





9 Action Plan




To December 2020, the Action Plan has eleven (11) activities. Ten (10) of them correspond to “on track” activities, five (5) are solved, and four (4) are new actions proposed after the document review and calls with the Concessionaire. It is important to clarify that some of the measures do not correspond to an ongoing non-compliance IFC Standards and Equator Principles III but are in the process of being implemented or are still pending implementation. The current status of the activities is shown in Table 11 and has been evaluated with the following color coding.







Table 11. Environmental and Social Action Plan (2020)

No.	Proposed Action	Proposed Deadline	Status (Updated December 2020)	Color code
1	<p>Property Acquisition- Compensation mechanisms: The Concessionaire is complying with the resettlement processes and land acquisition according to the national Resolution no. 545, 2008 - ANI and the appendixes 7 and 8 for the Concession Agreement. The Concessionaire should evaluate economic, legal and social aspects of the new resettlement properties and follow up the adaptation of their owners for at least one year.</p> <p>Arup request the Concessionaire to report in the next period all the strategies are being implemented for the relocation processes in UF 5, the approval of the EER regarding delays in the construction schedule and the results of the negotiation process (amigable componedor).</p> <p>UF: 5 PS/EP:PS5</p>	Biannual – Next Envi. And social report.	In conversations with the Concessionaire, the Owner was very positive about the proposed alternatives, arguing that are aligned with the main purposes of the Resolution to ensure and improve livelihood and wellbeing of the communities. However, during the most recent meetings and committees held between the Owner and the Concessionaire, the Owner rejects the alternatives. Therefore, on November 27, 2020, the Concessionaire required a negotiation process (amigable componedor) with the Owner to reach an agreement. The probatory stage of the negotiation process will start in January 2021. Arup will continue tracking this process.	

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2	<p>Archaeology: On June 18th, 2019, archaeological rescue activities started in the area denominated “El Indial” (Tesalia intersection UF 2 – UF3.1). Considering that it is not possible to estimate a date of termination of the archaeological activities, since it depends on the findings of each exploration, the Concessionaire has an EER approved on December 20th, 2019 that gives additional 2 months and 24 days to complete works once archaeological activities are completed. Arup request the Concessionaire to continue to report the progress and management of the archaeological activities and findings.</p> <p>UF: All PS/EP:PS8</p>	<p>Biannual – Next Envi. And social report.</p>	<p>To date, the Concessionaire continues working on the archaeological prospection and has liberated 38.4 % of the area for construction works. Arup will continue tracking this process.</p>	
3	<p>Environmental sanctioning process- Trompeta Bridge: In November 2018, ANLA opened a punitive process related to the construction of the Trompeta’s bridge piles in UF 1. Which is within the licensed area, but the construction activity was not authorized in the environmental license. In Arup’s opinion considering that the UF 1 construction activities were finished, the sanctioning process does not represent a high risk in the development of the project. The Concessionaire must review the legal process and report the advances and response issued to the environmental authority in the next monitoring report.</p> <p>UF : 1 PS /EP: PS1</p>	<p>Biannual – Next Envi. And social report.</p>	<p>During the evaluated period the Concessionaire did not receive or submit additional information to the environmental authority (ANLA). Arup will continue tracking this process until its official closure.</p>	
4	<p>Materials disposal – ZODMES: The Concessionaire has identified 40 ZODMES, from which 7 are in use, 9 ready to use when necessary, 16 are enclosure process, 5 desisted and 3 are in the authorization process. Arup evidenced that five ZODMES does not comply with the hydraulic and runoff protection established in the environmental management plans of the</p>	<p>Immediately – Next Technical report.</p>	<p>Arup evidenced improvements in the hydraulic systems of Zodmes however, the cure period procedure remain in process with the Supervisor.</p> <p>Arup will continue tracking this process.</p>	

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	<p>project. Therefore, the Supervisor opened a cure period requesting the Concessionaire to install sediment barriers and complete their drainage infrastructures.</p> <p>UF: All PS/EP:PS6</p>			
5	<p>Working conditions – work force layoff: Due to the end of construction works some of the UFs, during the evaluated period the Concessionaire began to implement the staff layoff programs which included different trainings.</p> <p>Arup request the Concessionaire to report all the programs, activities, statistics and effectiveness of the implemented measurements.</p> <p>UF: ALL PS/EP: PS2</p>	<p>Biannual – Next Envi. And social report.</p>	<p>Arup evidenced the Concessionaire has defined specific staff layoff programs. Arup request the Concessionaire to continue reporting all the programs statistics and effectiveness of the implemented measurements.</p> <p>Arup will continue tracking this process.</p>	
6	<p>Water treatment in Tesalia Tunnel: Due to the increase of infiltration water flow in the Tesalia Tunnel, the Concessionaire must (i) redesign the water treatment system, (ii) request ANLA a modification of the environmental license and (iii) construct the new system to comply with the discharge flows amount and quality.</p> <p>UF: 2.2 PS/EP: PS1, PS3</p>	<p>Immediately – Next Technical report.</p>	<p>Arup finds the Concessionaire developed the studies to redesign the water treatment system, including the environmental impact assessment required for the license modification. In the modified area, the Concessionaire did not identify ethnic communities and assessed a low risk to prior consultation processes. However, to request the modification, the Ministry of Interior (MoI) must certificate the relevance or not carry out consultation processes with ethnic communities. Since November 2020, the Concessionaire is waiting for the response of the MoI. Arup will continue tracking this process.</p>	
7	<p>Water management – El Cairo aqueduct: During the evaluated period, the Concessionaire received the PQR No. 10-78 (May 5th, 2019) related to the petition of information of the community El</p>	<p>Biannual – Next Envi. And social report.</p>	<p>The Concessionaire provided the information related to the development of a hydrological study, not only for el Cairo but for all the impacted communities nearby the Tesalia Tunnel.</p>	

