



**Central American Bank for Economic Integration
Environmental and Social Sustainability Office**

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Environmental and Social Action Plan

Name of Operation:	Rapid Passengers' Train
Client:	REPUBLIC OF COSTA RICA
Executing Agency:	INCOFER
Country:	Costa Rica (CRI)
Institutional Sector:	Public Sector
Focal Area:	Competitiveness Services
Plan:	Action Plan for SIEMAS 3.0 Programs and Projects

Intensity Matrix



Conditions

Breach	Action	Deliverables	Compliance
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Execution Phase

P1: Labor Rights

Regulatory compliance, as pertinent	To have, maintain current and comply and implement the environmental and social licenses, concessions, authorization and/or permits in agreement to the country's laws and international treaties in which	Copy of current permits, licenses, concessions and authorizations	Prior to the first and any disbursement for physical works, as of the first
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	Costa Rica has been adhering, as well as to IFC Performance Standards, Ecuador's principles in regard to human rights, labor, environmental, social and cultural issues.	Pursuant to national regulations	disbarment for physical works and keep it current throughout the execution and operation.
Regulatory compliance, as pertinent	To have, maintain current and comply and implement the environmental and social licenses, concessions, authorizations and/or permits in agreement to the country's laws and international treaties in which Costa Rica has been adhering, as well as to IFC Performance Standards, Ecuador's principles in regard to human rights, labor, environmental, social and cultural issues.	Follow-up quarterly report on evidence-based actions	General condition from the beginning of the execution phase of physical works.
Human Resources, Security and Occupational Health Plans and Procedures	Compliance of the current occupational health standards in the country for its contracts. The Executing Agency must negotiate with the Concessioner the provision of construction and follow-up quarterly reports, including the development and implementation of handling plans, specific to key mitigation measures during the phases of execution and operation, as well as environmental, health and security information.	Quarterly follow-up reports on evidence-based actions	General condition from the beginning of the execution phase of physical works.



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<p>Plans and Procedures of Human Resources, Occupation Health and Security</p>	<p>Compliance of the current occupational health standards in the country for its contracts. The Executing Agency must negotiate with the Concessioner the provision of construction and follow-up quarterly reports, including the development and implementation of handling plans, specific to key mitigation measures during the phases of execution and operation, as well as environmental, health and security information. These reports must consider (not limited to these), the following:</p> <ul style="list-style-type: none"> · Notifications of any change in the project's design and potential environmental and social impacts. · Occupational Health and Security Plan: With a summary of incidents/accidents, including an analysis of most important causes. Operational incidences and every action related to national standards in regard to sexual harassment, child abuse and childhood work prevention must be taken into consideration. · Human Resources Policies and Procedures and Local Hiring Plan, providing a mechanism for complaints from workers and citizens and a summary of the construction workforce by month and cumulative, contractors, broken down by local employees and others, gender criteria and location / accommodation of employees, with the corresponding approach community social and in accordance with the Performance Standards of the IFC and health and safety (MASS, by its initials in Spanish) of the World Bank and ILO. · Training Plan, providing 	<p>Copy of Human Resources plans and procedures, occupation health and security. Copies of the Code of Conduct that apply to all employment contracts.</p>	<p>Prior to the First Disbursement for physical works</p>
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	<p>the corresponding lists of all training provided (including orientations) to personnel or contractors, as well as best work practices, occupational health and machinery handling, road control and safety according to work zones and environmental and social considerations.</p> <ul style="list-style-type: none">· Emergency Preparedness and Response Plan (ERPP, by its initials in Spanish), additionally counting on the monitoring of statistics related to drills, simulations, training and training on the subject.· Local Plan for procurement, supply of labor, and materials with the appropriate management thereof, also providing a list of any chemical / fuel spill, residue or material, including location, substance, quantity, measures taken and the causes and consequences.· Plans for the appropriate Environmental Management: management of water (surface and underground), effluents, waste, hazardous materials, soil, particles, noise and others).· A list of visits and fines from regulatory authorities. and summary of the corrections of the reprimands, according to the referring national regulation.		
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P2: Rational Use of Resources and Pollution Prevention

<p>Environmental Management Plans: water management (superficial and underground), Tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others, in accordance with national legislation.</p>	<p>Design and implementation of Environmental Management Plans: water management (superficial and underground), tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others for prevention and emergency response in accordance with national legislation.</p>	<p>Copies of Environmental Management Plans: water management (superficial and underground), tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others, contemplating their contingencies.</p> <p>Copy of permits and authorization on water resources disposal and management, tributaries, waste, materials, soil, air, that are in force when pertinent.</p>	<p>Prior to First Disbursement for physical works</p>
<p>Environmental Management Plans: water management (superficial and underground), Tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others, in accordance with national legislation.</p>	<p>Design and Implementation of Environmental Management Plans: water management (superficial and underground), Tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others for prevention and emergency response in accordance with national legislation.</p>	<p>Quarterly Follow-Up Report on evidence-based actions.</p>	<p>General condition from the beginning of the execution phase of physical works.</p>

