# Republic of the Philippines Agus-Pulangi Hydropower Complex Rehabilitation Project (P173728)

## ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

November 6, 2021

1. The Republic of the Philippines (hereinafter referred to as the Borrower), will implement the Agus-Pulangi Hydropower Complex Rehabilitation Project 1 (hereinafter referred to as the Project), which includes Agus IV, V, VI and VII hydropower plants. The remaining hydropower plants of the Agus-Pulangi Hydropower Complex, Agus I, Agus II and Pulangi, will be rehabilitated under the subsequent Agus-Pulangi Hydropower Complex Rehabilitation Project 2. The following departments/agencies/units will be involved in the implementation of the Project: Power Sector Assets and Liabilities Management Corporation (PSALM) through National Power Corporation (NPC) and other relevant governmental agencies/departments/units on the Project implementation as may be necessary. The World Bank (hereinafter referred to as the Bank) has agreed to provide financing for the Project.

2. The Borrower will implement material measures and actions so that the Project is implemented in a manner that is consistent with the Bank's Environmental and Social Framework (ESF) and in accordance with the Environmental and Social Standards (ESSs). This Environmental and Social Commitment Plan (ESCP) sets out the needed material measures and actions, the specific documents or plans, as well as the timing for each of these.

3. The Borrower will also comply with the provisions of any other Environmental and Social (E&S) documents required under the ESF and referred to in this ESCP, such as the Environmental and Social Impact Assessment (ESIA)/ Environmental and Social Management Plan (ESMP), Labor Management Procedures (LMP), Stakeholder Engagement Plan (SEP), Cultural Heritage Management Plan, Gender Action Plan and the timelines specified in those E&S documents.

4. The Borrower is responsible for compliance with all the requirements of the ESCP even when the implementation of specific measures and actions is conducted by the NPC or other agency or unit referenced in paragraph (1) above.

5. The implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by the Borrower as required by the ESCP and the conditions of the legal agreement, and the Bank will monitor and assess progress and completion of material measures and actions throughout the implementation of the Project.

6. As agreed by the Bank and the Borrower this ESCP may be revised from time to time during project implementation to reflect adaptive management of Project changes and unforeseen circumstances or in response to the assessment of Project performance conducted under the ESCP itself. In such circumstances, the Borrower will agree to the changes with the Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Bank and the Borrower. The Borrower will promptly disclose the updated ESCP.

7. Where project changes, unforeseen circumstances, or project performance result in changes to the risks and impacts during project implementation, the Borrower shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include environmental, health, and safety impacts, labor influx, and gender-based violence.

	MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONIT	ORING AND REPORTING		
A	<b>REGULAR REPORTING</b> Prepare and submit to the Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S instruments required under the ESCP, stakeholder engagement activities, and the functioning of the grievance mechanism(s) and grievances log. Monitoring and reporting frequency of each of the instruments will be provided in the respective E&S instruments. In addition, the monitoring reports will include (i) design modification or change in scope of subprojects brought to Bank notice, (ii) assessment of changes and updating/addendum to ESIA/ESMP, (iii) site observations on Contractor's performance on ESHS and other plans in ESMP, (iv) summary of stakeholder engagement activities as stated in the SEP, (v) status of E&S staffing within the Project Implementation Unit (PIU) and other implementation partners/agencies, (vi) capacity building/training activities for next quarter.	Quarterly progress reports shall be submitted to the Bank in an agreed format not later than fifteen (15) days after the end of each quarter. The reporting format will be agreed upon by the first implementation support mission.	<ul> <li>NPC – Project Implementing Unit (PIU),</li> <li>Mindanao Generation Group (MinGen)</li> </ul>
	ASSESSMENT OF PROJECT PERFORMANCE ON ESS Undertake a regular assessment of project performance on E&S as part of the adaptive management approach.	Annually, throughout the project implementation	<ul><li>NPC - PIU</li><li>MinGen</li></ul>