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	<p>Cairo about the water flow of a waterbody near the entrance portal of Tunnel Tesalia. Arup request the Concessionaire to submit all the technical studies about the watercourse lithology and water quality characterization and a report all the implemented measurements that guarantee the water availability and quality.</p> <p>UF: ALL PS/EP: PS1, PS3</p>		<p>This aspect will continue to be evaluated in detail as part of the action no. 11 of this ESAP. Arup will continue tracking this process until the official closure of the PQRS.</p>	
8	<p>Environmental sanctioning process- ready mix concrete plant: The Concessionaire has an environmental sanction procedure with ANLA (Resolution 02094, October 21st, 2019) that have not ended in economic sanctions but are a risk for the project's environmental compliance and reputation. Corresponding the operation of a ready mix concrete plant not approved in the environmental license of UF 2.</p> <p>UF: ALL PS/EP: PS1, PS3</p>	<p>Biannual – Next Envi. And social report.</p>	<p>During the evaluated period the Concessionaire did not receive or submit additional information to the environmental authority (ANLA). The Concessionaire has received legal advice and is working on a strategy to solve the issues. Arup finds this procedure has not resulted in economic sanctions or direct impacts on the construction works. Arup will continue tracking this process.</p>	
9	<p>Irra Tunnel - Environmental O&M permits: Regarding the concluded construction activities in the tunnel, Arup request the Concessionaire to submit the studies and procedures carried out with the environmental authorities related to the water discharges and concession permits required of the operation of the Tunnel.</p> <p>UF: 4 PS/EP: PS1, PS3</p>	-	<p>These aspects are included in the modification of the environmental license (which will apply for the O&M) phase and is followed up in the action no. 6 of this ESAP. It is marked as solved.</p>	
10	<p>COVID-19 outbreak: Arup request the Concessionaire to continue to submit information about the results of the implemented measures according to the government and national authorities, how Covid 19 outbreak has impacted the Project and</p>	<p>Biannual – Next Envi. And social report.</p>	<p>Arup finds that the Concessionaire has taken appropriate measures in response to the COVID-19 outbreak, all of which have been in accordance with the instructions and standards of the relevant authorities. As of December, 2020, the</p>	

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	<p>its environment and which programs are being included in the project in compliance with IFC PS 1, 2 and 4.</p> <p>UF: All PS/EP: PS1</p>		<p>Concessionaire reported seventy eight (78) confirmed cases, all recovered.</p>	
<p>11</p>	<p>Flow rates decrease near Tesalia Tunnel: In August 2020, the communities (including El Cairo) raised several PQRS related to an alleged decrease in groundwater flow rates and the water supply near the Tesalia Tunnel. Immediately, the Concessionaire activated the mitigation measures approved in the Environmental License to guarantee communities water access, and start developing a hydrogeological study to determine if this impact is caused by the construction of the Tunnel. Arup requires the Concessionaire to continue to provide the information related to (i) the hydrological and technical studies that determine the cause, impacts, and risks, (ii) mitigation and compensation implemented measures, (iii) interagency strategies, and the (iv) communications with environmental authorities, communities, and stakeholders. Also is necessary to consider a scenario analysis and action plan in case of this issue is scaled up to a Court and the precautionary principle is declared.</p>	<p>Biannual – Next Envi. And social report.</p>	<p>New Action</p>	

10 Photographic Record

Table 12. Photographic Record, July to December 2020 (from the virtual meeting held in January 2021)

 <p>Working group with the communities nearby the Tesalia Tunnel.</p>	 <p>Pumping water to one of the inhabitants nearby the Tesalia Tunnel works.</p>	 <p>Road safety campaigns</p>
 <p>Community water supply</p>	 <p>UF 2. Tesalia Tunnel Water Treatment</p>	 <p>Relocated petroglyph</p>



La Bamba Archaeology lab



UF 3.1 – Archaeological site (December 2020)



UF 2.1. Remolinos ZODME – Material disposal



UF 2.3 Kanatos ZODME restoration



UF 5 . Forestry use



UF 5 . Health and safety – Maintenance of toilets