P3: Effects in Surrounding Communities

<p>Preparation and socialization of Code of Conduct of the project's staff, with the communities and workers</p>	<p>Design and implementation of the socialized Code of Conduct, taking into consideration the following topics: eliminate sexual harassment, gender violence, violence against women, interrupting in the life of the communities resulting from the presence of workers</p>	<p>Quarterly follow-up report on evidence-based actions</p>	<p>General condition from the beginning of the execution phase of physical works.</p>
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Preparation and socialization of Code of Conduct of the project's staff, with the communities and workers	Design and implementation of the socialized Code of Conduct, taking into consideration the following topics: eliminate sexual harassment, gender violence, violence against women, interrupting in the life of the communities resulting from the presence of workers.	Copy of Code of Conduct and others	Prior to the execution phase of physical works
Complaints mechanism and protocol of care and social approach	Design and implementation of a Complaints Mechanism with its pertinent protocol of care and social approach	Copy of the Complaints Mechanism incorporated in the supervising firm's report and its protocols of care and social approach	Prior to the execution phase of physical works
Complaints mechanism and protocol of care and social approach	Design and implementation of a Complaints Mechanism with its pertinent protocol of care and social approach	Quarterly follow-up report on evidence-based actions	General condition from the beginning of the execution phase of physical works
Transit Management and Control Plan	Design and implementation of a Transit Management and Control Plan, holding current permits and authorizations of the MOPT, or others, in full compliance with the MOPT, or others, fully complying with road prevision and national legislation.	Copy of the Transit Management and Control Plan. Copy of permits and authorizations from the MOPT for the effects on total or partial transit circulation, issued by the pertinent instances in accordance with national legislation.	Prior to first disbursement for physical works
Transit Management and Control Plan	Design and implementation of a Transit Management and Control Plan, holding current permits and authorizations of the MOPT, or others, in full compliance with road prevision and national legislation.	Quarterly follow-up report on evidence-based actions	General condition from the beginning of the execution phase of physical works.



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Citizen Participation Plan and Relevant Consultations	Design and implementation of a Citizen Participation Plan and Relevant Consultations	Copy of the Citizen Participation Plan and Relevant Consultations	Prior to the execution phase of physical works
Citizen Participation Plan and Relevant Consultations	Design and implementation of a Citizen Participation Plan and Relevant Consultations	Quarterly follow-up report on evidence-based actions	General condition from the beginning of the execution phase of physical works.

P4: Resettlement and Land Acquisition

Involuntary Resettlement Plan (PRI).	The Executing Unit or concessioner must develop and implement an Involuntary Resettlement Plan (PRI) if required, including land acquisition and expropriation, economic restoration, and land donations (if applicable) in accordance with current national regulations and with the implementation of the corresponding protocols.	Quarterly follow-up report on evidence-based actions	General condition from the start of the PRI implementation
Involuntary Resettlement Plan (PRI).	The Executing Unit or concessioner must develop and implement an Involuntary Resettlement Plan (PRI) if required, including land acquisition and expropriation, economic restoration, and land donations (if applicable) in accordance with current national regulations and with the implementation of the corresponding protocols.	Final report on the scope and achievements of the PRI considering the restoration or improvement of socio-economic indicators and quality of life conditions for affected families.	At least five months after the last resettlement



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<p>Involuntary Resettlement Plan (PRI).</p>	<p>The Executing Unit or concessioner must develop and implement an Involuntary Resettlement Plan (PRI) if required, including land acquisition and expropriation, economic restoration, and land donations (if applicable) in accordance with current national regulations and with the implementation of the corresponding protocols.</p>	<p>Copy of the Involuntary Resettlement Plan (PRI), including the acquisition of lands and expropriations, and protocols.</p>	<p>Prior to First Disbursement of the work, if pertinent.</p>
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P5: Preservation of Resources

