



National Recovery Program Bureau

Shipwreck Salvage and Lagoon Debris Removal and Disposal Project

Environmental and Social Management Plan



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Abbreviations and Acronyms

C-EMP	Contractor's Environmental Management Plan
CR	Contracting Representative
EIA	Environmental Impact Assessment
EHSGs	Environmental Health and Safety Guidelines
ESCP	Environmental and Social Commitment Plan
ESHS	Environmental Social Health and Safety
EMP	Environmental Management Plan
ESS	Environmental and Social Standard
GDP	Gross Domestic Product
GIIP	Good International Industry Practice
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GoSM	The Government of Sint Maarten
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HVAC	Heating, Ventilation, and Air Conditioning
ILO	International Labor Organization
IRC	Interim Recovery Committee
MSIP	Management strategies and Implementation Plans
NRPB	National Recovery Program Bureau
NRRP	National Recovery and Resilience Plan
O&M	Operation and Maintenance
OHS	Occupational Health and Safety
PMU	Project Management Unit
SDTF	Single Donor Trust Fund
SEP	Stakeholder Engagement Plan
VROMI	Ministry of Public Housing, Spatial Planning, Environment and Infrastructure
VSA	Ministry of Public Health, Social Development and Labor
WBG	World Bank Group
HASP?	
TNF?	

1 Introduction

The Shipwreck Salvage and Lagoon Debris Removal and Disposal Project (the Project) is proposed by the Government of Sint Maarten (GoSM), to address the issue of shipwrecks and shoreline debris that have resulted from hurricane Irma in September 2017. The project will consist of removal, decommissioning and disposal of damaged vessels which have been observed to either be moored, partially-submerged, submerged or run aground in Simpson Bay Lagoon; collection, processing and disposal of storm debris located along approximately 10.5 kilometers of the Sint Maarten's shoreline on the Lagoon and Mullet pond. All waste will be transported offsite to either approved disposal or recycling facilities.

The National Recovery Program Bureau (NRPB) will be responsible for implementation of this project.

The Project is proposed to be financed by the Sint Maarten Recovery and Reconstruction Trust Fund, which is managed by the World Bank. To comply with GoSM environmental policies and regulations and the World Bank Safeguards Policies, the project needs to consider the natural environment, human health and safety and social aspects in an integrated way. The below presented Environmental and Social Management Plan (ESMP) has been prepared in compliance with the relevant national and World Bank environmental and social safeguards policies related to the implementation of the project.

1.1 Background

Sint Maarten is an autonomous territory of the Kingdom of the Netherlands. It occupies the southern 40 percent of an island in the Caribbean, shared with the French overseas collectivity of Saint Martin. It has a population of more than 40,000 and an area of 37 km².

Category 5 hurricane Irma hit the island on September 6, 2017 with winds of more than 296 km per hour which caused extensive property damage and loss of lives. Irma was followed on September 19 by tropical storm conditions from Hurricane Maria, which further damaged Sint Maarten's infrastructure. Sint Maarten is currently rebuilding after damages caused by Hurricane Irma that claimed lives and deteriorated the socio-economic environment on the island.

The country's economy is essentially based on tourism. The tourism sector contributed 73 percent to the country's total foreign exchange income in 2016. Sint Maarten's harbor is a significant port for cruise tourism in the Caribbean, with 1.7 million cruise passengers visiting per year. Natural hazards have catastrophic impacts on the economy, which has seen limited growth in recent years and remains exposed to tourism trends and weather shocks.

Impact of hurricane Irma on the Simpson Bay Lagoon and on associated public shorelines. Right after Hurricane Irma hit the Island, there were 177 shipwrecks counted in the Simpson Bay Lagoon and Mullet Pond. Debris from the hurricane damage itself and the subsequent demolition and reconstruction activities accumulated irregularly on the shoreline on the Lagoon and Mullet pond for a length of approximately 10.5 kilometers. The debris field is inconsistent across the area with varying accumulations and different types of debris that was primarily transported into these areas in the aftermath of the hurricane. Since the Hurricane, some vessels have been removed but not as part of the project. The NRPB estimates that up to 82 shipwrecks remain in the Simpson Bay Lagoon and Mullet Pond.

Need for the Project. Hurricane debris that remains unmanaged is a barrier to reconstruction, contributes to negative aesthetics, and provides breeding grounds for mosquitos that carry dengue, chikungunya and zika, which poses direct health risk for the population as well as economic losses due to negative media coverage in the tourism industry related to health threats. Currently, the collection

of hurricane debris and the debris resulting from reconstruction activities is not carried out separately by type of debris, a practice that would facilitate recycling and treatment. Also, limited final treatment, disposal and or sale of the debris has resulted in accumulated debris at temporary storage and the municipal disposal site with concomitant health and environmental risks. Abandoned ships that were damaged in the storm also pose risks to property and the environment, are a navigational hazard, and are reducing aesthetics of important recreation and tourism areas.

The government of Netherlands Single Donor Trust Fund for Reconstruction of Sint Maarten. While Sint Maarten has made substantial efforts to address the most urgent needs following Hurricane Irma, recovery needs are massive, and the country has limited capacities to manage large-scale resilient reconstruction. To support a rapid and sustainable recovery, the Government of Netherlands has established a EUR 470 million Single Donor Trust Fund (SDTF) managed by the World Bank. The SDTF will finance selected activities in support of recovery, reconstruction, and resilience under the framework of Sint Maarten's National Recovery and Resilience Plan (NRRP), which outlines the country's recovery needs.

1.2 The Proposed Project

The proposed Project aims to remove and dispose of the wrecked vessels in Simpson Bay Lagoon and collect and dispose of the debris located along the Dutch Side of the Simpson Bay Lagoon's shoreline. The Project will include the following areas:

- Simpson Bay Lagoon, including Mullet Pond;
- Shipwreck/Vessel Decommissioning site (tbd).

1.3 Environmental and Social Assessment of the Project

As specific World Bank safeguards policies were triggered, the NRPB prepared this Environmental and Social Management Plan (ESMP), which presents potential environmental and social impacts and risks of the Project, and measures to address these impacts and risks.

1.4 Contents of the Report

In addition to this Chapter 1, the ESMP consists of the following chapters:

- Chapter 0:

- **Project Description.** This chapter describes the baseline situation, and detailed scope of activities to be carried out under the Project.
- **Chapter 3: Government Regulations and World Bank Group’s Operational Guidelines.** This chapter describes the relevant policies of GoSM, and Environmental and Social Standards (ESSs) of the World Bank, and how they have been considered while designing the Project and preparing this EMP.
- **Chapter 4: Baseline Environmental and Social Conditions.** This chapter describes the existing environmental and social condition of the project area.
- **Chapter 0:**

- Potential Environmental and Social Risks and Impacts of the Project and their Management: This chapter describes the environmental setting of the Project area and potential environmental and social impacts and risks associated with the Project activities. This chapter also describes proposed detailed management plans to address these impacts and risks; and a monitoring plan.
- Chapter 0:

- Project Implementation Arrangements and Capacity Building. This chapter describes the Project institutional arrangements for implementation of the ESMP.
- Chapter 0:

- Stakeholder Engagement and Information Disclosure. This chapter describes the stakeholder engagement plan and details of consultations carried during the preparation of the Project.

2 Project Description

This project is being performed to address the issue of shipwrecks and shoreline debris in the Simpson Bay Lagoon and Mullet Pond that have been created by the impact of hurricane Irma in 2017. The project will consist of salvaging, decommissioning, reducing environmental damage and disposing of approximately 82 damaged vessels which have been observed to either be moored, partially-submerged, submerged or run aground in Simpson Bay Lagoon; collecting, processing and disposing of intermittent concentrations of storm debris located along approximately 10.5 kilometers of the Sint Maarten's shoreline on the Lagoon and Mullet pond. NRPB will procure the services of a contractor to safely remove shipwreck and storm debris from the shoreline on the Lagoon and Mullet pond. Project is expected to initiate in the third quarter of 2019 and implemented before the end of 2020.

The decommissioning of surfaced vessels requires either a site or facility that will be defined as part of the procurement process. If an inland decommissioning yard becomes available to be used in this project, the salvaged vessels and the collected shoreline storm debris will be transported to the designated decommissioning yard. There, waste segregation and processing will occur, followed by transportation offsite to either approved disposal or recycling facilities. If no inland decommissioning yard is available by the time the procurement process is initiated, then bidders will be asked to propose their own approach for decommissioning and disposing of the salvaged vessels and the collected shoreline debris, including: 1) decommissioning on land provided by bidder; 2) decommissioning on barges; and 3) shipping off island without processing.

