














5. Environmental and Social Action Plan




The Action Plan has been prepared considering the initial ESAP agreed with the Concessionaire and the Lenders for the Financial Close, findings from the site visit, and information submitted by the Concessionaire up to October 15th, 2024. The Concessionaire should fulfill each action within the established deadlines in concordance with international standards and local legislation. The status of each action will be evaluated according to the next color code:

-  **Solved:** Indicates actions that have been addressed by the Concessionaire and Arup has confirmed that the criterion/indicators that monitor the action have been fulfilled.
-  **Pending or delayed:** Indicates actions that have remained opened for several consecutive periods. The significance of the pending deadline is assessed based on the risk that the action poses on the Project.
-  **On track:** Indicates open actions that have been updated periodically by the Concessionaire and are currently monitored by Arup.
-  **New action:** Indicates new actions that have been opened during the current monitoring period.

Action ID	Proposed Action:	Status (September 2024)	Original Proposed Deadline	Color Code
1	<p>Environmental Liabilities:</p> <p>In 2018, Via 40 received 2 environmental licenses with outstanding environmental and social liabilities from the previous operator of the road. In accordance with Appendix 6/Chapter VII of the CA, the Concessionaire must comply with the pending obligations of the environmental licenses and perform an official closure with ANLA.</p> <p>As of November 2022, the Concessionaire has 12 environmental liabilities pending closure in the LAM 1838 process and 7 liabilities in the LAM2370 process. Activities for 3 out of 12 liabilities of LAM1838 have finished, but V40 is waiting for the official closure act from</p>	<p>Evidence of Compliance: Summary of pending environmental liabilities and tentative dates of closure.</p> <p>Status: The Concessionaire was able to perform most of the activities assigned in the liabilities. There are still eight (8) pending actions. During this period, the Concessionaire has worked in closing all the liabilities, however, the ANLA's follow-up will be until March 2025.</p> <p>This action is marked "on track" until the Concessionaire can confirm the closure of the two environmental license files with the ANLA.</p>	Summary of the first post-financial closure monitoring and periodic updates until official closure from the ANLA.	







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	<p>ANLA. 4 out of 7 liabilities of LAM2370 are already finished, but V40 is waiting for the official closure act from ANLA. The Concessionaire commented that the Project team is prioritizing the closure of files to avoid ANLA incurring additional requirements retroactively, since at least 4 new items have arrived in 2022. V40 has accelerated the closure of these items by prioritizing the completion of the oldest actions and assigning specific responsible parties per UF and for the entire corridor. Responsibility is also clearly distributed between EPC and the Concessionaire for each of the liabilities.</p> <p>Arup recognizes that, while this could not be concluded before financial close, it is important to include this aspect in the ESAP as part of the periodic follow-up activities.</p> <p>UF: All PS/EP: PS1, PS3, PS4, PS5, PS6.</p>		First E&S monitoring report after the financial close.	
2	<p>Environmental Permits:</p> <p>Sections that require PAGAs must process all required permits with the environmental authorities. As of November 2022, Arup has identified at least 92 permits pending approval compared to 189 permits pending as of January 2022. To date, 10 permits have not been requested to the environmental authorities yet, but Arup does not identify a major risk for the Project's expected progress.</p> <p>UF: All PS/EP: PS1</p>	<p>Evidence of compliance: Periodic summary of the progress on environmental permits by UF.</p> <p>Status: The Concessionaire shared evidence on the progress made in terms of permits for the period. Up to September 2024, Arup does not identify a major risk of delays related to E&S permits.</p> <p>This action will continue to be permanently monitored until the end of the construction stage, which is why it will remain "on track."</p>	<p>First E&S monitoring report after the financial close.</p> <p>Periodic follow up for each E&S monitoring report until all permits are secured.</p>	 