<p>Forestry Resource Management and Environmentally Fragile Areas Protection Plan</p>	<p>Implementation of the Forestry Resource Management Plan and possession of the permits and authorizations in force in accordance with the provisions of the national legislation on the environmental, forestry and protection matters of Environmentally Fragile Areas, approved by the authorized area of the MINAE.</p>	<p>Copy of the Forestry Resource Management and Environmentally Fragile Areas Protection Plan.</p> <p>Copt of permits and authorizations in force</p>	<p>Prior to the execution phase of physical works</p>
<p>Forestry Resource Management and Environmentally Fragile Areas Protection Plan</p>	<p>Implementation of the Forestry Resource Management Plan and possession of the permits and authorizations in force in accordance with the provisions of the national legislation on the environmental, forestry and protection matters of Environmentally Fragile Areas, approved by the authorized area of the MINAE.</p>	<p>Quarterly follow-up report on evidence-based actions</p>	<p>General condition from the beginning of the execution of physical works</p>
<p>Protection, Rescue and Resettlement Plan of the Fauna during the construction activity of works and operations underway.</p>	<p>The Executing Agency must request the contractor to develop and implement a Protection, Rescue and Resettlement plan of the Fauna for the construction activity of works underway.</p>	<p>Copy of the Protection, Rescue and Resettlement Plan of the Fauna during the construction activity of works underway.</p>	<p>Prior to the execution phase of physical works.</p>
<p>Protection, Rescue and Resettlement Plan of the Fauna during the construction activity of works and operations underway.</p>	<p>The Executing Agency must request the contractor to develop and implement a Protection, Rescue and Resettlement plan of the Fauna for the construction activity of works underway.</p>	<p>Quarterly Supervision Report on evidence-based actions</p>	<p>Prior to the execution phase of physical works, when pertinent.</p>



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P7: Cultural Heritage

<p>Permits and authorization in regard to Preservation of the Architectural and Archeological Historical Heritage, in accordance with national legislation including plans for Managing and Preserving the Historical Cultural Architectural Heritage and Archeological Resources Management, as it corresponds in case of findings.</p>	<p>The Executing Agency must negotiate that the Concessioner possess the authorizations and permits of the MCJ in accordance with national laws including the design and implementation of Management and Preservation Plans of the and Archeological Resources Management Historical Cultural Architectural Cultural Historical Heritage in case it is required.</p>	<p>Copy of permits and authorizations in force and plans in regard to Cultural Heritage of Archeological Resources and Preservation of the Architectural Historical Heritage, in case a letter from the MCJ is not required, indicating that this does not apply for the project.</p>	<p>Prior to the execution phase of physical works, when pertinent.</p>
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P8: Risks Management Capacity of the Executing Agency/Client

<p>Environmental and Social Management System</p>	<p>Implement the Environmental and Social Management System (SGAS, for its initials in Spanish), approved during preparation, which incorporates all the requirements that are included in the best international standards and the execution of the plans, procedures, strategies and mechanisms that are considered for the environmental, social health and security management processes.</p>	<p>Copies of progress made on the SGAS plans, including training lists, memoranda, timetable progress, others; as per each plan, strategy, procedure or mechanism.</p>	<p>During the execution phase of physical works.</p>
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<p>Environmental and Social Management System</p>	<p>Implement the Environmental and Social Management System (SGAS, for its initials in Spanish), approved during preparation, which incorporates all the requirements that are included in the best international standards and the execution of the plans, procedures, strategies and mechanisms that are considered for the environmental, social health and security management processes.</p>	<p>Quarterly follow-up report on evidence-based actions</p>	<p>General condition from the beginning of the execution phase of physical works.</p>
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Phase of Operation

P1: Labor Rights

Human Resources, Security and Occupational Health Plans and Procedures	Prepare and implement Human Resources, Security and Occupational Health Plans and Procedures by the Executing Agency or the concessioner of the project, in accordance with national legislation.	Copy of Human Resources, Security and Occupational Health Plans and Procedures. Half-year follow-up reports by the executing agent or Concessioner.	During operation.
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P2: Rational Use of Resources and Pollution Prevention

Environmental Management Plans: water management (superficial and underground), Tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others, in accordance with national legislation.	Design and implementation of Environmental Management Plans: water management (superficial and underground), tributaries, waste, materials, soil, erosion, sediments, particles, noise, vibrations, landscape disturbances, others for prevention and emergency response in accordance with national legislation	Copy of environmental management plans, half-year follow-up reports by the executing agent or Concessioner	During operation.
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P3: Effects in Surrounding Communities

Complaints mechanism and protocol of care and social approach	Design and implementation of a Complaints Mechanism with its pertinent protocol of care and social approach	Copy of the Complaints Mechanism and its protocols of care and social approach. Half-year follow-up reports by the executing agent or concessioner	During operation
Citizen Participation Plan and Relevant Consultations	Design, follow-up and implementation of a Citizen Participation Plan and Relevant Consultations during the operation phase and in accordance with the Labor Code of Conducts	Copy of the Citizen Participation Plan and Relevant Consultations Half-year supervision reports by the executing agent or Concessioner	During operation



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P8: Risks Management Capacity by the Executing Agency/Client

