

Semi Annual Environmental Monitoring Report

Loan Number: 2834 IND
Reporting Period: July - December 2013

**INDIA: North Eastern Region Capital Cities
Development Investment Program (Tranche 2)
Project City: Kohima, Nagaland State**

Implementing Agency: State Investment Program Management and Implementation Unit
Executing Agency: Urban Development Department, Government of Nagaland

January 2014
Kohima

ABBREVIATIONS

ADB	- Asian Development Bank
BTA	- Bridging Technical Assistance
CC	- Construction Contractor
DOC	- Date of Completion
DOS	- Date of Start
DSMC	- Design, Supervision and Management Consultant
EA	- Executing Agency
EARP	- Environmental Assessment & Review Procedure
EIA	- Environmental Impact Assessment
EO	- Environmental Officer
Gol	- Government of India
IA	- Implementing Agency
IEE	- Initial Environmental Examination
IPCC	- Investment Program Coordination Cell
MFF	- Multi-tranche Financing Facility
MLD	- Million Liters per Day
mn	- Million
MoUD	- Ministry of Urban Development
NEA	- National Executing Agency
NERCCDIP	- North Eastern Region Capital Cities Development Investment Program
NSC	- National level steering committee
PD	- Project Director
PPTA	- Project Preparatory Technical Assistance
SEA	- State level Executing Agency
SIPMIU	- State Investment Program Management and Implementation Unit
UDD	- Urban Development Department

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I. INTRODUCTION

A. Background

1. North Eastern Region Capital Cities Development Investment Program (NERCCDIP) is being undertaken for improvement of existing infrastructure, environmental quality and access to basic urban services of Kohima Municipal Council area. The NERCCDIP's objective is to improve the urban environment and promote reforms for sustainable, efficient, and responsive urban service delivery. The Program components are Water supply and Solid Waste Management infrastructure.

2. With an overall objective of sustainable urban development, the NERCCDIP is being implemented in the five capital cities - Gangtok, Aizawl, Kohima, Gangtok and Shillong. NERCCDIP will be implemented over a six year period beginning in 2009, and is funded by a loan via the Multitranche Financing Facility (MFF) of the Asian Development Bank (ADB).

3. In Kohima, capital city of Nagaland, the Executing Agency (EA) for the program is the Urban Development Department (UDD) of the Government of Nagaland (GoN); and the Implementing Agency (IA) is the State-level Investment Program Management and Implementation Unit (SIPMIU), created within the UDD, specifically for the Investment Program implementation. At central level, Investment Program Coordination Cell (IPCC) is established in MOUD. IPCC is responsible for overall management of the Investment Program and is supported by Program Management & Monitoring Consultants (PMMC).

4. The water supply sub project under Tranche-2 (Loan No. 2834 IND) has been classified as Category B. The IEE report for water supply subproject was accordingly prepared during the detailed design and approved by the ADB.

5. Environmental Management Plan. An EMP which addresses the potential impacts and risks identified by the environmental assessment has been included in the IEE report. The level of complexity of the EMP and the priority of the identified measures and actions commensurate with the Project's impact and risks. The complete Environmental Management Plan (EMP) was not included in the bidding and contract documents. Only the Environmental Monitoring Plan, which is a part of the EMP was included in these documents. Hence, an amendment has been made to the contract document to include the EMP.

B. Project Profile

6. Detailed Project Reports (DPRs) have been prepared and due diligence has already been conducted for the water supply subproject under tranche-2 (Loan No. 2834 IND) as per the ADB procedures. The water supply sub project under tranche-2 consists of two packages.

7. Package no. KHM-WA 2 envisages laying 318 km of GI/HDPE/DI pipes of diameter 32-350 mm for a distribution network in Kohima City. The contract agreement for this package has been executed in February 2013. The Contractor has started delivery of pipes and the trenching & laying of pipes are expected to start in January 2014.

8. Package no. KHM-WA 3 envisages installation of 21 bulk water meters & 6000 metered connections in the new distribution system. As the works for this package can be started only after the completion of laying the pipe line net work, the bidding has been postponed.

9. Details of project activities under Tranche-2 (Loan No. 2834 IND) as of December 2013 are presented in the following Table.

Table 1. Sub Project Details under Tranche 2 (Loan No. 2834 IND)

S. No.	Name of Work	Location	Description	Changes if any from approved scope
1	Water Supply Distribution Scheme for Kohima (KHM-WA 2)	Spread over Kohima Municipal Council	Laying 318 km of GI/HDPE/DI pipe of diameter 32-350 mm for secondary distribution network	No proposed changes during July - December 2013
2	Water Supply Distribution Scheme for Kohima (KHM-WA 3)	Spread over Kohima Municipal Council	Installation of 21 bulk water meters & 6000 metered connections in the new distribution system	No proposed changes during July - December 2013

10. Civil works of the water supply sub project under Tranche-2 have not started during the reporting period as mentioned under par no.7.