A limited number (likely one or two) of pre-identified steel hulls will be transformed into artificial reefs or dive sites after decommissioning. This will be done under the supervision of the Sint Maarten Nature Foundation in close cooperation with the department of Civil Aviation, Shipping & Maritime Affairs. A separate small contract will be tendered to decommission these hulls.

2.1 Baseline Situation

A Baseline Diagnostic which included an inventory of vessels that were moored, partially submerged, submerged and/or run aground within the Simpson Bay Lagoon was performed by the Department of Maritime Affairs and the Nature Foundation in May 2018. The report estimated that up to 177 severely damaged or previously sunk vessels were observed in the various marine salvage yards and marinas, or tendered to salvage barges. Since the Lagoon is split with the French-side of the island, this inventory focused only on the Dutch side. The size of wooden and fiberglass hull vessels typically ranges between 20 ft and 40 ft approximately; typical size of metal hull boats ranges between 40 and 100 ft. The report included in Annex 1 includes more detailed information on the boats. Conditions of vessels were identified as follows:

- Submerged or partially submerged;
 - Moored, damaged, under repair or refloated;
 - On land, out of the water.

When possible, the GPS location, name, registration number, manufacturer, model, and size of each vessel was documented during the inventory process.

The majority of the vessels have been removed since a review of the inventory took place in August 2018. Removal of these vessels happened outside the scope of this project.

In addition, there still remains debris distributed along the shoreline on the Lagoon and Mullet pond including construction and demolition (C&D) debris, domestic trash, wood and fiberglass, paper goods, cloth, furniture, and other miscellaneous debris.

2.2 Environmental, Safety and Social Risks Identified

Collectively, the observed vessels and debris present environmental risks to the Simpson Bay Lagoon including, but not limited to the following:

- Further damage to coastal vegetation, seagrass beds, property or infrastructure from floating or flying debris or vessels in the event of a future storm.
- Pollution from oils, black-water, anti-fouling paints, fuels, batteries, and other potentially hazardous fluids or materials that remain on or within the vessels or debris.
- Navigation hazards related to vessels that are submerged, partially submerged or floating debris.
- Injury to residents or tourists from shoreline debris on the Lagoon and Mullet pond or vessels that are floating, submerged or partially submerged.
- Injury to marine life and avifauna from shoreline debris on the Lagoon and Mullet pond or vessels that are floating, submerged or partially submerged.
- Degradation of aesthetic value and loss of tourism and other business revenue.

Additionally, the project will take place in a body of water which includes a boundary between two states. Following the WB Operational Policy 7.50, the Government of Sint Maarten notified France of the proposed project. Notification took place between the French Authorities and the Dutch Authorities.

2.3 Scope of Work

The project will consist of the following activities:

Shipwreck Removal: Shipwreck removal and disposal would consist of collecting the sunken, grounded, moored, landed or otherwise abandoned vessels shown on the map of shipwrecks. Figure 2-1 shows the location of the localized shipwrecks as per August 2018.

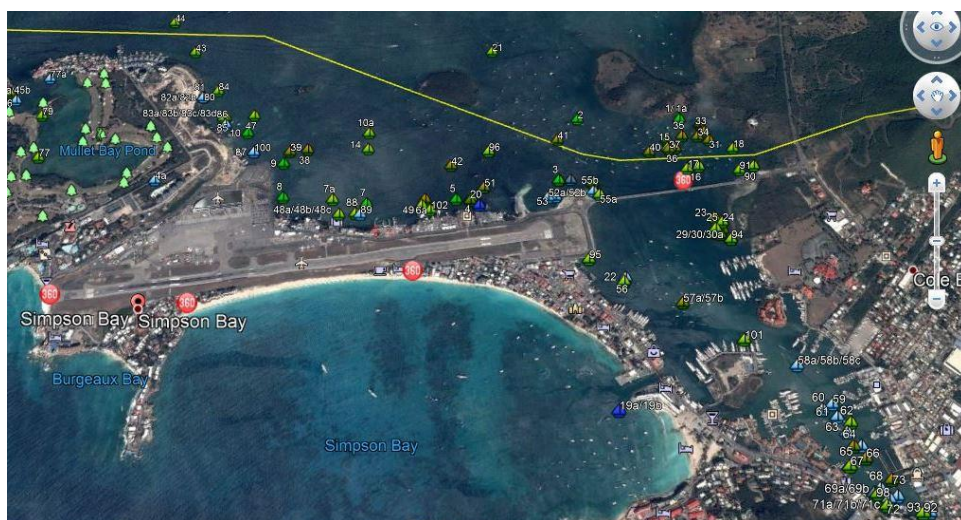


Figure 2-1: Location of the Inventoried Shipwrecks to be Removed

The intent of the Project is to have the vessels raised and disposed of in accordance with this ESMP. Steps involved in this process will include, but are not limited to, removal of petroleum fluids, batteries, gray or black water, salvageable metals such as brass, stainless steel, aluminum copper, nickel and chromium, and subsequent disposal of the residual wood and fiberglass in a cost effective and environmentally appropriate manner¹.

Shoreline Debris Removal: Shoreline debris removal will include material located along the shoreline on the Lagoon, lagoon islets and Mullet pond as shown in Figure 2-2.



Figure 2-2: Map of the Shoreline on the Lagoon and Mullet Pond Where the Debris is Located

The area of cleanup includes the shoreline of the Lagoon, lagoon islets, and Mullet pond within reasonable reach from the water side, up to 2 meters from the water's edge at high tide. The Shoreline Debris will be retrieved and disposed of as described in the winning proposal. Collected shoreline materials may include construction & demolition debris (C&D), docks/treated wood and/or pile timbers, household or domestic trash, pieces of, wood or fiberglass parts of boats not otherwise identifiable as a vessel, cloth or furniture, flotsam & jetsam, and any other miscellaneous debris of significant size.

Shipwreck Decommissioning: The procedures to decommission the salvaged shipwrecks will be proposed by the bidder among the following options:

- 1) Decommissioning on land provided by the Contractor or, if available, on land leased by the Government;
- 2) Decommissioning on barges;
- 3) Decommissioning out of the country after shipping out the shipwrecks without processing.

If decommissioning will occur on barges or on a local yard, materials will be segregated for disposal or recycling and stored onsite. Grinding of fiberglass and recycling is preferable to breaking and disposal. Fiberglass vessel hulls in part or in whole may not be disposed of at the SXM Landfill.

Debris will be separated accordingly:

- **Burnable Debris** – Burnable debris will consist of all biodegradable matter except that which is included in the following definitions of other categories of debris. Burnable debris includes, but is not limited to, the following: paper and cardboard goods, general household trash, untreated structural timber; untreated wood products, and brush or organic biomass or other vegetative debris.
- **Non-Burnable Debris** – Non-burnable debris includes, but is not limited to, the following: treated lumber and timber, plastics (excluding fiberglass), glass, rubber products, metal products that cannot be recycled, sheet rock, cloth items, non-wood building materials, furniture, carpet and padding, cushions, life jackets and rings, and other debris commonly associated with Household Waste (HW).
- **Metals** - Metals including roofing metal (zinc), keels, rudders, pintles & hinges, engines, transmissions, water heaters, shafts, propellers, masts, railings, winches, anchor chains, chain plates, and various other ship parts, fixtures, tanks, and structural steel and aluminum.
- **(Household) Hazardous Waste (HHW), Electronic Waste (E-Waste) and White Goods** - HHW includes household cleaners, oils, paints, flammables, insecticides, fuel cans, propane gas bottles, refrigerant, appliances, electronics and batteries. E-waste includes discarded electrical or electronic devices such as printers and monitors. White goods are large electrical goods used domestically such as refrigerators, air conditioners and washing machines, typically white in color.
- **Fiberglass Debris** – Includes boat hulls, boat components or other material, typically constructed of plastic reinforced with glass fiber.

Final Disposal and Recycling: No on-island disposal facilities or options for fiberglass debris are currently available for this project. Final Offshore disposal options may include landfill or ship graving operations in other countries. Segregated debris and unprocessed shipwrecks will be transported to the disposal or recycling facilities approved by NRPB. Vessels, parts thereof or associated items and debris may not be disposed of at sea, in the lagoon itself or along the coast under any circumstances.