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3	<p>ZODMEs:</p> <p>This action must be monitored until the Concessionaire secures all the ZODMEs required for the Project.</p> <p>UF: All</p> <p>PS/EP: 3</p>	<p>Evidence of compliance:</p> <ul style="list-style-type: none"> • Approvals of the ZODMEs under study or assessment. • Updated mass balance for ZODMEs. <p>Status: Up to September 2024, the Concessionaire has a ZODME capacity of 4,967,918m³ and has used 3,524,518m³ (71%). The Project's current disposal requirement amounts to 4,232,086 m³, thus, the disposal capacity is sufficient. The Concessionaire submitted status updates and permits for each of the ZODMEs, although this number may be lower as there is reuse of materials for construction uses, Arup does not identify any major risk related to excavation material management.</p> <p>This action is classified as "on track" given that the Concessionaire has one additional zone being processed.</p>	Periodic updates until all ZODMEs required for the Project are approved and closed.	
			First E&S monitoring report after the financial close.	
4	<p>Environmental offset plans and 1% Investment Plan:</p> <p>The Concessionaire should submit offset plan for each UF with information including size, type, and location of offsets including the 1% Investment Plan, associated activities, and the status of each one.</p> <p>UF: All</p> <p>PS/EP: PS6</p>	<p>Evidence of compliance: Updated summary of the status of each environmental offset plan for the Project including location, type of offset, and advance percentage including the 1% Investment Plan, associated activities, and the status of each one.</p> <p>Status: The 1% plan does not apply to the Project at this time as UF2 is on hold.</p> <p>The integrated offset plan for the obligations of UFs 1 through 7 is yet to be approved by CAR. Arup will report once the plan has been approved and execution starts. Furthermore, Arup notes that additional measures to meet biodiversity gain objectives in the paramos ecosystem could be incorporated to further complement this plan.</p> <p>Although the execution of these plans does not pose a risk to the Project at this time, this action remains "on track" as updates are required for each monitoring report until all offsets are completed.</p>	First E&S monitoring report after the financial close	
			Updates for each monitoring period until all offsets are completed.	
5	<p>Cultural assets identification and management: The Concessionaire has identified cultural assets with information given by Fusagasugá and Melgar authorities. Flandes to Girardot cultural authorities' response is pending. Since cultural assets are not always documented or legally protected, the Concessionaire should consult other sources such as the community, cultural institutes, and groups of interests about the presence and significance</p>	<p>Evidence of compliance:</p> <ul style="list-style-type: none"> • Advances in the management of cultural assets aligned with PS8. • Documents related to the Project's impact on Cultural Heritage assets in UFs 3 and 4. 	First E&S monitoring report after the financial close.	

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	<p>of these assets. In addition, the Concessionaire stated management of Cultural Heritage assets in UF 3 and 4 is not required. It is important to clarify the Project's impact on them to conclude if management strategies are needed.</p> <p>UF: All PS/EP: 8</p>	<ul style="list-style-type: none"> Consultation process with the community, cultural institutes, and groups of interests to identify the presence and significance of cultural assets. <p>Status: On the previous period for the Mohan sculpture, management actions were completed. No further updates have been shared for the current period. This action is marked "on track."</p>	Updates for each monitoring period until all cultural heritage-related activities are finished.	
6	<p>National Authority (ICANH) Requirements: During the mid-2022 ICANH visited the Project and gave different suggestions and improvements related to team capacity, technical procedures, and administrative answers for archaeology matters. There is pending information on the specialized qualifications of current staff, considering that ICANH noted the importance of having adequate professional profiles for managing rock art contexts in "Hacienda Tequendama".</p> <p>UF: All PS/EP: 8</p>	<p>Evidence of compliance:</p> <ul style="list-style-type: none"> CVs of the staff hired during the reporting period. Records/minutes for all survey, monitoring, excavation, chance finds and find processing activities carried out during the reporting period. Progress reports on all Preventive Archeology Programs and ICANH's responses that took place during the reporting period. Public archeology records for the activities developed during the reporting period. Records/ minutes on the procedures related to the final tenancy of archeological finds. Records on ICANH's visits performed during the reporting period and responses given by the Concessionaire during the same period. <p>Status: <u>All soil removal activities were overseen through archeological monitoring for UFs 3 5, 6 and 7. Initial surveys for the preparation of the PMA of the polygons of UF7 in the diagnostic and archaeological survey phase. Archeological heritage was also protected through trainings to construction staff. For UF6, an archaeological excavation was carried out in the Zodme Andres Caballero PR91+300, A total of 2,999 fragments were recovered. All of the material found was rescued and delivered to the laboratory to undergo cleaning, storage and classification activities.</u></p> <p>This action is marked "on track."</p>	<p>First E&S monitoring report after the financial close.</p> <p>Updates for each monitoring period until all archeological heritage-related activities are finished.</p>	
7	Internal grievance mechanism	Status: Solved during the June-September 2023 period.	First E&S monitoring report after the financial close.	

