



Response to Public Consultation Comments

Project Name: Mai Beni

Project Sponsor: Urja Developers Pvt Ltd/ Samling Power Company Ltd.

Public Comment Period: 17/08/23 – 16/10/23

Report Author: Dr Bernt Rydgren, Pelle Bågesund and Anamaya Upadhyay

Report Date: 29 July, 2023

Summary

Assessment details	<p>The Mai Beni project was assessed in its Operation Stage against the Hydropower Sustainability Standard. The assessment was conducted by Dr Bernt Rydgren (Accredited Lead Assessor), Pelle Bågesund (Accredited Assessor) and Anamaya Upadhyay (Provisionally Accredited Assessor). The on-site assessment took place on 14 May – 21 May, 2023.</p>
Project details	<p>Mai Beni is a 9.51 MW project on the Mai Khola river in Ilam District of Province number 1 (Koshi). The project sponsor is Samling Power Company Ltd.</p>
Assessment report	<p>Assessment report is available on the HS website following this link.</p>
Purpose of this Response Document	<p>In accordance with the HS Assurance System, the project’s HS Standard assessment report undergoes a 60-calendar day public comment period. At the close of the public comment period, a 30-calendar day period is available for the Accredited Assessor to respond to comments and revise the report in conjunction with the Project Proponent. The Assessor must respond to each comment, and to make a justified determination on whether there is a need to amend any parts of the report.</p> <p>In the event that the Accredited Assessor identifies the need to amend the report in response to comments, the amended report is published within 30 days on both the Project Proponent’s website, and on the HS website. The Final Assessment Report must include an annex outlining the changes made/not made in response to comments received.</p> <p>This response document represents compliance with Section 5 of the HS Assurance System.</p>
Approach to Consultation	<p>The 60-calendar day period for public comment on the Mai Beni HS Standard assessment report run from 17 August to 16 October 2023. The preliminary assessment report was published on 17 August, 2023 on HS website and on Project Proponent Website in English and Nepali languages.</p> <p>Samling Power Company Ltd. made printed copies of the Mai Beni Hydropower assessment report in both Nepali and English available for project-affected communities to provide their comments/feedback.</p> <p>Within the consultation period, four persons/groups of persons submitted comments on the Mai Beni HS Standard assessment report.</p>

Conclusion	<p>The assessors concluded that the assessment report does not need any amendments in response to the comments received. The assessment report will remain available on the HS website www.hydrosustainability.org in its original form, with one typographical error attended to.</p>
Layout of this Response Document	<p>This document consists of three sections. Section 1 includes general comments, which do not directly correspond to specific sections of the HS Standard; Section 2 contains responses to comments related to specific sections of the HS Standard; and Section 3 indicates whether the report needs amending. Annex I contains a full set of original comments received.</p>

1. Response to General Comments

Table 1 below presents issues raised, which do not refer to specific sections of the HS Standard. Issues have been paraphrased and summarised. Annex I contains a full set of original comments received.

Table 1 – Responses to general issues

General issues	Assessor Response
From Feedback 2 (see original Nepali and an English translation below): In overall, the report is well prepared and such independent monitoring report could also be prepared for other projects (lesson learnt)	The feedback does not need a response as it consists of general advice to other projects.
From Feedback 2 (see original Nepali and an English translation below): Studied based on the 13 quantitative indicators in the pie diagram on the regional basis	This is a general summary comment. The report contains 12 separate sections and deals (in accordance with the HS Standard and Assurance documents) specifically with the Mai Beni project.
From Feedback 2 (see original Nepali and an English translation below): Compulsion assurance of employment to the project affected people	This feedback is relevant to multiple sections of the Assessment, e.g. Sections 1, 2, 4, 5 and 7, at a minimum. The Mai Beni project has performed very well in this area, especially considering its small size, and focussed on providing jobs for directly-affected families in the community. This is a strategy that is fully endorsed by the assessors and an example to be followed by other projects.

2. Response to HS Standard section-specific comments

Table 2 below presents issues raised, which are related to specific sections of the HS Standard. Annex I contains a full set of original comments received.