11. The Semi Annual Environmental Monitoring Report presents the status of sub project implementation, details of compliance with environmental regulations of the Government and policies of ADB, details of compliance with environmental loan covenants, details of complaints received and their redressal and the status of compliance with various aspects of EMP as stated in the IEE report.

12. Monitoring of compliance with EMP is a continuous activity carried out by the DSMC and SIPMIU. Guidelines on general construction EHS measures to be followed / implemented will be issued to the Contractor. A reporting format to be filled up by the Contractor on a daily basis on compliance with EMP will be issued and they will be compiled on a monthly basis. This is the consolidated report on implementation of Environmental Management Plan (EMP) from July to December 2013, and is prepared in compliance with the ADB Policies.

II. ENVIRONMENTAL ASSESSMENT AND REVIEW PROCEDURE

A. Environmental Legal Requirements

13. The following Regulations are currently in force in India that deals with environmental issues that could apply to infrastructure development. Acts and Rules related to monuments and archeological sites are also listed herein.

- (i) The Water (Prevention and Control of Pollution) Act, 1974, amended 1988
 - The Water (Prevention and Control of Pollution) Rules, 1975
- (ii) The Air (Prevention and Control of Pollution) Act 1981, amended 1987
 - The Air (Prevention and Control of Pollution) Rules, 1982
- (iii) The Environment (Protection) Act, 1986, amended in 1991 and including the following Rules/Notification issued under this Act
 - The Environment (Protection) Rules, 1986, including amendments
 - The Municipal Solid Wastes (Management and Handling) Rules, 2000

- The Hazardous Wastes (Management and Handling) Rules, 1989
 - The Bio-Medical Waste (Management and Handling) Rules, 1998
 - Noise Pollution (Regulation and Control) Rules, 2000,
 - Environmental Impact Assessment Notification, 2006
 - Environmental Standards of Central Pollution Control Board (CPCB)
- (iv) The Indian Wildlife (Protection) Act, 1972, amended 1993
- The Wildlife (Protection) Rules, 1995
- (v) The Indian Forest Act, 1927
- (vi) Forest (Conservation) Act, 1980, amended 1988
- Forest (Conservation) Rules, 1981 amended 1992 and 2003
 - Guidelines for Diversion of Forest Lands for Non-Forest Purpose under the Forest (Conservation) Act, 1980
- (vii) Ancient Monuments and Archaeological Sites and Remains Act 1958
- Ancient Monuments and Archaeological Sites and Remains Rules 1959
 - Government of India Notification of 1992 under the above-stated Rules

B. Compliance with Environmental Regulations

14. The GoI EIA Notification of 2006 sets out the requirement for Environmental Assessment in India. The Tranche-2 water supply improvement subproject does not fall under the ambit of the EIA Notification, and therefore does not require environmental clearances. No other environmental or forest clearances are required for the Tranche-2 subproject in Kohima.

15. The following Table shows the regulatory requirements of subproject/components under Tranche-2 and the present status of compliance.

Table 2: Present Status of Environment & Forest and Other Clearances

Town	Work (Package No.)	Applicable Legislation / Type of Clearance	Clearances given by and Date	Conditions	Remarks / Action needed
Kohima	Tranche -2				
	Water Supply Distribution Scheme for Kohima (KHM-WA 2)	No clearances are required	N.A	N.A	N.A
	Water Supply Distribution Scheme for Kohima (KHM-WA 3)	No clearances are required	N.A	N.A	N.A

C. Compliance of Environmental Loan Covenants

16. Table 3 shows the environmental safeguard related loan covenants and their compliance status in implementation. All the covenants are being complied in implementation.

17. Water supply sub project under Tranche-2 has been classified as Category B. IEE report was accordingly prepared and approved by the ADB.