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8	Working conditions by third parties	Status: Solved during the April-March 2023 period.	First E&S monitoring report after the financial close.	●
9	Retrenchment Plan	Status: Solved during the June-September 2023 period.	Second E&S monitoring report after the financial close.	●
10	<p>Noise and air pollution monitoring and mitigation measures: Arup identifies that the noise monitoring results in the baseline conducted in 2017 for the Project already have values that exceed the limits of the national and international standards. Considering this, the Concessionaire should ensure that these values are not further exceeded.</p> <p>Arup considers it appropriate that the Concessionaire and the EPC conduct at least an intermediate monitoring campaign for the construction stage and a monitoring campaign when the construction stage concludes. Arup is expecting the Concessionaire to submit evidence of the noise and air monitoring and comparisons with the baseline data. If the increase is not clearly attributable to the Project, the justifications, and the prevention and/or corrective actions taken should be also submitted.</p> <p>UF: All PS/EP: PS3</p>	<p>Evidence of compliance: Follow-up plans for noise and air monitoring considering the baseline measurements in each UF of the Project.</p> <p>Status: During this reporting period, the Concessionaire did not provide updated air and noise monitoring reports. Arup expected to review results from air and noise monitoring campaigns in UFs 1 and 4, given that construction activities concluded. Arup also expected to review noise and air monitoring reports for UF7 and an air monitoring report for UF5. The Concessionaire had originally planned these monitoring campaigns for May 2024.</p>	<p>First E&S monitoring report after the financial close.</p> <p>Updates for each monitoring period until the construction phase is completed.</p>	●
11	Water and energy consumption data	Status: Action solved in the April-June 2023 period.	First E&S monitoring report after the financial close.	●
12	H&S Management System – Review and implementation of the action plan	Status: Solved during the June-September 2023 period.	Follow-up H&S reports and continuous adjustments from lessons learned for each monitoring report after the financial close until the implementation is completed.	●

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13	<p>Archaeological Management Plan “Hacienda Tequendama”: Arup required the Archaeology Preventive Management Plan for Hacienda Tequendama as well as the ICANH’s approvals from the Concessionaire.</p> <p>UF: 7 PS/EP: PS8</p>	<p>Evidence of compliance:</p> <ul style="list-style-type: none"> Monthly progress reports on the HT Conservation Plan and the ICANH’s responses that occurred during the reporting period. ICANH’s final approval for the final report of HT Conservation Plan and all Preventive Archeology Programs. CVs of the staff hired during the reporting period for HT activities. Records on the ICANH’s visits performed during the reporting period and responses given by the Concessionaire during the same period. <p>Status: Five teams have been working on the elaboration of the PMP: conservation, air, noise, orthophoto and geology. Monthly progress reports were delivered by GIPRI to the EPC and ICANH. In July 2024, a progress report was sent to the ICANH, and in August 2024 the seventh progress report and the final version of the Hacienda Tequendama Conservation Plan were delivered to the entity</p> <p>The action is mark “on track.”</p>	<p>First E&S monitoring report after the financial close.</p> <p>Updates for each monitoring period until all cultural heritage-related activities are finished.</p>	<p>●</p> <p>●</p>
14	Resettlement Plan Update	Status: Solved during the June-September 2023 period.	Review of progress in framework, methodologies, schedules, functions, and responsible parties for the first E&S monitoring report after the financial close.	●
15	Resettlement Plan – monitoring site visits:	Status: Solved during the June-September 2023 period.	Review of the Resettlement Plan for the second E&S monitoring report after the financial close.	●
16	Resettlement Plan – vulnerable groups identification	Status: Solved during the June-September 2023 period.	Review of the Resettlement Plan for the second E&S monitoring report after the financial close	●