Table 2 – Responses to HS Standard section-specific issues

Section-specific issues	Assessor Response
HSS-1: Environmental and Social Assessment and Management	
<p>From Comment 3 (see original Nepali and an English translation below): Plant the trees/crops in and around the project area that would provide quick return.</p>	<p>This comment does not specifically address any gap against the HS Standard and, hence, does not warrant any changes to the assessment report. The Assessment Team supports the idea of tree planting to improve the environment around the main project-affected sites. The project has, in line with recommendations in the IEE, “outsourced” tree-planting o the District Forestry Department to be implemented on land bought for this purpose by the project. The Assessment Team generally encourages the project to cooperate with the District and the Ward in addressing and monitoring the implementation of this aspect.</p>
<p>From Comment 4 (see original Nepali and an English translation below), partial quote: the most affected community would like to request the company to allocate budget for the maintenance and upgradation of main access road and other sub-roads to the project site.</p>	<p>This is a request to the project management for additional community support (similar to the comment above) and, hence, does not warrant any changes to the assessment report. Furthermore, it is reasonable to assume that proper maintenance of access roads are in the interest of the project management as well as that of the community. If, however, the comment concerns additional minor feeder roads in the general project area (mainly Ward number 8), which are not for project access, this is something that the project has already provided as a benefit to the community. Continuation of this support is encouraged by the Assessment Team, but the comment does not warrant any change to the report.</p>
<p>From Comment 5 (see original Nepali and an English translation below), partial quote: the Samling Power Company is requested to</p>	<p>The response here is the same as to the similar comment made in “Comment 3” above.</p>

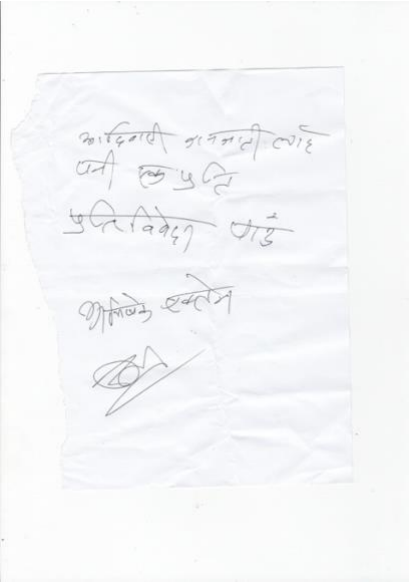
provide assistance to the most affected Ilam Municipality Ward number 8 in terms of plantation of different species of trees.....	
HSS-2: Labour and working conditions	
From Feedback 2 (see original Nepali and an English translation below): The project has to pay special consideration on the occupational health and safety of the points highlighted in ILO convention	<p>The feedback does not specify a specific ILO Convention, but the Assessment Team assumes that it is the <i>C155 - Occupational Safety and Health Convention, 1981</i> that is the intended target here. Nepal has not ratified this convention (along with two other “fundamental” Conventions and one “fundamental” Protocol). However, the project’s Occupational Health and Safety (OHS) Policy, supported by its OHS tool kit, covers this area well. Interviews with project staff show that actual practices at the site are in line with the policy and tool kit.</p> <p>It is worth mentioning here that the assessment scored the advanced-level requirement of “<i>Processes are in place to anticipate and respond to emerging risks and opportunities</i>” as “<i>not met</i>”, based partly on the absence of attention to contractors and external suppliers in the OHS Policy.</p> <p>This means that there is room for improvement, but the minimum-level requirement is considered met as per the response above.</p>
HSS-3: Water Quality and Sediments	
No section-specific comment received	
HSS-4 Community Impacts and Infrastructure Safety	
From Feedback 2 (see original Nepali and an English translation below): As the community people are first victim of the disasters, the relevant project should provide higher consideration for the safety of most affected community (community is the most vulnerable and also an actor)	<p>The Assessment Team agrees fully with the spirit of this feedback – all hydropower projects should consider the potentially-affected communities fully in their disaster-management planning. The Mai Beni project has conducted exemplary work in this area, going far beyond its own potential impacts by assisting the District with emergency-response equipment and training as well as starting a network of gauging stations to be part of a flood-warning system. See Section 4 of the Assessment Report for details.</p>

From Feedback 2 (see original Nepali and an English translation below): To take into account for the multi hazards on the basis of observed disasters	The response above covers also this feedback. The disaster-management work of the Mai Beni project is exemplary and should be a model for other projects.
From Feedback 2 (see original Nepali and an English translation below): It would have been much better if the report also incorporates on Early Warning System, its components/mechanism, agreement and coordination with the municipality	The report discusses the early-warning system in Section 4 and briefly in Section 11. The HS Standard is a certification system which assesses whether or not the project under assessment meets the minimum and advanced requirements of the HS Standard. As such it should not be confused with a due diligence report or similar works. Documentary evidence numbers 12 and 28 contain descriptions of the system and how it has been coordinated with local authorities and training provided.
HSS-5 Resettlement	
No section-specific comment received	
HSS-6 Biodiversity and Invasive Species	
From Feedback 2 (see original Nepali and an English translation below): Mandatory for the "Conservation of Biodiversity"	The Assessment Team does not understand this feedback. It is impossible to respond.
HSS-7 Indigenous Peoples	
From Comment 1 (see original Nepali and an English translation below): Please, provide a copy of report to Indigenous People too.	Assessment Team's response: The Draft Assessment Report for Public Comments has been made available at various public places in and around the project site. Indigenous Peoples in the project-affected area and the greater Ilam District have had equal and free access to these copies.
HSS-8 Cultural Heritage	
From Feedback 2 (see original Nepali and an English translation below): Cultural heritages are the precious property of the community that pivotal is to be preserved	The Assessment Team agrees fully with the spirit of the feedback – all hydropower projects should consider the potentially-affected cultural-heritage sites and practices. The Mai Beni project has supported the community with improved infrastructure at the cremation site close to the project headworks/intake and in coordination with requests also provides