Table 3: Compliance Status of Environmental Loan Covenants

S. No	Project Specific Covenants	Status / Issues
1	<p>GOI and the States will ensure that the design, construction, operation and implementation of all sub-project facilities is carried out in accordance with the environmental assessment and review procedures and Initial Environmental Examinations (IEEs) for core sub-components agreed upon between the Government and ADB, and complies with the Government's environmental laws and regulations and ADB's Environment Policy (2002).</p> <p>Any adverse environmental impacts arising from the construction, operation and implementation of sub-component facilities will be minimized by implementing the environmental mitigation and management measures, and other recommendations specified in environmental assessment reports (e.g., IEEs). The Government will ensure environmental requirements will be incorporated in bidding documents and civil works contracts. Issuance of bid documents will be made after review and clearance of IEE/EIA by ADB and SEIAA or MOEF.</p> <p>GOI will prepare and submit annually to ADB an environmental monitoring report that describes progress in implementation of the EMP and EARP and issues encountered and measures adopted; and compliance with the relevant assurances and loan covenants</p>	<p>IEE approved by ADB and disclosed in public. IEE report / Environmental Management Plan (EMP) was not included in bid document and contract. Hence, an amendment has been made to the Contract to incorporate the EMP provided in the IEE. Clearances obtained as per applicable regulations. Semi-annual environmental monitoring report is being submitted to ADB</p>

ADB – Asian Development Bank; EARP – Environmental Assessment & Review Procedures; EIA – Environmental Impact Assessment; IEE – Initial Environmental Examination; MoEF – Ministry of Environment and Forest; SEIAA – State Environmental Impact Assessment Authority.

D. Environmental Organization and Management

18. The main agencies involved in managing and implementing the subproject are:

- (i) **Ministry of Urban Development (MOUD)** - The national-level Executing Agency (NEA) for the Investment Program;
- (ii) **Investment Program Coordination Cell (IPCC)** - It is established in MOUD. IPCC is responsible for overall management of the Investment Program in the 5 cities. It comprise of social/environmental safeguard specialists whose tasks include monitoring Program implementation and reviewing and screening the subprojects submitted by the States in accordance with subproject selection criteria, in accordance with the environmental provisions;
- (iii) **State Investment Program Management and Implementation Unit (SIPMIU)** - It is established under the State Government and headed by a Program Director (PD). SIPMIU will oversee the implementation of the sub projects as per the Program's environment and resettlement planning. This includes the preparation of all documentation needed for decision-making, contracting, and supervision of work, providing progress-monitoring information as well as the compliance of all environmental safeguards.

The SIPMIU comprises of a Safeguards and Social Cell staffed with an Environmental Officer (EO). The EO is responsible for implementing the environmental safeguard provisions in the project including (i) ensuring environmental criteria for subproject selection in the EARP, (ii) ensuring

mitigation requirements in the Bid documents and (iii) liaising with various Central and State government agencies on compliance matters. The SIPMIU will appoint and manage Construction Contractors (CC) to build elements of the infrastructure who are required to submit Environmental Implementation Plans (EIPs) to SIPMIU approval.

- (iv) **Design, Supervision and Management Consultant (DSMC)** - The SIPMIU is assisted by the DSMC, who is responsible for the design of the infrastructure, manage tendering of contracts, and supervise the construction process;

An Environmental Specialist (ES) in the DSMC is responsible for addressing the environmental issues in the project components during design and implementation. The ES will ensure that all mitigation requirements are in the bidding documents and EIPs, and will supervise the effective implementation of environmental provisions during construction. In addition, the ES will assist the SIPMIU on the procurement needs and other project implementation aspects and shall play a central role in ensuring capacity building on environmental management of the SIPMIU, the Contractor and the Line Departments through capacity development support and training.

19. No grievances were received during the reporting period. A grievance redressal mechanism has been established. Grievances of affected persons will first be brought to the attention of the SIPMIU. Grievances not redressed by the SIPMIU will be brought to the Independent Grievance Redress Committee (IGRC) set up to monitor project implementation in Kohima. The GRC will determine the merit of each grievance, and resolve grievances within 10 days of receiving the complaint. Grievance not redressed by the IGRC will be referred to the appropriate courts of law. The DSMC will keep records of all grievances received including: contact details of complainant, date that the complaint was received, nature of grievance, agreed corrective actions and the date these were affected, and the final outcome. The IGRC was constituted vide SIPMIU notification dated 18.01.2013. Details of grievance redressal mechanism and the IGRC notification for the sub projects are presented as **Appendix 1**.

III. EMP COMPLIANCE STATUS

20. Civil works of water supply sub-project under Tranche -2 have not started during the reporting period. Hence the compliance status of Environmental Management and Monitoring Plans of tranche-2 subproject will be presented in the next semi-annual environmental monitoring report.