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17	Resettlement Plan - Compensations to third parties	Status: Solved during the October-December 2023 period.	Review of progress in framework, methodologies, schedules, functions, and responsible parties for the first E&S monitoring report after the financial close.	
			Review of the Resettlement Plan for the second E&S monitoring report after the financial close.	
18	Resettlement Plan - Depreciation costs.	Evidence of compliance: Solved during the October-December 2023 period.	Review of progress in framework, methodologies, schedules, functions, and responsible parties for the first E&S monitoring report after the financial close.	
			Review of the Resettlement Plan for the second E&S monitoring report after the financial close.	
19	<p>Resettlement Plan: The Concessionaire must consider an independent third-party consultant to support the RAP completion audit to certify PS5 compliance. The completion audit report should contain recommendation from the PS5 Guidance Note "Annex B Completion Audit Table of Contents".</p> <p>UF: All PS/EP: PS5</p>	<p>Evidence of compliance:</p> <ul style="list-style-type: none"> Resettlement Plan. Definition of the methodology required to guarantee the registration and traceability of the actions implemented (application of the different compensation factors) during the development of the Resettlement Plan. The completion audit will evaluate the effectiveness in achieving the objective to guarantee that each SU affected by the project manages to re-establish or improve housing conditions and/or means of subsistence. Definition of the conditions to guarantee that the completion audit is carried out by an independent consultant specialized in the application of ND5 in these types of projects. A Supplementary Resettlement Action Plan in case PS5 gaps are not closed. <p>Status: The Concessionaire continued implementing the RAP and shared evidence of the activities taken for each of its programs. Global Link Solutions (GLS) was hired as the consultant in charge</p>	Second E&S monitoring report after the financial close.	
			Execution of the final audit: Within six months after the completion of the implementation of the Resettlement Plan.	

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		<p>of designing an Action Plan to include the required adjustments to the RAP.</p> <p>Support for vulnerable PAP: During visits to vulnerable PAPs, the Project staff made suggestions to offer support. The Concessionaire informed that a procedure to implement such suggestions was implemented as part of the case analysis undertaken by the RAP Committee. The procedure should be shared the next quarter.</p> <p>Grievance mechanism: GLS is working on a protocol to classify RAP-related grievances. Arup requests the protocol for the next quarter.</p> <p>M&E arrangements: The criterion to determine in which circumstances a SU is considerate “reestablished” and/or until which extend the Concessionaire is going to offer support for their reestablishment, as well as M&E arrangements to measure the effectiveness of RAP programs were included as part of the Action Plan between the Concessionaire and GLS. This item is required for the next quarter.</p> <p>This action is marked “on track.”</p>		
20	Climate Change Risk Assessment - CCRA	Status: Solved during the October-December 2023 period.	Monitoring Period October-December 2023	●
21	Emergency Preparedness and Response – disclosure and training	Status: Solved in the July-September 2023 period.	October 2023	●
22	Evidence of protocols to improve Traffic Management Plans	Status: Solved in the July-September 2023 period.	October 2023	●
23	Involuntary resettlement	Status: Solved in the April-June 2024 period.	Updates for each monitoring period until the RAP started its implementation.	●
24	Potential impacts to Azafranal community: Vereda Azafranal (Silvania municipality) members have blocked the road in UF6 on two occasions: November 2022 and April 2023. The community presented claims about cracking in their housing alleging it was caused by Project’s work. Several grievances have been raised on this matter by the community and the Concessionaire has	There have been no significant updates in 2024. Overall, the Concessionaire has actively engaged with local stakeholders to prevent conflicts with the community and has implemented measures to ensure that households are not affected by the Project’s construction.	Updates for each monitoring period.	●

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	<p>concluded that it is not responsible for the alleged damages using <i>Actas de vecindad</i>. However, it is important to technically assess and determine the causes of the problem.</p> <p>Since August 2022, work on some fronts have been stopped due to an increase in land movements. Land movement in Silvania could pose risks to the communities.</p> <p>For the upcoming periods the Concessionaire should share:</p> <ul style="list-style-type: none"> • The report about the threads to the community. • The study to determine the cause of cracking issues. • Grievances received on this matter and management made by the Concessionaire. • Evidence on the periodic reports and information given to the community. • Evidence on the working tables with other stakeholders. <p>UF: All PS/EP: PS1, PS4</p>			
25	<p>Emergency and Contingency plan: The Concessionaire should send information related to the implementation of the Emergency and Contingency Plan and confirm if it has been updated since January 2023.</p> <p>UF: All PS/EP: PS1, PS4</p>	New action	Next E&S monitoring report	