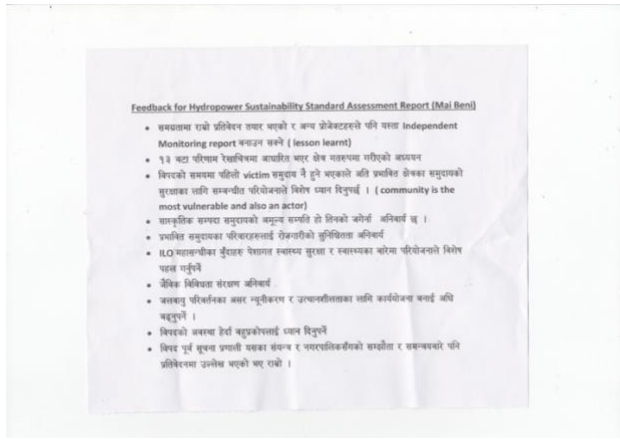
	added flow releases in the dewatered section between headworks and power plant during festivals.
HSS-9 Governance and Procurement	
No section-specific comment received	
HSS-10 Communications and Consultation	
No section-specific comment received	
HSS-11 Hydrological Resource	
No section-specific comment received	
HSS-12 Climate Change Mitigation and Resilience	
From Feedback 2 (see original Nepali and an English translation below): Prepare and implement the action plan on climate change risks mitigation and resilience structures	<p>The Assessment Team considers climate risks to be adequately addressed by the project while a specific resilience study is indeed missing. This has been scored as a significant gap at the advanced-requirement level (under “Outcomes”). The Environmental and Social Action Plan in the report contains this action: “Commission an expert to analyse how available national-level climate-change resilience and risk reports apply to Mai Beni (and other Urja assets).”</p> <p>It is the opinion of the Assessment Team that this satisfactorily addresses the concern raised in the feedback received.</p>

Annex I: Original comments received

COMMENT 1:

Name		Abhisek Yekten
Company		Unknown
Job Title		Unknown
Original Comment		 <p>The image shows a piece of white paper with handwritten text in Hindi. The text is written in black ink and appears to be a request for a report. The text is somewhat blurry but can be transcribed as follows:</p> <p>माहिती समझने के लिए की कृपया प्रतिक्रिया दें धन्यवाद</p> <p>There is a signature at the bottom of the note.</p>
Translation (ENG)		<p>Please, provide a copy of report to Indigenous People too.</p> <p>Yours, Abhisek Yekten</p>

FEEDBACK 2:

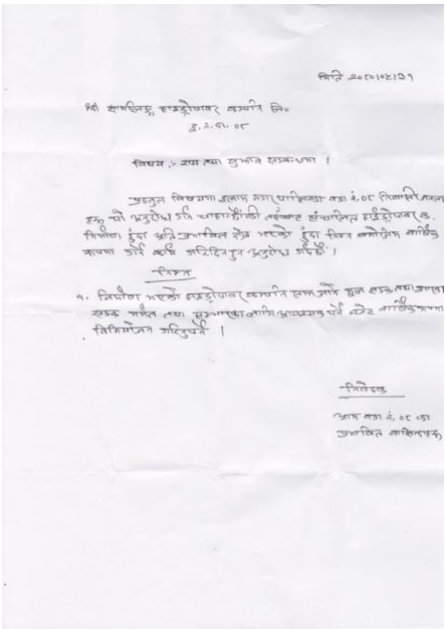
Name	Unknown
Company	Unknown
Job Title	Unknown
Original Comment	 <p>The image shows a document with the following text:</p> <p>Feedback for Hydropower Sustainability Standard Assessment Report (Mai Beni)</p> <ul style="list-style-type: none"> • समसामयिक रूपमा प्रतिक्रिया गराउन सक्ने र अन्य जेनेरेटरहरूले पनि यसलाई Independent Monitoring report बनाउन सक्ने (lesson learnt) • १३ वटा परिमाण रेखाचित्रमा आधारित भएर क्षेत्र समुदायमा गरिएको अध्ययन • विपदाको समयमा पीडित बन्ने समुदाय नै हुने सक्छन् भन्ने प्रकृतिको जोखिम समुदायको सुरक्षाका लागि सम्बन्धीत परियोजनाको विशेष ध्यान दिनुपर्छ । (community is the most vulnerable and also an actor) • सांस्कृतिक सम्पदा समुदायको अमूल्य सम्पत्ति हो भन्नेको जोड दिनुपर्छ । • प्रकृतिको जोखिमलाई परियोजनालाई सम्बन्धीतको सुनिश्चितता दिनुपर्छ • ILO मादाल-पौसाका दुईटाहः पेशागत स्वास्थ्य सुरक्षा र स्वास्थ्यका क्षेत्रमा परियोजनाले विशेष ध्यान दिनुपर्ने • वैश्विक शिवालय संरक्षण दिनुपर्छ • जसको परिचालनका अन्तर्गत न्युनीकरण र उपचारको आवश्यकतालाई समुदायको ध्यान दिनुपर्ने । • विपदा पूर्व सुरक्षा प्रकृति सुरक्षा संरक्षण र पर्यावरणीय जोखिमको सम्बन्धीत र सम्बन्धितको पनि प्रतिक्रियात्मक रूपमा उल्लेख गर्नुपर्ने ।
Translation (ENG)	<p>Feedback for Hydropower Sustainability Standard Assessment Report (Mai Beni)</p> <ul style="list-style-type: none"> • In overall, the report is well prepared and such independent monitoring report could also be prepared for other projects (lesson learnt) • Studied based on the 13 quantitative indicators in the pie diagram on the regional basis • As the community people are first victim of the disasters, the relevant project should provide higher consideration for the safety of most affected community (community is the most vulnerable and also an actor) • Cultural heritages are the precious property of the community that pivotal is to be preserved • Compulsion assurance of employment to the project affected people • The project has to pay special consideration on the occupational health and safety of the points highlighted in ILO convention • Mandatory for the "Conservation of Biodiversity" • Prepare and implement the action plan on climate change risks mitigation and resilience structures

