

ANNEX 1: Environmental and Social Action Plan (ESAP)			
No.	Item	Deliverable	Deadline
0	Lender's independent E&S consultant will conduct monitoring reviews to assess compliance with national laws and standards and the PSs, ESIA, ESMP, RAP and LRP.	E&S monitoring review report	Quarterly during construction. Annually for the first two years of the operations phase
Performance Standard 1: Environmental and Social Assessment and Management System			
1	Update the Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP) for the construction, operation and decommissioning phases of the Project road and associated facilities (including material sites and worker accommodation) in line with national legislation and the Performance Standards (PSs).	Terms of Reference for the updated ESIA and ESMP Updated ESIA Report and ESMP in line with national legislation and the PSs	July 2020 Condition Precedent
2	Provide MIGA with the relevant ESIA licenses (including conditions of approval) once granted by the Kenya National Environment Management Authority (NEMA).	ESIA approvals and conditions of approval	Prior to construction
3	Develop and implement an Environmental and Social Management System (ESMS) in line with PS1 requirements for the construction and operation phases. The EMS will include the following elements: (i) policy; (ii) identification of risks and impacts; (iii) management programs; (iv) organizational capacity and competency; (v) emergency preparedness and response; (vi) stakeholder engagement; and (vii) monitoring and review. The ESMS will also include a COVID-19 Risk Management Plan.	A copy of the finalized document describing the E&S Management System for the Project, in line with PS 1, in form and substance satisfactory to MIGA	No later than 90 days after the Contract Effective Date
4	Develop decommissioning plans for the material sites that include rehabilitation of all material sites, which is the responsibility of the Engineering, Procurement and Construction (EPC) Contractor	Decommissioning plans for the material sites that include rehabilitation of all material sites as the responsibility of the EPC Contractor	Prior to construction
5	Appoint an Environmental, Health and Safety (EHS) Manager	Terms of Reference and Contract for EHS Manager	ToR no later than 30 days after the Contract

			effective Date Contract no later than 60 days after the Contract Effective Date
6	Appoint two Community Liaison Officers (CLOs) to support the implementation of the external Grievance Redress Mechanism (GRM) support local recruitment	Terms of Reference and Contract for the CLOs	ToR no later than 30 days after the Contract effective Date Contract no later than 60 days after the Contract Effective
7	Develop an Environmental, Health and Safety (EHS) Training and Awareness procedure, which includes both formal and informal training requirements	EHS Training and Awareness Procedure	No later than 60 days after the Contract Effective date
8	Develop and implement a Stakeholder Engagement Plan (SEP) for the ESIA, construction and operations phases of the Project, in line with PS 1 requirements. The SEP will also include procedures for documenting engagement activities.	A copy of the SEP in line with PS1, in form and substance satisfactory to MIGA.	Condition Precedent
Performance Standard 2: Labor and Working Conditions			
9	Develop a procedure to confirm that priority is given to the local community members for unskilled and semiskilled labor and develop a register of interested / eligible workers	Procedure confirming that priority is given to the local community for unskilled and semi-skilled labor	No later than 30 days after the Contract Effective Date
10	Develop a worker accommodation plan in line the European Bank for Reconstruction and Development (EBRD and the International Finance Corporation (IFC) guidelines for worker accommodation	Worker Accommodation Plan	No later than 30 days after the Contract Effective Date
11	Develop and implement a Human Resources (HR) policy and HR procedures in line with PS 2 requirements and ensure that any day laborers also have written contracts	HR Policy and Procedures in line with PS2 requirements and contracts for day laborers in form and substance	No later than 60 days after the Contract Effective Date

		satisfactory to MIGA.	
12	Produce and actively use a project labor commitment (policy statement) in line with PS 2 including specific gender commitment	Policy statement that includes gender specific commitments	No later than 60 days after the Contract Effective Date
13	Implement a code of conduct and action plan to help prevent gender-based violence (“GBV”) and violence both at management and worker level (both employers and contractors)	Code of conduct and action plan	No later than 60 days after the Contract Effective Date
14	Develop and implement a sexual harassment policy according to requirements under PS2	Sexual harassment policy	No later than 60 days after the Contract Effective Date
15	Include EHS provisions in contracts with other sub-contractors providing services to the Project’s operations and ensure that the provisions include compliance with the Performance Standards.	EHS provisions in sub-contractor contracts	No later than 60 days after the Contract Effective Date
16	Include EHS provisions in contracts with primary suppliers providing goods to the Project’s operations and ensure that the provisions include compliance with the Performance Standards.	EHS provisions in supplier contracts	No later than 60 days after the Contract Effective Date
Performance Standard 3: Resource Efficiency and Pollution Prevention			
17	An independent E&S Consultant will conduct an Environmental and Social Due Diligence (ESDD) for existing quarries and borrow pits	ESDD report	Prior to construction
18	Conduct ESIA for the development of any new material sites	ESIA reports, approvals and conditions of approval	Prior to the development of new material sites
19	Develop and implement a quarry management and rehabilitation plan	Quarry Management and Rehabilitation Plan	No later than 60 days after the Contract Effective Date
20	Conduct an ESIA of available water sources to select the optimal one and develop and implement a Water Management Plan for the construction and operations phases in line with PS 3 requirements	ESIA and Water Management Plan in form and substance satisfactory to MIGA	No later than 60 days after the Contract Effective Date
21	Develop and implement a Waste Management Plan for solid waste, spoil and effluent, in line with PS 3 requirements	Waste Management Plan in form and	No later than 60 days after the