В	INCIDENTS AND ACCIDENTS		
	Promptly notify the Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, any COVID-19 outbreak in the Project and subproject areas. Provide sufficient detail regarding the incident or accident, indicating immediate measures taken or that are planned to be taken to address the future recurrence of such incident/accidents, and any information provided by any contractor and supervising entity, as appropriate. Subsequently, as per the Bank's request, prepare a root cause analysis report on the incident or accident and propose any measures to prevent its recurrence.	Report incident or accident to the Bank within twenty-four (24) hours and no later than forty-eight (48) hours after learning of the incident or accident and provide investigation report within 5 working days (to conform to the Safeguards Incident Reporting Toolkit in case of accidents) Action taken status to be submitted within a period of 7 days from the incident	<ul><li>NPC - PIU</li><li>MinGen</li></ul>
	contractors' workers, falls); vehicle accidents during neu operations of NPC stan and contractors' workers, falls); vehicle accidents; larger spills of oil and chemicals leading to major environmental contamination, loss of biodiversity or critical habitat; criminal acts against persons related to the Project such as staff and beneficiaries; violence against children and women.		
С	CONTRACTORS MONTHLY REPORTS		
	<ul> <li>The NPC shall cause the contractors to prepare and submit monthly progress reports (MPR) explaining the compliance status of the Project with the ESMP in their scope. Details will include status on:</li> <li>a. Contractor's ESMP implementation work plan and review summary of implementation progress by NPC or its agency</li> <li>b. Implementation of Contractor's ESMP and related plans</li> </ul>	Monthly progress and monitoring reports prepared and submitted by contractors throughout the Project activity	<ul><li>NPC - PIU</li><li>MinGen</li><li>Contractors</li></ul>
	<ul> <li>c. Status of compliance with E&amp;S statutory requirements (including consents, licenses, insurance, etc.)</li> </ul>		

	d. Status on actions indicated in the LMP	
	e. ESHS incidents and supervision of incidents	
	<ul> <li>f. Usage of Personal Protective Equipment (PPE) such as hard hats, safety shoes and safety vests by workers</li> </ul>	
	g. Use of PPE required for COVID-19 and other emerging infectious diseases, such as face masks and sanitizers	
	h. Safety at work sites like providing traffic signage, barriers/delineator, management of traffic, drainage and pliable road surface etc.	
	<ul> <li>Training conducted, and workers participation (submit reports with statistics of training and worker's participation)</li> </ul>	
	<ul> <li>Functioning of Grievance Redress Mechanism (GRM) relating to labor aspects, including summary details of workers grievances</li> </ul>	
	k. Community grievances	
	I. Corrective Actions and planned E&S activities for next month	
ESS 1: /	ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACT	rs
1.1	ORGANIZATIONAL STRUCTURE	
	<ul> <li>a. Establish and maintain an organizational structure with qualified staff and resources to support the management of E&amp;S risks and the implementation of the E&amp;S instruments. In particular:</li> <li>o Establish, and thereafter maintain a PIU within NPC, which shall be responsible for the overall management of the Project's E&amp;S risks and impacts.</li> </ul>	<ul> <li>a. No later than thirty (30) days after the effectiveness date and maintained throughout the project implementation period.</li> <li>NPC - PIU</li> <li>MinGen</li> </ul>
	b. If the services of a Project Management Consultant (PMC) are needed, ensure that PMC has at least one full-time specialist at each plant, responsible for supervising contractor ESHS performance. Specialists must have training and expertise in Occupational Health and Safety (OHS).	b. Prior to the Contractor's mobilization

	c. Establish and maintain institutional linkages and arrangements with other organizations to support the implementation of the project through formal implementation arrangements (e.g. Joint Administrative Order, Implementation Agreement, Joint Memorandum Circular, and Memorandum of Agreement) as may be required.	c. Throughout project implementation	
1.2	<ul> <li>ENVIRONMENTAL AND SOCIAL ASSESSMENT</li> <li>a. Update, adopt and implement the ESMP dated 21 October 2021, and related documents, prepared for the Project based on the ESIA, in a manner consistent with the ESSs and acceptable to the Bank.</li> <li>b. Undertake cumulative impact assessment per WB/IFC guidance at the time of initiation of Project 2 works [to be confirmed if this is needed].</li> </ul>	<ul><li>a. Throughout project implementation</li><li>b. Prior to WB appraisal of Project 2</li></ul>	<ul><li>NPC - PIU</li><li>MinGen</li></ul>
1.3	<ul> <li>MANAGEMENT TOOLS AND INSTRUMENTS</li> <li>Submit E&amp;S documents and/or plans and/or TORs for the Bank's prior review and approval as agreed with the Bank, including Contractor's ESMP.</li> <li>Disclose and report to the Bank, in quarterly reports, all relevant E&amp;S instruments on the Project website and other accessible locations.</li> <li>To include into bidding documents for work requirements for the bidders to submit their ESMP (C-ESMP) as required by ESIA and ESMP. Include ESHS specialist on proposal evaluation team and include ESHS past performance and information in the proposal as evaluation factors for award.</li> </ul>	<ul> <li>Site-specific E&amp;S management plans, when needed, are required prior to clearance to proceed with implementation (including bidding, as applicable). NPC will furnish all such approved site-specific E&amp;S management plans to the Bank for issuing No-Objection Letter (NOL).</li> <li>Throughout the contractor selection process</li> </ul>	<ul><li>NPC - PIU</li><li>MinGen</li></ul>

