the ADB and MDF websites.</p>
<p>12. Storm Water drainage: The MDF through design engineer will revise the storm water drainage design to protect the river water in case of traffic accidents. Contingency plans will be prepared as a part of the site specific environmental management plan.</p>	<p>The design should be submitted to the CRP for review.</p>
<p>Next Steps</p> <p>13. Implementation of the actions in Appendix 1 is as agreed between ADB and MRDI/MDF by the proposed target date.</p>	<p>Noted.</p>

APPENDIX 1 PROPOSED ACTION PLAN

Note: All scheduled dates (unless otherwise stated) are for the completion of the relevant action by the end of the specified month.

	Action item	Scheduled date	CRP's Comments
1	Action to address ADB's noncompliance in relation to CRP's findings on noise impacts¹		
1.1	Noise Impacts Study: Establish noise baseline in Ponichala and model under different scenarios to establish compliance with WHO standards reflected in the WB EHS Guidelines.	April 2017 (completed)	Noted.
1.2	Draft Noise Impact Study report submitted for review	May 2017	Noise Impact study submitted to the CRP for review and comments prior to finalization.
1.3	Most feasible noise mitigation option selected following the integrated approach described in Section B .	June 2017	<p>The CRP is of the view that it should state: "Selection of a noise mitigation approach which will bring the Project into compliance with ADB's policies and requirements."</p> <p>Consultation with the CRP on the mitigation option selected for noise mitigation prior to finalization.</p> <p>Translate at least a summary of the report and proposed mitigation measures into local language, disseminate and consult with relevant stakeholders, including affected people, prior to finalization. Post final report on ADB and MDF websites.</p>

¹ This corresponds with Findings A of the CRP's Report (pages 8 – 13).

1.4	Start implementation of mitigation option.	August 2017	
2	Action to address ADB's noncompliance in relation to CRP's findings on vibration impacts²		
2.1	Vibration Impacts Study: Measure the natural frequencies of the core and voluntary additions of the buildings in the Ponichala. Model the impacts of the vibrations from the project and provide appropriate mitigation measures.	April 2017 (completed measurement of Natural Frequency)	Vibration impacts need to be modeled on both, core structures and annexes, if annexes are significant.
2.2	Draft report with measured natural frequency submitted for review.	April 2017 (completed)	Submission of draft report to the CRP for review and comments.
2.3	Second draft of the vibration report submitted, including vibration impact assessments on the buildings under different noise mitigation scenarios.	June 2017	(i) Draft vibration report to be submitted to CRP for review and comments prior to finalization. (ii) Vibration impacts need to be assessed on both, core building and annexes, if annexes are significant. (iii) Translate at least a summary of the report and proposed mitigation measures into local language, disseminate and consult with relevant stakeholders, including affected people, prior to finalization. Post final report on ADB and MDF websites.

² This corresponds with Findings B of the CRP's Report (pages 13 – 20).