A limited number of vessels with (one or two) a hull and superstructure constructed out of metal (steel, aluminum) will, possibly, be re-sunk as an artificial reef/ dive site after the proper guidelines are followed, taking into consideration the removal of debris, decontaminating of the vessel and arriving at a suitable location to be sunk. The Nature Foundation of Sint Maarten (Nature Foundation) will be engaged to develop a plan for vessel preparation and sinking which will include: determining a suitable location, identifying suitable vessels, if any, advising and supervising contractor on appropriate measures for decommissioning and preparing these vessels for the aforementioned purposes as well as stakeholder consultations in close cooperation with and the approval of the Ministry of Tourism, Economic Affairs, Transport and Telecommunication - Department of Civil Aviation, Shipping & Maritime Affairs (the Ministry of TEATT).

2.4 Project areas

The project activities will take place within the waters of the Simpson Bay Lagoon and on associated public shoreline on the Lagoon and Mullet ponds. A discussion of these locations is presented below:

Shipwreck Removal: The vessels and debris are located within the Dutch-side of Simpson Bay Lagoon, as well as Mullet Pond and the shallows, marinas and the surrounding shorelines. A map of these locations is shown in Figure 2-3. The sunken vessels are generally within 15-feet of the surface, with most vessels located at a bottom depth of 10-feet or less. The vessels are located over an area of

approximately 3 km². Some vessels have been towed or beached into relatively shallow water near the shorelines to prevent sinking. Some sunken vessels have been raised and re-floated and are now moored or anchored in the removal zone.



Figure 2-3: The Simpson Bay Lagoon Where the Shipwreck Vessels and Debris are Located.

Shoreline Debris: The area of cleanup includes the shoreline on the Lagoon and Mullet pond within reasonable reach from the water side, up to 2 meters from the water's edge at high tide. Shoreline cleanup will not be permitted on private property unless previously agreed upon right-of-way access has been granted by the owner. Right-of-way access will be requested in coordination with the Ministry of VROMI who shall establish contact with landowners to obtain right-of-way access to private property in order to facilitate clean-up of relevant debris. Property owners will be requested to sign standard forms granting permission to enter and remove debris their property. The shoreline area within this project's work zone is approximately 10.5 kilometers long. The debris field is inconsistent across this area with varying accumulations and different types of debris that was primarily transported into these areas as the result of Hurricane Irma in 2017. A map of the project's shoreline work area is shown in Figure 2-2.

Vessel Decommissioning Site: At the time of the preparation of this ESMP, no available decommissioning yard has been deemed readily available in Sint Maarten. If suitable land for the implementation of a decommissioning yard will be provided by the Contractor or leased by the Government, the mitigation and monitoring procedures listed in this ESMP (see section 5.4) are to be followed to ensure minimal environmental and social impacts. Preference will be given to land-based decommissioning.

Artificial reefing site: As previously indicated a limited number of vessels that will be identified for artificial reefing will be sunk in locations identified by the Sint Maarten Nature Foundation, subject to approval of the Ministry of TEATT.

2.5 Timing of project

Project is expected to begin in the first quarter of 2020 and activities to be completed by fourth quarter 2020. The Contractor shall be required to (a) commence removal operations within 30 calendar days after the date the Contractor receives the Notice to Proceed; (b) implement the activities diligently; and (c) to complete the activities described herein including the collection and removal of shoreline debris and the raising, towing, hauling, de-polluting, decommissioning and graving of vessels in its entirety not later than 200 calendar days after the date the Contract or the Contractor's receipt of the Notice to Proceed. Days considered non-workable due to inclement weather conditions do not count. Non-workable days will be defined based upon weather bulletins published by the Meteorological Department of Sint Maarten.

2.6 Institutional Arrangements

The National Recovery Program Bureau (NRPB) is the Project Implementation Unit (PIU) of activities financed under the SDTF and in this capacity is responsible for administering the contract. The NRPB will work closely with Government stakeholder to ensure compliance with local policies and legislation. In addition, the NRPB will contract a firm to act as Contracting Authority Representative to supervise the contractor's obligations under the contract.

Governmental authorities that will be involved in this project are as follows:

- Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI) – This Ministry is custodian of the remaining, unclaimed vessels in the Simpson Bay Lagoon and Mullet pond. Furthermore, VROMI is responsible for waste management, which includes shipwrecks under this project. Included will be:
 - Policy Department
 - Department of Public Infrastructure
 - Inspection and Permits Department
- Ministry of Tourism, Economic Affairs, Transport and Telecommunication - Department of Civil Aviation, Shipping & Maritime Affairs. The Department responsible to advice on matters concerning Harbor, Shipping and Maritime policy, laws and legislation, as well as the supervision of the implementation of this.
- Simpson Bay Lagoon Authority (SLAC) - The Lagoon Authority is responsible for managing the Simpson Bay Lagoon (St. Maarten side) as well as the operation/maintenance of the bridges; collection of fees.
- Dutch Caribbean Coast Guard

Non-governmental authorities:

- The Sint Maarten Nature Foundation – Government designated Management and Scientific Authority assigned to the oversight of environmental matters and management of Sint Maarten's Marine Parks and waters.

2.7 Resource Requirements

The estimated labor requirement for the Project is about 50—100 resident workers, 5-10 non-resident workers /some with sea diving experience. The Contractor is expected to accommodate any foreign workers in the local hotels or rental houses. No project specific labor camps or other housing facilities will need to be established for the Project.

3 Government Regulations and World Bank Group's Operational Guidelines

3.1 Applicable Ordinances, Policies and Regulations of Government of Sint Maarten

Sint Maarten, previously part of the Dutch Antilles, became an autonomous territory within the Kingdom of the Netherlands on October 10, 2010. Sint Maarten has full autonomy for internal affairs including the environmental legislation. The Dutch government is solely responsible for defense and foreign affairs.

According to Article 22 of the 'Constitution of the Country of Sint Maarten,' It shall be the constant concern of the government of Sint Maarten to keep the country habitable and to protect and improve the natural environment and the welfare of animals.

The government is strongly committed to sustainable development and the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (Ministry VROMI) is working towards the preparation of draft legislation on (i) environmental policy and management plan, (ii) nature policy plan, (ii) establish noise, air and water quality norms, and (iv) develop standard environmental regulations to include permits.

Ordinances, policies and decrees related to environmental protection that are relevant to this Project include:

- National Ordinance containing regulations for Nature Management and Protection:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/142263/142263_2.html
- National Decree containing general measures for Nature Management and Protection:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/207435/207435_1.html
- National Ordinance containing measures aimed at cleaning up ships and wrecks:
http://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/Historie/Sint%20Maarten/142705/142705_2.html
- National Ordinance on Prevention of Pollution by Ships:
http://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/Historie/Sint%20Maarten/142513/142513_2.html
- Eindrapport Milieunormen Nederlandse Antillen 2007:
<http://www.dcbd.nl/document/eindrapport-milieunormen-nederlandse-antillen-lucht-geluid-water-afvalwater-afval>
- National Hindrance Ordinance:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208542/208542_2.html
- National Hindrance Decree:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208543/208543_1.html
- Waste Water National Ordinance:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208544/208544_3.html

- Waste National Ordinance:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208510/208510_2.html
- National Ordinance on Maritime Management:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/142339/142339_2.html
- General Police Ordinance
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/Historie/Sint%20Maarten/207087/207087_1.html
- Traffic Ordinance
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/207068/207068_2.html
- Link to government page to download the Hillside and Beach Policy:
<http://www.sintmaartengov.org/government/VROMI/Pages/Ministry-Policies-and-Reports.aspx>
- The Labor Regulations 2000
- National HIV and AIDS Workplace Policy

The Contractor will be responsible for obtaining and adhering to the requirements of all necessary licenses and permits from the Government of Sint Maarten in order to perform the proposed scope of work.