1.4	E&S BUDGET		
	Adopt, and implement the Environmental and Social Management Budget included in ESMP, for the implementation and compliance of E&S requirements for the Project.	Budget allocations evidenced by Project effectiveness	NPC
1.5	CLEARANCES, PERMITS AND AUTHORIZATIONS		
	Prepare environmental assessment documents to support the application (for new/ amendments/ updates, as required) of Environmental Compliance Certificates (ECCs) or Certificate of Non-Coverage for activities to be funded for implementation, if required.	No later than five months after the effectiveness date and prior to the implementation of the identified activities.	<ul><li>NPC - PIU</li><li>MinGen</li></ul>
1.6	As applicable, obtain or assist in obtaining permits, consents and authorizations from relevant authorities for smooth functioning and compliance of contractors and other stakeholders as per applicable laws. Ensure ongoing compliance.	Prior to the mobilization of Contractors and monitor compliance throughout project implementation	<ul> <li>NPC - PIU</li> <li>MinGen</li> <li>Contractors</li> </ul>
1.7	MANAGEMENT OF CONTRACTORS		
	a. Selection of contractors: Ascertain that the contractors are legitimate and reliable entities and able to comply with the relevant E&S requirements of the Project.	a. During the evaluation of bidders	<ul><li>NPC - PIU</li><li>MinGen</li></ul>
	b. Incorporate the relevant aspects of the ESCP, including the relevant E&S documents and/or plans, LMP, GRM, EHS measures into the procurement documents and contracts and with contractors and supervising firms.	<ul> <li>b. Prior to the preparation of Project activities procurement documents.</li> </ul>	
	c. Ensure that the contractor for rehabilitation develops and submits C-ESMP, including Materials and Waste Management Plan, Hazardous Waste Management Plan, OHS Plan and the LMP. The works for rehabilitation under the Project can commence only after the update is completed to the satisfaction of the Bank.	c. Prior to deployment by the contractor	

	d.	Performance monitoring: Monitor the performance of the contractors to ensure that they comply with the environmental and social requirements of their respective contracts.	d.	Supervise contractors throughout Project implementation.	
ESS 2: I	ABOR A	AND WORKING CONDITIONS			
2.1	LMP				
	a.	Update, adopt, and implement the LMP, for the Project, including through, inter alia, OHS measures (including personal protective equipment, and emergency preparedness and response measures), setting out grievance mechanisms for Project workers, and incorporating labor requirements into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms if any.	a.	Implement the LMP throughout project implementation. Update the LMP when needed as recommended in bi-annual E&S reviews, mid-term reviews or Bank supervision missions.	<ul><li>NPC - PIU</li><li>MinGen</li><li>Contractors</li></ul>
	b.	Implement the Code of Conduct which is included in the LMP.	b.	Implement the Code of Conduct throughout project implementation.	
2.2	GRIEV	ANCE MECHANISM FOR PROJECT STAKEHOLDERS			
	a.	Establish, maintain, and operate a grievance mechanism for the Project workers, as described in the LMP and consistent with the ESS2.	a.	Grievance mechanism operational prior to engaging project workers and maintained throughout project implementation.	<ul><li>NPC - PIU</li><li>MinGen</li><li>Contractors</li></ul>
	b.	Maintain and report grievance log, which shall be shared with the Bank.	b.	Submit as part of Quarterly Progress reports to the Bank.	