2.4	Most feasible vibration mitigation option selected following the integrated approach (section B)	June 2017	CRP suggests wording: "Selection of vibration mitigation option to bring Project to compliance with ADB policies." Please clarify what is meant by the reference to "following integrated approach"?
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2.5	Start implementation of mitigation option.	<p>August 2017</p> <p>Construction phase</p> <p>Prior to beginning of construction</p> <p>Prior to beginning of construction</p>	<p>The CRP suggests addition of action items 2.6 to 2.8 below with corresponding proposed timeline (in the 3rd column of this matrix).</p> <p>2.6 Operation of an effective monitoring system of vibration impacts during construction phase and inclusion of this in the contractual agreement with contractor. This includes:</p> <ul style="list-style-type: none"> (i) plan of location of vibration monitoring system (for structural assessment vibration of foundation, for impact on people in the flats); (ii) online analysis of vibration monitoring data (for structural assessment: DIN 4150-3 for impact on people DIN 4150-2); (iii) definition of threshold values (early warning stage, exceedance) for an automatically generated message to a defined group of persons; (iv) action plan in case of exceedance; and (v) documentation and report of vibration monitoring <p>2.7 Removal of loose parts from buildings subject to result of vibration impacts study prior to beginning of construction work. See para. 37 of the CRP's final report on the compliance review of the Project where measures are outlined.</p> <p>2.8 Adequate securing of all annexes prior to construction work.</p>
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3	Action to address ADB's noncompliance in relation to CRP's findings on impacts on vulnerable groups ³		
3.1	Recruitment of a national communication consultant.	May 2017 (completed)	Noted.
3.2	Prepare the methodology for targeted consultations with vulnerable people and groups.	May 2017	Methodology for consultations needs to be submitted to the CRP for review and comments prior to commencement of consultations.
3.3	Conduct targeted consultations with the identified people and groups	Jun 2017	The text should read: "Conduct targeted consultations with vulnerable groups and people to assess impacts during (i) construction phase, and (ii) operations phase." The specification of both construction and operations phase is important as the impacts will be particularly strongly felt by vulnerable people during the construction phase.
3.4	Findings of the draft report to be reviewed by ADB and MDF and shared with CRP	July 2017	Noted.
3.5	Implementation targeted identified measures	August - December 2017	<p>The CRP suggests replacing 3.5 with "The report findings and proposed measures should be translated into local language and disseminated and discussed with affected people."</p> <p>Further, the CRP suggests moving current 3.5 to 3.6 and revising it as follows: "Implement identified mitigation measures for protection of vulnerable people during (i) construction phase and (ii) operation phase."</p>

³ This corresponds with Findings D of the CRP's Report (pages 21– 23).

4	Action to address ADB's noncompliance in relation to CRP's findings on impacts on water and river ecology ⁴		
4.1	River Ecological Impact: Conduct ecological screening and impact assessment study to investigate the ecological sensitivity of the river to the project, impacts of the project construction and operation; and recommended mitigation measures.	April 2017	Establish baseline survey and conduct ecological screening and impact assessment study to investigate impacts of project construction and operation on the river, with particular attention paid to impacts on protected fish species.
4.2	Draft report submitted for review	June 2017	Submit draft report to the CRP for review and comments. The CRP suggests adding the action items below. 4.3 Translate summary of draft report into local language, disseminate and conduct consultations with local stakeholders. 4.4 Implement mitigation measures, if required.

⁴ This corresponds with Findings E of the CRP's Report (pages 23– 25).

4.3	Revise the design of the storm water drainage to protect the river water in case of traffic accidents. Contingency plans will be prepared as part of the site specific environmental management plan.	August 2017	<p>This now becomes 4.5.</p> <p>Add following specification to current 4.3 (which will eventually become 4.5): "The volume of stormwater retention basin, with oil separator, has to be in the magnitude to store the content of one full tank volume of a truck."</p>
5	Action to address ADB's noncompliance in relation to CRP's findings on consultations⁵		The CRP is of the view that the consultations should be conducted on the action items 1.3, 2.3, 3.3 and 4.3 and that meaningful consultations should be conducted on the specific studies and mitigation measures identified.
5.1	Communications specialist, directed by the project team, prepares a methodology for conducting additional meaningful and targeted consultations with different stakeholders (this action is done in parallel to item 3.2 above).	May 2017 onwards	Proposed methodology for conducting meaningful consultation for action items 1.3, 2.3, 3.3, and 4.3 (in the draft) needs to be reviewed and commented by the CRP before commencement of consultations.
5.2	Conduct consultations	June 2017 (continuous thereafter)	The CRP suggests to add: "in accordance with actions specified in action items 1.3, 2.3, 3.3, 4.3."
5.3	Findings of the draft report to be reviewed by ADB and MDF and shared with CRP.	July 2017	The CRP suggests the following wording: "Records on consultations conducted for action items 1.3, 2.3, 3.3, and 4.3 to be reviewed by ADB and MDF and shared with the CRP for comments."
5.4	Findings of further consultations to be shared with CRP.	As part of updates	Noted.

⁵ This corresponds with Findings F of the CRP's Report (pages 26– 28).

6	Action to address ADB's noncompliance in relation to CRP's findings on environmental categorization of the Project⁶		
	To be determined after the completion of all studies.		Noted.

⁶ This corresponds with Findings F of the CRP's Report (pages 28– 30).