3.2 Additional Operational Guidance

Shipwreck recovery and salvage and decommissioning and graving operations shall be completed in general accordance with the following provisions derived from the United States Occupational Safety and Health Administration (OSHA):

- Shipbreaking <https://www.osha.gov/Publications/3375shipbreaking.pdf>
https://www.osha.gov/SLTC/etools/shipyard/ship_breaking/index.html
- Debris Reduction, Recycling and Disposal
<https://www.osha.gov/SLTC/etools/hurricane/debris.html#index>.
- Deep-Water Work/Boating Operations <https://www.osha.gov/SLTC/etools/hurricane/water-operations.html>.
- OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Activities
<https://www.osha.gov/SLTC/etools/hurricane/hazwoper.html>

Vessel preparation and sinking for the purpose of creating an artificial reef or dive site shall take place in accordance with the requirements as set forth by the Ministry of Tourism, Economic Affairs, Transport and Telecommunication - Department of Civil Aviation, Shipping & Maritime Affairs (the Ministry of TEATT) and the Nature Foundation and as far as determined desirable and feasible by the aforementioned authorities will be completed in compliance with:

- OSPAR Guidelines on Artificial Reefs in relation to Living Marine Resources
https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/OSPAR_Artificial%20Reefs%20Guidelines_tcm30-157010.pdf
- London Convention and Protocol/UNEP Guidelines for the Placement of Artificial Reefs
http://www.imo.org/en/OurWork/Environment/LCLP/Publications/Documents/London_convention_UNEP_Low-res-Artificial%20Reefs.pdf

3.3 World Bank Safeguards Policies and World Bank Group Environmental, Health and Safety Guidelines

3.3.1 World Bank Safeguards Policies

The World Bank has a number of Operational Policies (OPs) and Bank Procedures (BPs) concerning environmental and social issues, which together are referred to as the 'World Bank Safeguard Policies'. If, during the development of a project, it is considered that it is possible that a proposed project activity could be the subject of one of the safeguard policies, that policy is considered to have been 'triggered'. In the subsequent development of the project, that activity must be considered in more detail to determine whether it is actually of no concern or adequate mitigation can be applied to address the concern, or the activity should be removed from the project (or the whole project should be dropped).

The proposed project is considered to have potential site specific adverse environmental impacts on environmentally important areas, particularly Mullet Pond, a semi-enclosed area of permanent shallow marine waters within the Simpson Bay Lagoon, which is a designated RAMSAR site. The Site holds some of the few intact sea-grass beds in the wider Lagoon as well as some 70% of the mangrove forest remaining along the shores of the Dutch side of the Simpson Bay Lagoon.

Broadly, the project is expected to bring positive cumulative environmental benefits to the project area by removing shipwreck and shore debris and consequently eliminating contaminants from the sunken vessels which are being released in the water bodies. However, there remain risks associated with the project, including temporary increases of water and air pollution and soil contamination if the resurfacing and final disposition of shipwrecks is not done properly.

The proposed mitigation measures in this ESMP will prevent, minimize, or mitigate the adverse impacts and improve environmental performance. Preparation of the ESMP includes a consultation with project-affected groups and local non-governmental organizations (NGOs) about the project's environmental aspects and their views will be taken into account in the final ESMP.

During project implementation, the NRPB will report on compliance with the measures agreed with World Bank including implementation of the ESMP, and the status of mitigation measures.

- Environmental Assessment (OP4.01/BP4.01):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1565&ver=current>
- Environmental Action Plans (OP4.02/BP4.02):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=3528&ver=current>
- Natural Habitats (OP4.04/BP4.04):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1567&ver=current>

- Pest Management (OP4.09):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1637&ver=current>
- Physical Cultural Resources (OP4.11/BP4.11):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1570&ver=current>
- Involuntary Resettlement (OP4.12/BP4.12):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1572&ver=current>
- Forests (OP4.36/BP4.36):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1574&ver=current>
- Indigenous Peoples (OP4.10/BP4.10):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1570&ver=current>
- Safety of Dams (OP 4.37/BP4.37):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1576&ver=current>
- Projects in Disputed Areas (OP7.60/BO7.60):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1841&ver=current>
- Projects on International Waterways (OP7.50/BP7.50):
<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=2660>

3.3.2 World Bank Group Environmental, Health and Safety (EHS) Guidelines

The WBG EHS guidelines are technical reference documents with general and industry specific examples of Good International Industry Practice (GIIP). EHS Guidelines are applied as required by their respective policies and standards. The applicability of specific technical recommendations should be based on the professional opinion of qualified and experienced persons. When host country regulations differ from the levels and measures presented in the EHS Guidelines, projects are expected to achieve whichever is more stringent. More details on the recommended approach to include EHS considerations into the project management are given in Annex 2.

3.3.3 Sectoral Guidelines Applicable to the Project: Waste Management

These guidelines apply to projects that generate, store, or handle any quantity of waste across a range of industry sectors. Waste materials should be treated and disposed of and all measures should be taken to avoid potential impacts to human health and the environment. Selected management approaches should be consistent with the characteristics of the waste and local regulations. The guidelines cover relevant waste management issues including final disposal, hazardous waste management, waste storage, transportation, and monitoring. Further details on the waste management guidelines are provided in Annex 2.

4 Baseline Environmental and Social Conditions

4.1 Physiography

Sint Maarten is an island country in the Leeward Islands of the Caribbean. Sint Maarten is centred on 18° 01'N Latitude and 63° 05' W Longitude. The island hinges between the Lesser and the Greater Antilles and lies between the Atlantic Ocean and the Caribbean Sea. Other neighboring island include Saba St. Eustatius, Anguilla, St. Kitts and Nevis and St. Barthélemy. The total land area of the entire island is 90 km² (15km long and 13 km wide at its widest point). The island features a series of jagged ranges of hills from north to south terminating at Pic Paradis, 424 m the highest point, on the French side of the island. The coastline is a series of beaches, coastal lagoons, rocky areas and salt and fresh water (brackish) ponds, and the interior is characterized by many valleys.

4.2 Climate

The climate of Sint Maarten is tropical with hot and sunny weather all year around. Daily average temperature ranges from 25 degrees Celsius (°C) in the period from January to March, to 28 °C between June and October. The night temperature rarely drops below 20 °C, while sometimes it can reach 35/37 °C during the day, from June to November. Average monthly weather data of Sint Maarten is given in **Table 4-1**.

Average annual rainfall is 1045 mm. In the period from June to November (but mostly from August to October), Sint Maarten can be hit by tropical depressions and hurricanes, as happens in general in the Caribbean.

Table 4-1: Average Monthly Weather Data of Sint Maarten

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Temperature, Min (°C)	22	22	23	23	24	25	25	25	26	25	24	23
Temperature, Max (°C)	28	27	28	28	29	30	30	31	31	30	29	28
Rainfall (mm)	75	50	45	80	100	70	85	115	120	100	115	90

4.3 Natural Hazards

Sint Maarten is highly vulnerable to natural disasters and adverse climatic events due to its location within the Atlantic hurricane zone. For the past decades, the country has been exposed to tropical storm force winds and numerous hurricanes, including notably intense storms: Donna in 1960 (Category 3), Luis in 1995 (Category 4), and Irma in 2017 (Category 5 on Saffir-Simpson scale). Due to the size of the country, a single storm has the potential to impact the entire population directly. High winds, rainfall and flooding are the principal risk factors while the country is also vulnerable to earthquakes. Coastal areas are exposed to flood risk and erosion from storm surge, run-off and possible tsunamis. Increased urbanization along with climate change and limited country capacity to build with resilience adds to its vulnerability to natural hazards.

4.4 Biological Environment

The major part of Sint Maarten is covered with secondary vegetation derived from either seasonal formations or dry evergreen formations². Only on the top of the hills, some more or less original semi-

² Source: Biological Inventory of St. Maarten
(<http://www.dcbd.nl/sites/www.dcbd.nl/files/documents/RojerKNAP96-33BioInv-StMaarten%5Beng%5D.pdf>)

evergreen seasonal forest is found. This type of forest has regionally become extremely rare too. Because of its small area, this forest formation is very vulnerable. On the higher hills of the two ridges in the middle part of the island, and the hills of the eastern ridge, dense secondary woodland vegetation is growing, preventing erosion and with a high scenic value. Along the coast, ponds and inland waterways remains of mangrove forests and other types of coastal vegetation survive, which are of high ecological, aesthetic and recreational value.

The fauna of St. Maarten is limited in species, not only because of St. Maarten's small size, but also because of habitat destruction, hunting, imported predators and hurricanes.

4.4.1 Simpson Bay Lagoon

Simpson Bay Lagoon (one of the largest inland bays in the Antilles) constitutes a wide wetland shared between the French and Dutch parts. Extensive seagrass beds can be found underwater (particularly on the eastern side); The seagrass stands in and around St Maarten are dominated by Turtle grass (*Thalassia testudinum*) together with Manatee grass (*Syringodium filiforme*), banks of calcareous alga (*Halimeda*) and *H. stipulacea*. The lagoon is bordered by 3 species of mangrove trees growing around the shorelines, namely *Rhizophora mangle*, *Avicennia germinans*, *Laguncularia racemosa*, as well as Buttonwood *Conocarpus erectus*.