	<ul style="list-style-type: none"> • To take into account for the multi hazards on the basis of observed disasters • It would have been much better if the report also incorporates on Early Warning System, its components/mechanism, agreement and coordination with the municipality.
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COMMENT 3:

Name	Unknown
Company	Greenery promotion and conservation
Job Title	Unknown
Original Comment	
Translation (ENG)	Plant the trees/crops in and around the project area that would provide quick return

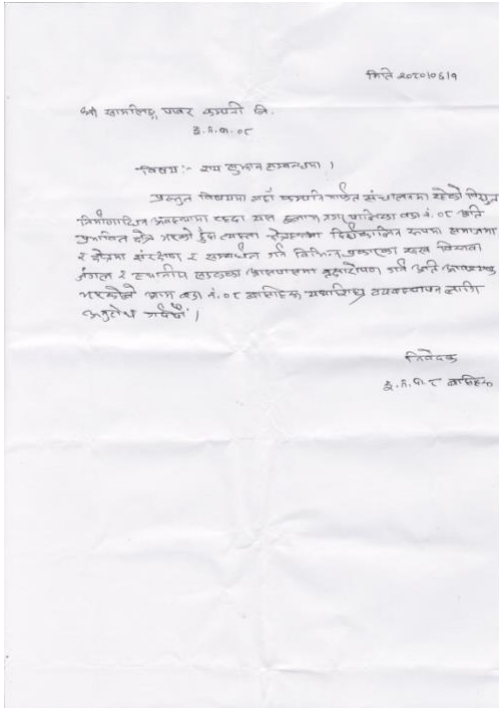
COMMENT 4

Name	The residents of Ward number 8, Ilam
Company	N/A
Job Title	N/A
Original Comment	
Translation (ENG)	<p>Date: 2080/06/01 B.S</p> <p>The Samling Power Company Ltd.</p> <p>Ilam Municipality, Ward no. 8</p>

	<p>Subject: Regarding opinions and suggestions</p> <p>With reference to the subject, the residence of Ilam Municipality, Ward number 8, who were the most affected community during the project construction would like to request the hydropower company to implement the actions as below on the annual basis:</p> <ol style="list-style-type: none"> 1. To allocate necessary budget annually for the maintenance and upgradation of main access road and other sub-roads to the project site. <p>Yours, The residents of Ward number 8, Ilam</p>
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COMMENT 5

Name	Ilam Municipality and residence
Company	N/A
Job Title	N/A

<p>Original Comment</p>	
<p>Translation (ENG)</p>	<p>Date: 2080/06/01 B.S</p> <p>The Samling Power Company Ltd. Ilam Municipality, Ward no. 8</p> <p>Subject: Regarding opinions and suggestions</p> <p>With reference to the subject, the Hydropower plant which is under operation phase owned by the Samling Power Company is requested to provide assistance to the most affected Ilam Municipality Ward number 8 in terms of promotion and conservation in society, its vicinity and local roads through the plantation of different species of trees. In this regard,</p>

the local of Ward number 8 requests the company to provide necessary arrangements on aforementioned needs of the community.

Yours,

Ilam Municipality and residence