<p>Environmental and Social Management System</p>	<p>Implement the Environmental and Social Management System (SGAS, for its initials in Spanish), approved during preparation, which incorporates all the requirements that are included in the best international standards, in regard to: Environment, Health and Security, including mitigation and monitoring measures (for construction and operation) .</p> <ul style="list-style-type: none"> - Emergencies Preparedness and Response Plan (PPRE). - An Occupational Health and Security and Citizen Security Plan. - Environmental Management Plans: water management (superficial and underground), tributaries, waste, hazardous materials, soil, air, particles, noise, and others. - Flora and Fauna Management Plan and protection of environmentally fragile areas, in direct or indirect intervention sector, as it corresponds. - Cultural Heritage Preservation Plan (archeological and architectural, as it corresponds). - A Plan for the Participation of Interested Parties or Citizen Participation and social approach of the project. - Follow-up and Monitoring Plan of social impacts and indicators as well as 	<p>Half-year follow-up reports by the executing agency or the Concessioner</p>	<p>During operation</p>
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	<p>improvements in the developments of the citizens in the Project Area.</p> <ul style="list-style-type: none">- A Contractor Management Plan that describes the contractors working on the site, their roles and responsibilities, number of personnel, their origin and key aspects of work.		
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Preparation Phase

P8: Capacity to Manage Risks of the Executing Agency/Client

<p>Have an independent environmental and social consultant and an environmental advisor of the project</p>	<p>The concessioner will hire an independent environmental and social consultant and shall watch for the compliance of a contract of an environmental advisor by the construction company, to be in charge of preparing and implementing the different systems and plans that are required in the Environmental and Social Action Plan, as well as to present Quarterly Environmental and Social Follow-Up Reports.</p>	<p>Copy of the External Supervision Contract and of the Terms of Reference, in which among key members of the staff are the environmental and social consultant and the appointment of the environmental advisor by the construction company in agreement to SETENA stipulations.</p>	<p>Prior to the First Disbursement</p>
<p>Environmental Permit and Authorization in force, issued by the National Technical Environmental Secretary (SETENA) for the project</p>	<p>The Executing Agency of the Project must manage and request to the Concessioner to keep current said Environmental Permit and Authorization issued by SETENA for the project.</p>	<p>Copy of Environmental Permit or Authorization in force, with its supporting documents</p>	<p>Prior to the First Disbursement for physical works</p>



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<p>Environmental and Social Management System (SGAS)</p>	<p>The Concessioner shall ask the environmental and social consultant, for the design of an Environmental and Social Management System (SGAS), that incorporates all the requirements provided in the best international standards. This system must approach at least, the following:</p> <ul style="list-style-type: none"> · Objectives, indicators, budgets, responsibilities and authorities, internal and outsourcing personnel, training and presentation of reports. · Environment, health and security, including mitigation measures and monitoring (for construction and operation). · Emergencies Preparedness and Response Plan (PPRE). · A Health, Security, Citizen Occupational and Security Plan, including follow-up to incidents and accidents. · Environmental Management Plans. · Flora and Fauna Management Plan and protection of environmentally fragile areas · Cultural Heritage Preservation Plan (archeological and architectural, as it corresponds). · A Plan for the Participation of Interested Parties or Citizen Participation. · Follow-up and Monitoring Plan for social, economic and environmental impacts and indicators, as well 	<p>Copies of SGAS and other plans (list of trainings, strategies, policies, internal memoranda, etc.), budgets, an organizational structure, mitigation and monitoring measures (licenses or other permits), drills, exercise evaluations included in the SGAS.</p>	<p>Prior to First Disbursement</p>
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	<p>as improvements in the development of citizens in the Project Area.</p> <ul style="list-style-type: none"> A Contractor Management Plan that describes the contractors working on the site, their roles and responsibilities, number of personnel, their origin and key aspects of work. 		
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Recommendations

Breach	Action	Deliverables
Lack of training of the executing agency's staff in regard to procedures associated managing environmental and social risks, with the purpose of minimizing negative impacts as a result of the project's execution and operation.	Train staff in procedures associated to environmental and social risks management, with the purpose of minimizing negative impacts as a result of the project's execution and operation.	Evidence of staff training with the procedures associated to environmental and social risks management, with the purpose of minimizing negative impacts as a result of the project's execution and operation.

Plan Follow-Up

Person in charge of the Action Plan execution	Name	Jose Antonio Quirós
	Position	Executing Agency Technical Coordinator
	Institution	INCOFER
Method to be used by the client to CABEL for the Follow-Up Report	In compliance with SIEMAS Plan	

Frequency

Execution Follow-Up

Upon complying with 50% of Physical Works Progress
Upon complying with 80% of Physical Works Progress
One (1) year from the formalization

Operation Follow-Up

Upon complying with 100% of Credit Term
Upon complying with 50% of Credit Term