4.4.2 Mullet Pond

Mullet Pond is a semi-enclosed area of permanent shallow marine waters within the Simpson Bay Lagoon. The Kingdom of the Netherlands has designated Mullet Pond in Sint Maarten as its 55th Ramsar Site. (The Convention on Wetlands, called the Ramsar Convention, is an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.) The Site holds some of the few intact sea-grass beds in the wider Lagoon as well as 70% of the mangrove forest remaining in the Dutch half of the Simpson Bay Lagoon.

The mangroves and sea-grass beds act as a major nursery area and important habitat for juvenile fish species, which develop in the lagoon before moving to local coral reef ecosystems including in the Man of War Shoal Marine Protected Area. The nationally critically endangered buttonwood *Conocarpus erectus* is found on Mullet Pond. The Site is also the last remaining habitat in the wider Simpson Bay area for *Anolis pogus*, a species endemic to the island, and the last intact foraging grounds in the Lagoon for the globally endangered green turtle *Chelonia Mydas*.

The mangroves provide coastal protection during hurricanes and tropical storms and help cycle nutrients in the larger Simpson Bay area. As well as supporting the fish stocks, which local fisheries depend on. The Site is furthermore used for eco-tourism activities such as kayaking tours. The area is threatened by the invasive seagrass *H. stipulacea*, and invasive alien species including the red lionfish *Pterois volitans*.

4.5 **Demography and Socio-economy**

Sint Maarten is a high-income constituent country of the Kingdom of the Netherlands in the Caribbean. It is the most densely populated country in the Caribbean with a population of more than 40,000 in an area of 34 square km and a per capita Gross Domestic Product (GDP) of U\$25,381. English is the widely spoken language though Dutch is the official language of the country.

Tourism and tourism-related industry is the major source employment in the country. Only about 10 % of the land is suitable for domestic agricultural production, and over 90% of food products are imported. Nearly 30% of the male working population (45% for female workers) earn less than ANG 2,000 (USD 1,200) per month. Literacy rate in people over the age of 14 is 95.8%.

Hurricane Irma has severely damaged the economy of the country. Sint Maarten's low unemployment rate (6.2 percent) and youth unemployment rate (23.8 percent) in 2017 have significantly risen following the hurricane due to the shutting down of tourism businesses. The tourism sector suffered from significant damages to the airport, accommodations, and tour operator equipment, dramatically reducing the number of tourist arrivals. Micro, small, and medium-sized enterprises have experienced a significant loss of capital due to the impacts of the hurricane.

5 Potential Environmental and Social Risks and Impacts of the Project and their Management

5.1 Overview of Potential Risks and Impacts and proposed mitigation measures

The main environmental, community and occupational health and safety risks identified are:

- Potential eco-system site specific damage when resurfacing sunken vessels or collecting the shoreline debris;
- Pollution from oils, fuel, blackwater, batteries, and other potentially hazardous materials that could spill while carrying out the resurfacing of vessels;
- Air and noise emissions from operational equipment and vehicles
- Impacts on terrestrial traffic from the debris collection operations
- Navigation hazards when carrying out the shipwreck salvage and shoreline debris collection;

To address these risks, the following mitigation measures are proposed:

- **Biodiversity Conservation and Sustainable Management of Living Natural Resources.** Mullet Pond is a site designated to be of international importance under the RAMSAR Convention on Wetlands, which is an intergovernmental environmental treaty established in 1971 by UNESCO. Therefore, NRPB will commission the Nature Foundation to oversee the sound environmental implementation of the project activities, and to report to NRPB on any action that the Contractor or the project could affect the eco-system in Project area. The Contractor shall implement procedures and policies that will protect and conserve biodiversity and habitats. In addition, the contractor shall promote the protection and sustainable management of living natural resources in accordance with VROMI, Ministry of Public Housing, Spatial Planning, Environment and Infrastructure 2015-2018 Ministry Plan and applicable Legislation.
- **Resource Efficiency and Pollution Prevention and Management.** The Contractor shall implement procedures and policies that will: promote the sustainable use of resources, including energy, water and raw materials, avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities, and avoid or minimize generation of hazardous and non-hazardous waste in accordance with applicable legislation.
- **Labor and Working Conditions.** The Contractor shall implement procedures and policies that will promote safety and health at work. In addition, the Contractor shall promote the fair treatment, non-discrimination and equal opportunity of project workers in accordance with Government of Sint Maarten Labor Legislation 02. Labor Agreement.

Impacts related to land acquisition and resettlement, indigenous people and tangible cultural heritage are not potential risks for this project.

5.2 Project Implementation Tasks Specific Measures

The project will consist of five tasks. Environmental mitigation measures have been drafted according to each task. Note that they do not constitute an exhaustive list and it is expected that the Contractor will develop risk management strategies, controls etc. that suit the scale and nature of the finalized project.

Project implementation tasks are:

1. Bidding Stage;
2. Project Preparation;
3. Vessel Salvage and Lagoon Debris Collection, Processing and Salvage;
4. Project Closeout;
5. Monitoring and Review.

5.3 Bidding Stage – Procurement of Contractor

The following Environmental, Social, Health and Safety (ESHS) Conditions will be part of the bidding documents to ensure all the mitigation measures proposed in this ESMP are effectively implemented:

- Code of Conduct of Contractor and its Personnel
- Mitigation measures to address EHS risks
- Past performance of the Contractor on OHS aspects including mitigation measures to avoid sexual exploitation and abuse and gender-based violence
- Contractor's EHS key personnel
- Performance Security
- Contractor's Environmental Management Plan (C-EMP), including EHS procedures and implementation plan (see below)

Each of the above conditions is elaborated on in Annex 3, Table A-1.

5.4 Project Preparation

The Contractor is responsible for obtaining all relevant local permits as well as permits for landfill, ship graving and any other operations in other countries if applicable. The Contractor, Contracting Representative (CR) and Nature Foundation will set up a Bridge to Bridge and Vessel to Vessel communications system to ensure safety & protocols are followed. The NRPB has set up a Grievance Redress Mechanism to address stakeholder concerns during project implementation, see Annex 4.

Project preparation will also include the mobilization of the contractor and finalization of the following conditions/documentation by the Contractor and the Nature Foundation:

- Contractor's Environmental Management Plan (C-EMP)
- Obtaining of all applicable permits
- Nature Foundation's plan for vessel preparation and sinking for the creation of an artificial reef/dive site.

Should an inland Decommissioning Yard be used, site shall be segregated into the following areas:

- Hauling and staging areas for segregation and disposal evaluation;
- Staging areas for controlling de-polluting work with suitable drainage and containment infrastructure to prevent seepage and dispersion of potentially hazardous substances;
- Open air work areas covered with canvas for removing plastics, electronics and recyclable metals, etc.;
- Dismantling/Crushing/Grinding areas.

The location must have immediate access to the water and shall allow for the transfer of ships and debris from barges to the shoreline. The site must be designed so that storm drains and/or natural drainage patterns do not allow runoff from active de-polluting, hazardous material sorting and storage areas to migrate into the ground or surface waters of Sint Maarten. Signage and/or fencing must clearly demark the boundaries of the decommissioning yard; the landward border must be fenced and generally shielded from public view; the facility shall be locked when not in-use, and public access must be restricted during its construction, the duration of the Project, and through the Final Inspection and Project Closure activities. The use of a decommissioning yard shall require a Hindrance Permit ex Article 1 Hindrance ordinance juncto Article 1 of the Hindrance Decree prior to initiating any activities with respect to this project.

As works are expected to be implemented during hurricane season, a hurricane preparedness plan stipulating how debris and wrecks will be safely stored during a hurricane, has to be included in the Contractor's Environmental Management Plan Each of the above conditions is elaborated in Annex 3, Table A-2.

5.5 Vessel Salvage and Lagoon Debris Collection, Processing and Disposal

This phase includes provisions necessary to address potential impacts and risks to the surrounding marine and land ecosystems. Salvage activities will vary based upon the disposition of the vessels and the option proposed by the contractor for decommissioning and disposal. The tasks will include:

- Collecting the storm debris located along the shoreline on the Lagoon and Mullet pond
- Raising or re-floating the vessel
- Removing the vessel from the water using a crane and placing it on a barge.