2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES		
	a. Contractor to develop and implement the OHS plan in compliance with ESMP to maintain a safe working environment and workplace. The OHS Plan will include an emergency preparedness and response plan, COVID-19 protection measures, training of project workers and remedies for occupational injuries, accidents, fatalities, and disability and will follow the General Environment Health and Safety Guidelines (EHSG) as well as Republic Act 11058.	a. Prior to the mobilization of project workers	<ul><li>NPC - PIU</li><li>MinGen</li><li>Contractors</li></ul>
	<ul> <li>b. Monitor and report the performance of the contractors to ensure the implementation of occupational, health and safety measures and practices according to best industry standards and General EHSG as defined in the LMP.</li> <li>c. NPC to cause contractors to provide orientation training to workers on occupational safety and health, labor laws, human rights and gender sensitivity as part of contracting.</li> </ul>	b. Submit as part of Quarterly Progress reports to the Bank.	
		c. Prior to deployment, with follow up training as needed	
2.4	<b>EMERGENCY RESPONSE MEASURES</b> In accordance with book 4 of the Labor Code of the Philippines, the Project shall ensure to keep first-aid medicines and equipment on-site as the nature and conditions of work required. The Project shall take steps for training a sufficient number of employees in first aid treatment. The Project will also provide all necessary assistance to ensure adequate and immediate medical and dental attendance and treatment to an injured or sick employee in case of emergency.	Prior to the start of rehabilitation works and throughout project implementation	<ul> <li>NPC - PIU</li> <li>MinGen</li> <li>Contractors</li> </ul>
ESS 3: R	ESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT		

prepared in coordination with the relevant local authorities and the affected

community, consistent with the Local Disaster Risk Reduction and Management Plan,

3.1	<ul> <li>For all project activities, assess impacts from hydrological activities, waste generation (including hazardous waste), pollution emissions and discharges, including greenhouse gas (GHG) emissions were likely to be significant, and adopt, update and implement proportionate mitigation measures as per ESMP and C-ESMPs.</li> </ul>	<ul> <li>a. Throughout project implementation. Assessments and ESMPs to be prepared prior to bids</li> </ul>	<ul> <li>NPC - PIU</li> <li>MinGen</li> <li>Contractors</li> </ul>
	b. Ensure allocation of riparian flow to address potential downstream impacts to the river ecology and communities relying on the river.	b. Throughout the project period	
	c. Include provisions on requirements for proper disposal of all liquid and solid waste (including plastic trash) and construction waste, sanitation management, including management of any associated dust emission, and management of potential pollution of water sources, noise impacts during construction and operation, in all contractor contracts, to be detailed in the C-ESMPs.	c. Prior to signing of contractor contracts	
SS 4: C	COMMUNITY HEALTH AND SAFETY		
4.1	Adopt, update and implement measures and actions of the ESMP to (i) assess and manage specific risks and impacts to the community arising from project activities (including risks related to the behavior of project workers, increased traffic, increased social interactions between project workers and communities, COVID-19 exposure or other infectious disease, increased construction activities, and prevent and respond to sexual exploitation and abuse, and sexual harassment), and (ii) incorporate these measures in the Community Health and Safety Plan as part of Contractors—ESMPs.	Throughout project implementation C-ESMP to be prepared prior to contractor mobilizing the workers	<ul> <li>NPC - PIU</li> <li>MinGen</li> <li>Contractors</li> </ul>
4.2	<b>EMERGENCY PREPAREDNESS AND RESPONSE</b> Adopt, implement, and review on a regular basis, the Emergency Response Plan of ESMP to address emergency events arising from both natural (e.g., extreme weather	Throughout project implementation and prior to implementation of	• NPC - PIU

	and will take into account the emergency prevention, preparedness and response arrangements put into place with project workers under ESS2.		
4.3	<ul> <li>SECURITY PERSONNEL</li> <li>Adopt and implement the security protocol for use of government law enforcement personnel, when required, consistent with the requirements of ESS4.</li> <li>If security personnel are used for the Project, the contractor shall develop and implement measures and actions to assess and manage the risks that could arise from the use of security personnel to project-affected communities and workers engaged.</li> </ul>	Adopt prior to engaging government law enforcement personnel and engagement of security personnel by the contractor and thereafter implemented throughout project implementation (in areas with known security threats).	<ul> <li>NPC - PIU</li> <li>MinGen</li> <li>Contractors</li> </ul>

4.4	Dam Safety		
	NPC will establish and maintain the Panel of Experts (POE) for Dam Safety for reviewing and confirming the adequacy of the design of rehabilitation and safety improvement works, quality of construction works, and other required dam safety measures including dam safety plans under Project 1 with TORs and experts' qualification in a satisfactory manner to the Bank.	POE established by effectiveness and maintained till the confirmation of all dam safety related rehabilitation works completion	NPC
4.5	<b>Dam Safety</b> NPC will prepare and submit the dam safety plans including: i) construction supervision and quality assurance plan, ii) instrumentation plan (IP), iii) operation and maintenance plan (O&MP), and iv) emergency preparedness plan (EPP) for Agus VI, and also IP, O&MP, and EPP for Agus IV, V, VII in a satisfactory manner to the Bank.	Construction Supervision and Quality Assurance Plan: Before the design of rehabilitation work is completed Instrumentation Plan: Before bid tendering	NPC