		substance satisfactory to MIGA	Contract Effective Date
Performance Standard 4: Community Health, Safety and Security			
22a	Develop and implement a Community Health and Safety Plan for the construction phase in line with PS 4 requirements	Construction Community Health and Safety Plan in form and substance satisfactory to MIGA	No later than 30 days prior to construction
22b	Develop and implement a Community Health and Safety Plan for the operations phase in line with PS 4 requirements	Operations Community Health and Safety Plan in form and substance satisfactory to MIGA	No later than 30 days prior to operations
23	The Project Enterprise will identify locations that have black spots/areas where road traffic accidents have historically been concentrated and sensitive risk receptors (school and town centers) and collaborate with traffic police and KeNHA to determine feasible mitigation measures	Mitigation measures to reduce the risk of accidents in black spots	No later than 60 days after the Contract Effective Date
24	Conduct a flood mapping assessment to ensure that the road and drainage design prevent the erosion and flooding of properties in the Project area	Flood risk assessment	No later than 30 days prior to construction
25	Develop and implement a Security Management Plan in line with the requirements of PS4, providing clear commitment by the Project in terms of recruitment, vetting and appropriate training of security contractors, as well as a Code of Conduct with respect to use of force	Security Management Plan and Code of Conduct	No later than 30 days prior to construction
26	Ensure that Grievance Procedure is sensitive to GBV concerns	Grievance Procedure that details GBV concerns	No later than 30 days prior to construction
PS 5: Land Acquisition and Involuntary Resettlement			
27	Collaborate with KeNHA to develop and implement a Resettlement Action Plan (RAP) in line with PS 5 requirements	RAP in line with PS5 requirements, in form and substance satisfactory to MIGA.	Condition precedent
28	Collaborate with KeNHA to ensure that no forced eviction will be undertaken	Records of Stakeholder Engagement as well as Compensation and Grievance Records	Condition precedent
29	Collaborate with KeNHA to ensure that robust and exhaustive stakeholder engagement is carried out and documented for the RAP in both English and Swahili	Records of Stakeholder Engagement	Condition precedent

30	Ensure that the vulnerable population is identified, and mitigation measures carried out during the implementation of the Livelihood Restoration Plans (LRPs)	LRP	Condition precedent
31	If additional changes in Project design are implemented, specifically a reduction in the Right-of -Way (RoW), the asset inventory and census survey will be updated to reflect any changes in the RoW width.	Updated RAP in line with PS5 requirements in form and substance satisfactory to MIGA	Condition precedent
32	Disclose the RAP to the Project Affected Households (PAHs) and hold meetings with the PAPs to finalize the compensation packages	Records of meetings	Condition precedent
33	The Project Sponsor will collaborate with KeNHA to ensure that all negotiations and agreements will be conducted in line with the PS5 definition of informed consent and fair compensation based on full replacement cost	Copies of agreements	Condition precedent
34	Collaborate with the Contracting Authority to ensure that compensation is paid in line with PS 5 requirements	Copies of Signed Agreements and Grievance Records	Condition precedent
35	Commission an external completion audit of the RAP and LRP to assess whether RAP provisions have been met and implement supplemental measures, where applicable, as well as any additional livelihood restoration measures	RAP and LRP Completion Audit	Within the first year of construction
PS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources			
36	Develop and implement a code of conduct that includes a zero-tolerance policy on possession, collection, hunting of wildlife of conservation significance	Code of Conduct in form and substance satisfactory to MIGA	Condition Precedent
37	Develop and implement an updated Biodiversity Action Plan	Ecological Management Plan in form and substance satisfactory to MIGA	Condition Precedent
PS 7: Indigenous Peoples			
38	Collaborate with the CA to ensure that the stakeholder engagement process includes consultation with the Masai Pastoralists, and that appropriate mitigation measures are carried out throughout the RAP, as well as during the implementation of the Project	SEP and Records of Stakeholder Engagement	Condition Precedent
PS8: Cultural Heritage			
39	Develop and implement a Chance Find Procedure	Chance Find Procedure	Condition Precedent