Then, depending on the option selected for final disposal, the tasks may include:

- Transportation to a decommissioning and disposal site;
- Temporarily repair the vessel so it can be towed to a decommissioning and disposal site;
- If the designated decommissioning yard is on the island, hazardous and recyclable materials will be removed, and the vessels will be reduced;
- For steel hulls identified for re-sinking, the ship will be decommissioned and subsequently sunk at an approved location in coordination with the Nature Foundation;
- The CR will monitor shipwreck salvage and shoreline cleanup activities for potential environmental impacts as the project progresses (please see Annex 3, Table A-3).

The waters of Sint Maarten will be in active-use for recreation and commercial purposes while the work is being performed. As such, the project approach must include prompt recovery and removal of material, plant, machinery, or appliance which is lost, dumped, thrown overboard, sunk, or misplaced, that may be dangerous to or obstruct navigation. Immediate communication of the description and locations of any such obstructions shall be made by the Contractor to the CR and Governmental agencies involved with this project. When required, the obstruction shall be marked or buoyed until the same are removed. When moving around barges, more than one tugboat is to be used to ensure full control over the vessel. For the wrecks close to the causeway bridge, a specific approach for dealing with the wrecks is to be provided.

The Contractor shall be responsible for the following:

- **Bridge to Bridge Communications:** Because this work will occur within an open body of water and channels with heavy marine traffic, and in order that radio communication may be made with passing vessels, all tugs or salvage vessels that work under this contract shall be equipped with bridge-to-bridge radio telephone equipment. The radio equipment shall operate on a single channel of very high frequency (VHF) FM on a frequency of 156.8MHZ with low power output having a communication range of approximately ten miles. Channel 16 (the Bridge Operator) must be monitored at all times.
- **Notification to the St. Maarten Department of Maritime Affairs:** The Contractor must notify the Department of Civil Aviation, Shipping & Maritime Affairs as well as VROMI, NRPB, the Dutch Caribbean Coast Guard and the CR prior to commencement of vessel salvage activities. Information pertaining to contract work schedule, the locations of rig and equipment during work, and potential hazards of the operation should be provided. All vessels that are regulated by the - Department of Civil Aviation, Shipping & Maritime Affairs shall have current inspections and certificates before being placed in-service for this contract. A copy shall be posted in a public area aboard the vessel.

The Contractor shall develop and utilize project-specific Environmental, Health & Safety Procedures. The Contractor's plan shall include emergency preparedness, response training and procedures for offshore marine and onshore terrestrial spill response activities. The procedures should also be linked to the GRM to inform stakeholders.

Spill response control and countermeasures will vary based upon the constituent of concern, size and location of the release and should generally include the following:

- **Releases on water:**
 - A floating containment boom large enough to enclose the area of surface water should be placed surrounding a location where a spill may reasonably be expected to occur, but with a minimum length of forty (40) feet. Said containment boom must include a skirt to keep pollutants from seeping below the boom. (Contractor should consider exploring feasibility of using a combination of a floating containment boom and a silt curtain as opposed to using separate ones)
 - A Silt curtain/silt screen/ turbidity curtain should be deployed to contain any sediment/ silt or other fine particles that maybe discharged into the water during wreck removal/ salvaging operations.
 - Absorbent materials, such as oil absorbent booms and pads must also be kept available to absorb spills on the surface water. Skimmers and oil scoops must be at hand to remove contaminants from the surface water.
 - Any spill on the water which results in sheen, emulsion or emulsion below the surface of the water shall be reported to the CR immediately.

If an inland decommissioning yard is utilized, then the following response measures for spills on land should be adopted:

- **Releases on land:**
 - Spills should be collected and put into appropriate and labelled waste containers. Residues may be absorbed with "spill-dry" or a similar product and be disposed of by a sub-contractor qualified to handle such wastes and records must be retained for inspection.

- Spills of over 10 gallons on an impervious surface must be reported to the yard manager immediately.
- Spills on a pervious surface of any quantity must be reported to the yard manager immediately.

It is anticipated that there will be minor health and safety risks for the population immediately adjoining and/or proximal to locations where the activities will be performed.

If an inland decommissioning yard will be utilized, then

- The Contractor will be expected to monitor for unauthorized access to areas where work is being performed.
- The Contractor will secure the decommissioning yard using a fence equipped with visual barriers and access will be controlled at the entry/exit points. The site must be secured during non-work hours.
- Work will be performed during normal business hours in order to minimize disturbance to residents in the vicinity of the activities.
- Contractor will provide for weatherproof and secured storage areas for hazardous waste as to avoid contamination of air, soil, run off, ground or surface waters. Hazardous waste will be safely contained in designated and labelled barrels, tanks and/or containers for transportation to and disposal at a designated waste disposal facility.
- Hauling of waste and recyclable materials from the decommissioning yard may contribute to traffic congestion. For the sake of efficiency, the Contractor will be required to take this into consideration when developing their work plan and operate within the scope of relevant legislation
- Individual recycling and waste disposal streams from the Shipwreck Salvage Operation and the Shoreline Debris Collection shall be sorted and comingled. These waste and recycling streams should be carted off site to the port or other transportation facility during non-peak traffic hours to reduce local traffic impacts. No trucks should enter or leave the decommissioning yard facility before 10 AM or after 2 PM.
- When applicable, right of way access will be coordinated with the property owners by VROMI to collect shoreline debris or vessels.
- Complaints from residents or businesses in the vicinity of locations where work is taking place will be addressed using the community complaint and grievance system established through the NRPB.

Potential ESHS risks of the Project have been assessed and presented in Annex 3, Table A-3 and are summarized below:

- Workers exposure to hazards associated with the project activities
- Wastewater discharges
- Spills
- Air and noise emissions
- Waste generation
- Storage and handling of hazardous material
- Labor influx including child labor and gender-based violence
- Incidents
- Emergencies
- Community exposure to hazards associated with the project works

Detailed measures for the above risks are developed following the World Bank Group Environmental Health and Safety Guidelines and Good International Industry Practice and Presented in Annex 3, Table A-3. The NRPB will insert Table A-3 as it is in the Technical Specifications of Bidding Documents, and the Contractor shall implement the mitigation measures as a condition of the Contract.

5.6 Project Closeout

Project closeout activities will be performed following conclusion of the debris collection and shipwreck salvage & recycling work. These activities will include submittal and review of manifests for materials that were recycled and disposed of by the Contractor, demobilization of salvage equipment. Refer to Annex 3, Table A-4.

If an inland decommissioning yard was used, then the Contractor is responsible for restoration of the decommissioning yard, to its pre-operational conditions. Contractor responsibilities will include but not be limited to the following:

- Removing waste bins, barges, cranes, derricks, land equipment such as travel lifts, front end loaders and excavators, aboveground storage tanks, trash and debris remaining as a result of the subject operations.
- Restoration of damaged pavement or other physical plant facilities at the yard caused by operations, as well as the adjacent public road, if necessary.
- Provide the following documentation:
 - Photographic documentation of the pre-conditions and final conditions of the property.
 - Waste disposal manifests for the various waste streams including hulls, metals, batteries fuels, and other hazardous liquids.
 - An inventory list of the vessels recovered and graded.
 - Final release of the yard back to the owner and/or operator and termination of the Lease agreement between the Government or the Contractor and the Lessor and/or operator upon successful final inspection by the NRPB representative and Lessor.

As part of the Project Closeout process, outstanding complaints from residents or businesses in the vicinity of locations where work is taking place will be resolved using the GRM in place.

5.6.1 Monitoring and Review

The CR will be responsible for the monitoring of the Contractor's work and reviewing activity logs, submittals, manifests, and reports. The CR will also be responsible for performing inspections of shoreline of the Lagoon and Mullet pond areas to confirm that they have been adequately cleaned. The shoreline inspections will be performed in areas where the vessels and lagoon debris have been reported to be removed by the Contractor. Any additional items found during these inspections at the work sites will be removed by the Contractor at no additional cost to the NRPB. Inspection may include side-scan sweeping, diving, and/or visual observation, if necessary, to ensure that the wreckage and debris have been adequately removed. The Contractor shall leave all work areas in a clean, neat and orderly condition satisfactory to the CR.

The CR will obtain an understanding of the Contractor's project-specific HASP. The Contractor will provide the CR with documentation of training, safety briefings, and toolbox meetings on a weekly basis. The Contractor will notify the CR (and The Nature Foundation) of accidents, incidents and/or spills immediately after they occur, with a summary reports to follow within 24 hours of the occurrence. The

Debris Management Project Manager will be responsible for approval or change of the site-specific environmental mitigation measures with review and recommendations of the CR.