	Operation & Maintenance Plan: Not less than six months before rehabilitation works are completed	
	Emergency Preparedness Plan: Not less than twelve months before rehabilitation works are completed	

ESS 5: L	AND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT		
	This ESS is not relevant to the Project.		
ESS 6: E	BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL	RESOURCES	
6.1 ESS 7:1	FOREST/WATERSHED PRESERVATION/PROTECTION NPC will implement the watershed management plan (ECC condition). NDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITION	Throughout project implementation.	<ul> <li>NPC - PIU</li> <li>MinGen</li> <li>NPC - Mindanao Watershed Management Division</li> </ul>
	This ESS is not relevant to the Project.		
ESS 8: 0	CULTURAL HERITAGE		
8.1	Implement measures on chance finds procedures in all contractor contracts, and monitor compliance on a regular basis.	Prior to the invitation to Bid and monitor throughout the project implementation.	<ul> <li>NPC - PIU</li> <li>NPC - Community Development Department</li> </ul>

		MinGen
		Contractors
233 9.1		
	This ESS is not relevant to the Project.	
ESS 10:	STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE	
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION:	
	a. Update, adopt and implement the Stakeholder Engagement Plan (SEP).	a. Throughout project  implementation.  MinGen
	<ul> <li>Updates to address stakeholder engagement based on any revised COVID 19 and post COVID 19 protocols.</li> </ul>	<ul> <li>b. Update as recommended in</li> <li>bi-annual ESF reviews,</li> <li>mid-term review or Bank</li> <li>supervision.</li> </ul>
10.2	PROJECT GRIEVANCE MECHANISM:	
	a. Update, adopt, maintain, and operate a grievance mechanism, as described in the SEP. An accessible grievance mechanism shall be established, publicized, maintained and operated to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10.	<ul> <li>a. Functional GRM will be ready by effectiveness and throughout Project implementation.</li> <li>MinGen</li> </ul>

b.	The grievance mechanism shall also receive, register, and address concerns and grievances related to sexual exploitation and abuse, sexual harassment in a safe and confidential manner, including through the referral of survivors to gender-based violence service providers.		GRM ready by effectiveness and throughout Project implementation.	
C.	Maintain and report grievance log, which shall be shared with the Bank.	C.	Submit reports as part of Quarterly Progress reports to the Bank.	

	MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY				
CAPACITY SUPPORT (TRAINING)							
CS1	<ul> <li>Orientation on the ESS and ESF and related topics for the Project management team, E&amp;S team and E&amp;S focal persons, (and direct project workers and contracted workers as may be required) on topics including, but not limited to: <ul> <li>World Bank Environmental and Social Framework and ESS Standards and Project level mitigation instruments</li> <li>Project ESIA and ESMP</li> <li>Contractor Procurement and Contract Management including Guidelines on environmental and social conditions in the BOQ/contract documents</li> <li>Stakeholder engagement and the SEP, with attention on measures in the context of the COVID-19 pandemic.</li> <li>Labor Management Procedures</li> <li>Community health &amp; safety</li> <li>Grievance redress mechanism (for both the project and project workers)</li> <li>Gender Sensitivity and Gender-Based Violence and Abuse</li> <li>Cultural heritage protection (where applicable)</li> <li>Online/digital facilitation skills (where applicable)</li> </ul> </li> </ul>	Continued during project preparation, through loan effectiveness and throughout project implementation to be conducted bi-annually or as needed depending on project implementation.	NPC-PIU MinGen				
CS2	<ul> <li>Supervision, monitoring and reporting of E&amp;S performance</li> <li>Orientation and Training on Occupational Health and Safety, including arrangements to prepare for, prevent, and respond to emergency situations for all Direct Project Workers and Contracted Workers, including contractors.</li> </ul>	Prior to deployment	NPC-PIU Contractors				
CS3	Orientation on Gender Sensitivity, Gender-Based Violence and Sexual Exploitation and Abuse, and Cultural Sensitivity for all Contracted Workers/contractors.	Prior to deployment	NPC-PIU				

				Contractors
CS4	Orientation on Protocols on containment and management of COVID-19 for all workers engaged in the Project.	Prior to	deployment	NPC-PIU
CS5	Orientation and Training on Project Management Fundamentals	• -	Prior to deployment. The training aims to boost capacity for the PIU and NPC support personnel that will be involved in the project.	NPC-PIU MinGen