

## 9 Action Plan

The Concessionaire has given a solution to almost all the actions requested in the previous Action Plan. 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 Action Plan has been updated up to November 2021. The status of the actions is shown in Table 10 and has been evaluated with the following color coding.

 Solved       on Track       Pending       New Action

Table 10 Action Plan Monitoring – Pacifico 2.

No	Proposed Action	IFC PS	Proposed Deadline	Status (Updated November 2021)	Color code
1	<p><b>Environmental License, Minor changes and Modifications</b></p> <p>The Concessionaire shall inform the Independent Engineer the status of all the Minor Changes and license modifications presented to the ANLA.</p> <p><b>UF:</b> UF1.2, UF3 and UF4.</p>	PS1	Next E&S monitoring Report	<p>During this period, announcements from Corantioquia were made. First, the authority requested additional information regarding the minor change. Later, by means of the Administrative Act 040-ADM2110-6771 dated October 28, 2021, Corantioquia rejected the minor change. Due to the Administrative Act included new requirements, the Concessionaire filed an appeal against it. Even though no response has been made from Corantioquia, the Concessionaire through the file 37-22-2021112901802 on November 29, 2021 submitted the environmental compensation plan adjusted as required.</p> <p>This action remains on track until the status of this minor change of related to the compensation plan of the subtraction of the Cauca River Nature Reserve is defined.</p> <p>No additional minor changes have been requested thus far.</p>	

<p>2</p>	<p><b>Compensation Plan:</b> The Concessionaire has several compensation obligations arising from the environmental license, the forestry use permits, the Cauca River Nature Reserve subtraction, and the incidental take permits. These compensations have different due dates, timelines, processes, and obligations (see Section 7 – PS6). Therefore, the Concessionaire shall inform in every monitoring period the progress in its compensation obligations. <b>UF:</b> All</p>	<p>PS6</p>	<p>Next E&amp;S monitoring Report</p>	<p>As of November 2021, the Concessionaire has achieved the closure of eight (8) resolutions regarding environmental compensation due to forestry use. Advances in the processes carried out with the environmental authorities for the approval of the performed activities have been evidence by Arup. Most of the compensation are already on track, while others are in bidding process. The compensation of Cauca River Nature Reserve Subtraction is pending because of the minor change and further modifications made by the Corantioquia. To date, the Concessionaire is within the time frames established by the environmental authorities to meet the obligations of environmental compensations but requires the Concessionaire to continue reporting progress of these offsets. This action remains On Track.</p>	
<p>3</p>	<p><b>Socioeconomic Compensations:</b> Arup requests the Concessionaire submit a detailed report about the progress in the social compensation activities in UF1.2 and UF2 in the next quarterly monitoring, including the number of social units and budget per UF.  <b>UF:</b> UF1 and UF2</p>	<p>PS5</p>	<p>Next E&amp;S monitoring Report</p>	<p>The Concessionaire is on track to finish the socio-economic compensation of several social units. This is marked as on-track until the property acquisition status and socioeconomic compensation plan reaches an end. See PS5 for updated information about the progress.</p>	
<p>4</p>	<p><b>Environmental Punitive Action:</b> The Concessionaire has two (2) remaining punitive actions:  1. In October 2018, ANLA issued the beginning of an environmental punitive action because of a hydraulic structure in UF4. 2. In May 2021, ANLA started other punitive actions for noncompliance regarding adjustments to the economic evaluation of impacts.</p>	<p>PS1</p>	<p>Next E&amp;S monitoring Report</p>	<p>During the evaluated period no further changes have been made regarding the following processes:</p> <ul style="list-style-type: none"> <li>• The ANLA’s response for the first punitive action remains pending.</li> <li>• For the second, the Concessionaire requests the cessation and filling of the punitive action in August 2021 due to the arguments set forth in the official communication,</li> </ul> <p>Arup will continue tracking these processes.</p>	

<p>Arup requires periodically update of these processes to track them through next E&amp;S report.</p> <p><b>UF: 4</b></p>	
<p><b>Fauna management measures</b></p> <p>During the previous site visit Arup evidenced the efforts of the Concessionaire for protecting fauna through the implementation of fauna passages in 10 different sites along the Project. The Concessionaire continues monitoring their effectiveness.</p> <p><b>5</b> The Concessionaire hired the Metropolitan Technological Institute for the design of all the fauna passages of the project. According to the study 20 different passages will be installed along the project including ground and elevated types. The designs have been approved by ANLA for 14 passages, with 6 still pending.</p> <p><b>UF: All</b></p>	<p>PS 6</p> <p>Next E&amp;S monitoring Report</p> <p>According to the last site visit, Arup was informed that a total of twenty-five (25) fauna passages will be installed along the Project including underground and elevated types as a fauna management.</p> <p>The implementation of this management has been divided into two (2) phases: (i) construction of twelve (12) and (ii) construction of thirteen (13) fauna passages. The last phase also includes maintenance and monitoring effectiveness of the total (25) fauna passages.</p> <p>Arup requests the Concessionaire to submit in the next report information regarding the effectiveness of the twelve (12) already constructed passages and report progress of the construction of the remaining thirteen (13) wildlife crossings. This action is marked as “On Track”.</p> 
<p><b>Protection against COVID-19:</b></p> <p>Arup request the Concessionaire to submit in the next monthly report information regarding the results of the implemented measures to determine how the outbreak has affected the Project and its environment, and which programs are being included in the project in compliance with IFC PS 1, 2 and 4.</p> <p><b>6</b></p> <p><b>UF: All</b></p>	<p>PS 2 PS 4</p> <p>Next E&amp;S monitoring Report</p> <p>Since the beginning of the Pandemic, the Concessionaire has reported 92 positive cases (from the EPC and the Concessionaire), all of them recovered and back to work. Additionally, the Concessionaire has vaccinated all its personnel.</p> <p>During this period, no new positive cases have been reported. Arup is aware 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. However, Arup requests this information to continue tracking this issue.</p> 