The proposed monitoring plan to be carried during the implementation of the project to ensure contractors compliance with the mitigation measures is given in Annex 3, Table A-5 along with the monitoring indicators and frequency. The contractor will carry out the monitoring. Table A-5 will also be included in the contract specifications of the Bidding Documents.

NRPB and its Contractor will prepare periodic monitoring reports on the status of implementation of ESMP and will be submitted to World Bank for their review and feedback. Details of these reports and their content are given in Annex 3, **Error! Reference source not found.**A-6.

Reports pertaining sinking of vessels will be prepared by the Nature Foundation.

6 Project Implementation Arrangements and Capacity Building

6.1 Institutional Arrangements for Project Implementation

The NRPB will be responsible for the overall management, supervision, and execution. NRPB will appoint a CR, which will act as the Supervisor of the Contractor that will manage and monitor the day to day activities under the contract.

The NRPB will also appoint its Safeguards Officers to help manage the ESMP for the Project.

The Debris Management Project Manager will supervise the implementation of the ESMP based on the advice from the Safeguards Officers and recommendations of the CR (and/or TNF). The Debris Management Project Manager will be responsible for approval or change of the site-specific environmental mitigation measures with review and recommendations of the CR.

Table 6-1 Roles and Responsibilities of Project Responsible Entities

RESPONSIBLE ENTITY	POSITION	RESPONSIBILITIES
NRPB	Emergency Debris Management Program (EDMP) Project Manager	Submittal and Scheduling Authority Supervise the implementation of the ESMP responsible for approval or change of the site-specific environmental mitigation measures with review and recommendations of the CR.
CR	Site Supervisor	HS&E; Transportation; Vessel/Shipwreck Decommissioning; Communication responsible for monitoring, and reviewing Contractor's activity logs, in will manage and monitor the day to day activities under the contract
NRPB	Environmental Safeguards Specialist	EMP/ BMP Enforcement, Inspections
Contractor	EHS Key personnel	EHS contractor compliance/ Oversight
Nature Foundation	Management and Scientific Agency for terrestrial and marine ecosystems	develop a plan for vessel preparation and sinking for purpose of creating an artificial reef/ dive site advise and supervise contractor on appropriate measures for decommissioning and preparing these vessels

* TBD - To Be Determined

Institutional arrangements for EMP implementation of the Project are given in Figure 6-1:

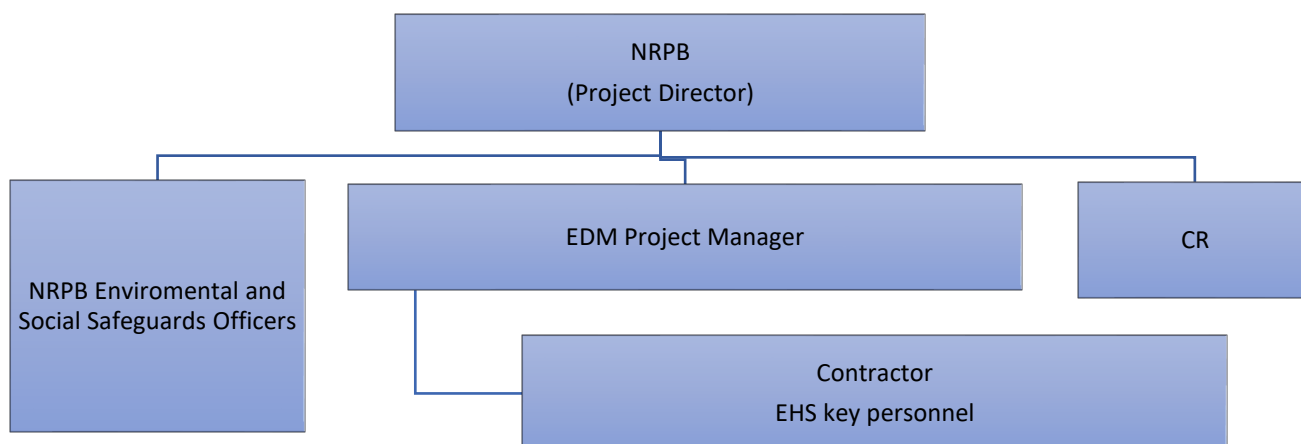


Figure 6-1: Organogram for the Management of Project's Environmental Mitigation Measures

Roles and responsibilities of relevant Project staff in environmental and social management of the Project are given in Table 6-2:

Table 6-2: Roles and Responsibilities in Environmental and Social Management of the Project

Staff	Responsibilities
NRPB Environmental and Social Safeguards Specialists	<ul style="list-style-type: none"> Assist the NRPB Emergency Debris Management Program (EDMP) Project Manager in drafting the Environmental, Social, Health and Safety requirements in the bidding and contract documents in accordance with the EMP; integrating the EMP in to contract documents. Assist the NRPB Emergency Debris Management Program (EDMP) Project Manager in review and approval of the various documents prepared by the contractor such as C-EMP, code of conduct, labor procedures, job hazard analysis, monitoring reports, and so on. Supervise the contractor's work to ensure compliance with the environmental, social, health and safety requirements of the bidding documents and EMP. Provide recommendations for implementation of corrective actions for any non-compliances and suggest improvements for contractor's performance. Investigate and report all incidents related to environmental, social and health aspects. Carry out root cause analysis for all major incidents, and Recommended actions to be taken to rectify the failure that led to these incidents. Carry out regular consultations with the stakeholders. Prepare quarterly progress reports on the implementation of the ESMP for transmission to the World Bank throughout the project implementation period.
ESHS Specialist of the Contractor	<ul style="list-style-type: none"> Preparation of Project Environmental Action Plan with site-specific management plans on waste management, pollution prevention and control, labor influx, water supply and sanitation of the work areas, traffic management, occupational health and safety, and emergency response. The Plan will be submitted for PMU approval. Implement all mitigation measures to address potential environmental and social risks and impacts as described in the EMP and Contractor's site-specific management plans. Implement the environmental monitoring plan of the EMP.

Staff	Responsibilities
	<ul style="list-style-type: none"> • Carry out a job hazard assessment for each worksite to assess the potential hazards and implement mitigation measures to minimize risks. • Conduct toolbox training to the laborers on health and safety risks of the project works. • Prepare monthly reports on EMP implementation.
CR	<ul style="list-style-type: none"> • Supervise civil works, ensuring compliance with the OHS requirements of the Contractor. • Support the Environmental and Social Specialist of the PMU in the collection of the field data.

7 Stakeholder Engagement and Information Disclosure

7.1 Project Stakeholders

The Project has a broad range of stakeholders, who directly or indirectly are being affected by the remediation activities. These stakeholders are broadly categorised in to the following categories:

Residents

- Residents of homes along the shore of the Simpson Bay Lagoon
- Residents of boats in the Simpson Bay Lagoon

Environmental & Nature Organizations

- The Nature Foundation of Sint Maarten (Nature Foundation) Environmental Protection In the Caribbean (EPIC)

Government Entities

- Ministry TEATT
- Port Sint Maarten/ SLAC
- Ministry VROMI
- The Dutch Caribbean Coast Guard

Marinas located along the shore of the Lagoon

-various

Companies located along the shore of the lagoon

- Various

Tour operators operating excursions in or departing from the lagoon

- various

Sint Maarten Marine Trades Association

French Authorities

French side Nature Organization: Reserve Naturelle Saint Martin

-

7.2 Stakeholder Engagement Plan

During the preparation of the ESMP, stakeholders were invited to a consultation held on May 16, 2019. The specific list of the stakeholders was developed in consultation with the engaged government entities that have a good understanding of the local market and specific targeted (business) community present in the project area.

Throughout the implementation stages of the project, engagement of stakeholders will be promoted through:

- Publishing and broadcasting the details and progress of the project on the NRPB Website, the NRPB Facebook page, the NRPB LinkedIn page and various media channels including printed media, radio and television programs

- NRPB Grievance Redress Mechanism is opened to the public to receive feedback and grievances on the project
- The Nature Foundation will be engaged to carry-out stakeholder consultations regarding vessel sinking for the purpose of creating an artificial reef/ dive-site

7.3 Grievance Redress Mechanism

The NRPB has established a Grievance Redress Committee (GRC) to address stakeholders concerns throughout project implementation. Please see Annex 5 for details.

7.4 ESMP Stakeholder Consultation and Feedback Received

A stakeholder consultation to discuss on the ESMP of Shipwreck Salvage and Lagoon Debris Removal and Disposal Project was held on May 16, 2019 at the second floor of the NRPB office on Walter Nisbeth Road #57. Around thirty persons participated in the consultation. Participants ranged from stakeholders from the private sector to government.