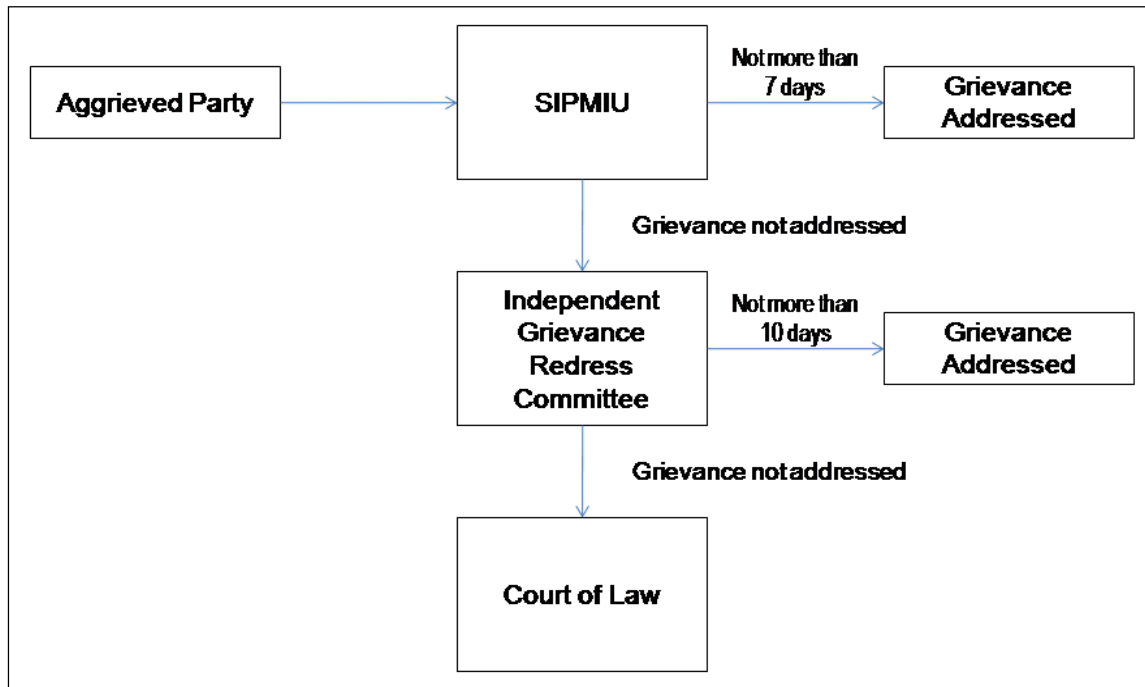
IV. OBSERVATIONS, RECOMMENDATIONS AND ACTIONS TAKEN

21. As presented in this report, tranche-2 of this Investment Program is being implemented in compliance with the loan covenants, subproject selection criteria and overall EARF. Since the Environmental Management Plan (EMP) was not incorporated in the bid documents and civil works contract, an amendment has been made to the Contract to incorporate the EMP in the Contract.

22. Necessary instructions have been given to the Contractor by DSMC and SIPMIU to follow the Environmental Management Plan, which has been incorporated in the Contract.

APPENDICES

Appendix 1: Grievance Redressal Mechanism and Notification on IGRC



**STATE INVESTMENT PROGRAMME MANAGEMENT AND IMPLEMENTATION UNIT
ASIAN DEVELOPMENT BANK (ADB) – ASSISTED PROJECT
KOHIMA : NAGALAND**

NOTIFICATION

Dated Kohima, the 18th January 2013

NO.SIPMIU/SCL/CP/2011:: In pursuance to Asian Development Bank (ADB) guidelines; the Independent Grievance Redress Committee (IGRC) is hereby constituted to address the grievances of persons affected due to the sub-projects implemented in Kohima under the ADB assisted North Eastern Region Capital Cities Development Investment Program.

- | | | |
|--|---|------------------|
| i. Program Director, SIPMIU | : | Chairman |
| ii. Addl. Program Director, SIPMIU | : | Member Secretary |
| iii. Dy. Program Director/ Environment Officer, SIPMIU | : | Member |
| iv. Sociologist, SIPMIU | : | Member |
| v. Assistant Engineer, SIPMIU | : | Member |
| vi. Team Leader, DSMC | : | Member |
2. The IGRC shall determine the merit of each grievance and resolve the grievance/s within 10 (ten) days of receiving the compliant.
3. Grievances not redressed by the IGRC will be referred to the appropriate court of law.
4. All costs involved in resolving the grievances shall be borne by SIPMIU.
5. The Design Supervision & Management Consultants shall keep records of all grievances received including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date of redressing the grievance and the final outcome.

Sd/-
K. HARALU
Program Director

NO.SIPMIU/SCL/CP/2011

Dated Kohima, the 18th January 2013

Copy to:

- i) The Commissioner & Secretary, Urban Development Department, Nagaland, Kohima for information.
- ii) The Director, Urban Development, Nagaland, Kohima for information.
- iii) The Chief Engineer, PHE, Nagaland, Kohima for information.
- iv) The CEO, Kohima Municipal Council, Kohima, Nagaland for information.
- v) All the members
- vi) Office copy

Handwritten initials


(NELL VASA)
Dy. Program Director