This action remains “On Track”.					
7	<p><b>Environmental files closure:</b> Considering the end of works in UF2 and UF3. Arup requests that the Concessionaire report the progress on the environmental closure and the schedule for complying with the Supervisor and the environmental authorities’ requirements.</p> <p><b>UF:</b> All</p>	PS 1	Next E&S monitoring report	<p>To date, the Concessionaire has reached environmental closure for UF 1, UF 2 and UF 3 in July 2019, October 2021, and August 2021 respectively. Even though the Concessionaire received the Certificate of Completion for UF4 in October 2021, they are still addressing the observations made by the Supervisor in November 2021, meaning the first version of it was already filed. It is expected that the UF 4 environmental closure can be obtained for the next E&amp;S report. Therefore, Arup requests the Concessionaire to submit any progress regarding this matter. This action remains “On Track” until the final communication is received.</p>	
8	<p><b>GHG emissions, Air quality and noise monitoring:</b> The concessionaire had stipulated air quality monitoring for December 14, 2020. However, the results have not yet been reported.</p>	PS 3	Next E&S monitoring report	<p>Regarding GHG emissions, the Concessionaire has submitted the information during this E&amp;S report. Nevertheless, air and noise results for December 2020 have not yet been reported. Likewise, according to the monitoring schedule, air quality and noise for UF4 sector should be developed in October 2021. Arup reminds the Concessionaire that monitoring campaigns must be reported to Arup as soon as the campaigns are developed. Those results are essential for evaluating compliance with both national and international standards. Arup will review the results in the next E&amp;S report</p> <p>This action remains “On Track” until the submission of the monitoring report.</p>	

9	<b>Occupational accidents:</b> In the previous period, the Concessionaire recorded 13 occupational accidents, which demonstrates that adequate prevention measures are being taken. However, statistics for this period were not reported.	PS 2	Next E&S monitoring report	The Concessionaire has reported the updated occupational accidents statistics for the Concessionaire and EPC as well as the information related to H&S measures and management. This action is marked as "Solved". Arup recalls this information should be submitted in every E&S quarterly report to continue with good reporting practices.	
10	<b>Archeological holders:</b> Arup requested the Concessionaire to report the selected final holders of the archaeological material and the progress in the elaboration and approval of the final reports to ICAHN.	PS8	Next E&S monitoring report	The Concessionaire is finishing archeological laboratory activities and is working on the final report. During this report the folder "Anexo 9.11 Titulares arqueológicos" was empty.	
11	<b>Monitoring and evaluation of resettled social units:</b> Due to COVID-19 the Concessionaire did not report the follow-up activities to the process of adaptation; however, is important to design methods and strategies that allow to measure the effectiveness of resettlement program and the restauration of previous livelihood conditions.	PS5	Next E&S monitoring report	During this period the folder "Anexo 9.12 Unidades Sociales Reasentadas" was empty. However, the information was complemented with the Social Management Program.	
12	<b>Mass balance for ZODMES:</b> Arup requests the mass balance of ZODMES quarterly for review.	PS3	Next E&S monitoring report	According to the last mass balance submitted by the Concessionaire as of September 2021, Arup finds that the current disposal capacity of 120,910 m3 in <i>Cofre de Oro</i> , <i>Cartarma 1</i> , and <i>Rocio</i> will allow the Concessionaire to continue to carry out the remaining works. Also, there are pending the environmental permits of <i>El Rocio 2</i> and <i>Cartarma 2</i> that probably represents additional 277,868 m3 for disposal. In order to follow up the capacity required for O&M, considering potential contingencies, Arup requests the Concessionaire to continue submitting ZODMEs mass balance for the upcoming E&S quarterly reports.	

13	<b>Social Compensation:</b> The Concessionaire should submit information related to the progress of the values of Compensation Plan paid and pending to be paid.	PS5	Next E&S monitoring report	Solved. Arup reminds that this information should be submitted in every E&S quarterly report.	
14	<b>Monitoring campaigns schedule:</b> Due to construction activities are finished, the periodicity of monitoring campaigns will change. Therefore, Arup requests the monitoring schedule updated for O&M considering the new permits requested which require monitoring campaign and/or reporting.	PS3	Next E&S monitoring report	New action	
15	<b>Retrenchment Plan:</b> In previous reports the Concessionaire informed about different actions addressed to reduce adverse labor impacts at the end of construction phase. For Arup is important to know the monitoring and new actions developed by the Concessionaire in terms to reduce and mitigate the cut-back impacts.	PS2	Next E&S monitoring report	New action	
UF: All					