Details of the procedures for the stakeholder consultation is given in Table 7-1.

Table 7-1: Procedure Followed for Stakeholder Consultation

Arrangement of Time and Venue of the Stakeholder Consultation	Consultation preparation team met to decide on the scope of the consultation as well as on location and time. List of stakeholders were prepared by the NRPB in consultation with the Ministry of VROMI.
Communication and Invitation to Consultation	An e-mail was sent to the identified stakeholder a week prior to the actual consultation. The invitation included a copy of the draft ESMP so stakeholders could come to the consultation prepared.
Explanation on the Details of the Project	The stakeholders have been informed of the background and details of the project.
Explanation on the Environmental and Social Risks from the Activities of the Project	The environmental and social issues i.e. eco-system damage, pollution from oils, fuel, batteries, air and noise emissions, impacts on terrestrial traffic, navigation hazards that can be caused during the course of the project were explained.
Explanation of the Obligation of the Contractor to Prepare Related Environmental and Social Mitigation Measures	Contractor's obligations to prepare and submit (i) measures for protection of workers and community, (ii) pollution prevention measures, (iii) waste management measures, (iv) traffic management measures, (v) hazardous material management plan, and etc. were explained
Explanation of the Grievance Mechanism	The participants have been explained on the NRPB Grievance Mechanism and the World Bank Mechanism.
Provided Questions to Initiate the Discussion	The participants were provided with five guidance questions to initiate the discussion. 1. Do you need any clarifications on the document? 2. Are the proposed activities adequate? 3. Did we miss potential risks? 4. Are the proposed mitigation measures adequate? 5. Suggestions on keeping stakeholders informed on project activities

Discussion	The participants were divided into groups of 5 and were asked to discuss the above-mentioned questions and come up with suggestions on how to improve the ESMP. After the break out session, each group presented their comments and concerns about the content of the project as well as the ESMP as proposed. Everything was logged and responses to concerns are provided in Annex 6.
Public disclosure	After the session, the draft ESMP was publicly disclosed through the NRPB's media channels with a request for questions or comments to the general public. Any questions and or comments are addressed in Annex 6.

List of stakeholders that participated in the workshop is given Table 7.2 and the photographs given in Annex 5.

Table 7-2 List of Participants at the Stakeholder Consultation

Name	Agency/ Organization	Function
<u>Government Entities</u>		
Paul Ellinger	Ministry TEATT	Maritime Department
Claudius Carty	Ministry TEATT	Maritime Department
Louis Halley	Ministry TEATT	Maritime Department
Bertrand Peters	Port Sint Maarten/ SLAC	SLAC
Melissa Peterson	Ministry VROMI	Policy Department
Ildiko Gilders	Ministry VROMI	Policy Department
Claudius Buncamper	Ministry VROMI	Infrastructure Management
Mark Williams	Ministry VROMI	Staff Bureau/Focal Point
<u>Marina's in the Simpson Bay Lagoon</u>		
Bobby Velasquez	Bobby's Marina & Boatyard	
Brat Taylor	St Maarten Shipyard	
<u>Ship salvaging companies</u>		
Deon Swart	Aquatic Solutions	
Stephen Coetzer	Sea Cure Marine Construction	
Jeffrey Boyd	Marine Management & Consulting	
Jesse Peterson	Marine Management & Consulting	
Benjamin Sweetman	Marine Management & Consulting	
Michael Ferrier	Marine Management & Consulting	
Kirk Smith	Environmental engineers EE&G	
Tim Gipe	Environmental engineers EE&G	
Thijn Laurensse	IRC/NRPB	Miscellaneous
Hanneke Spaans	NRPB	Communication

After consultation, the draft version of the ESMP was published online on the NRPB website and social media to call for further feedback on the document on May 15, 2019. The feedback was received for two weeks until May 29, 2019 through the email address shpiwreck@nrpbasm.org.

Questions and feedback received from the consultation and through the email have been summarized in Annex 6. Feedbacks were classified into three classes: (i) relevant to the ESMP, (ii) relevant to the project scope, and (iii) irrelevant. Relevant feedbacks were taken into consideration and were incorporated into the final ESMP.

7.5 Access to Information

Draft version of the ESMP has been publicly disclosed through the NRPB website and social media:

www.nrpbasm.org

www.facebook.com/sxmnationalrecovery

The final version of the ESMP is now disclosed on the NRPB's website. Stakeholders will be informed about the availability of the ESMP on the website. Regular progress on the project implementation will be shared through NRPB news bulletins.

Annex 1 Shipwreck Survey Report

Report: Last inventory Simpson Bay Lagoon

On Friday June 14, 2019 Maritime affairs inspector Paul Ellinger, along with Marine Park manager Tadzio Bervoets conducted the final inspection of the Simpson Bay lagoon to determine the exact number of wrecks remaining in the lagoon.

Here is a short summary of the remaining wrecks and where they are located. 82 (Eighty-two) wrecks were recorded and located in the areas mentioned below.

- 2 wrecks behind the FedEx building. Silver Queen plus one.
- 2 wrecks about 100 meters North east of the Fed-Ex building.
- 2 wrecks behind Tropicana casino
- 2 wrecks at Snoppy Island bridge.
- 11 wrecks at PDP grave yard
- 1 wreck at the right hand southern end of the bridge.
- 2 wrecks at the left hand northern side of the bridge.
- 1 wreck at the northern entrance of the causeway.
- 1 wreck (sunk barge) near fairway buoy.
- 1 wreck at the mullet pond.
- 1 wreck at the mullet pond entrance.
- 3 wrecks at rat island.
- 27 at contractor Mr. Steve Coetzer location. Most of those were salvaged and bundled up as a pile.
- 1 wreck Pink Iguana along airport roundabout.
- 1 wreck at stop and shop location (Rusty Rocket vicinity, Airport Corner).
- 5 wrecks behind Trifty car rental location.
- 1 wreck Yacht Hub 100 meters north of Hertz car rental location.
- 2 wrecks at Sint Maarten ship yard.
- 1 wreck (tug) between St Maarten shipyard and red cross building.
- 3 wrecks behind red cross building.
- 3 wrecks north of Bobby's marina Airport road.
- 9 wrecks at the occupied working area by Mr. John Gifford.

At the moment, there are 22 steel/aluminum wrecks. The remainder are all fiberglass and wood construction material.

Annex 2 Details of Applicable Government Regulations

The following is a list of the ordinances, policies and decrees related to environmental protection that may be relevant to this Project:

- National Ordinance with Foundations for Nature Management and Protection:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/142263/142263_2.html
- National Decree containing general measures for Nature Management and Protection:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/207435/207435_1.html
- Eindrapport Milieunormen Nederlandse Antillen 2007:
<http://www.dcbd.nl/document/eindrapport-milieunormen-nederlandse-antillen-lucht-geluid-water-afvalwater-afval>
- National Hinderance Ordinance:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208542/208542_2.html
- Hinderance National Decree:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208543/208543_1.html
- Waste Water National Ordinance:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208544/208544_3.html
- Waste National Ordinance:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/208510/208510_2.html
- National Ordinance on Maritime Management:
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/142339/142339_2.html
 - General Police Ordinance
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/Historie/Sint%20Maarten/207087/207087_1.html
 - Traffic Ordinance
https://decentrale.regelgeving.overheid.nl/cvdr/xhtmloutput/historie/Sint%20Maarten/207068/207068_2.html
- Link to government page to download the Hillside and Beach Policy:
<http://www.sintmaartengov.org/government/VROMI/Pages/Ministry-Policies-and-Reports.aspx>

A 2.1 Applicable Policies, Legislations and Regulations of Government of Sint Maarten

Sint Maarten, previously part of the Dutch Antilles, became an autonomous territory within the Kingdom of the Netherlands on October 10, 2010. Sint Maarten has full autonomy for internal affairs including the environmental legislation, the Dutch government being responsible for defense and foreign affairs.

According to Article 22 of the ‘Constitution of the Country of Sint Maarten,’ It shall be the constant concern of the government of Sint Maarten to keep the country habitable and to protect and improve the natural environment and the welfare of animals.

The government is strongly committed to sustainable development and the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (Ministry VROMI) is working towards the preparation of draft legislation on (i) environmental policy and management plan, (ii) nature policy plan, (ii) establish noise, air and water quality norms, and (iv) develop standard environmental regulations to include permits.

The government has some existing policies and regulations on the management of waste and labor issues. These regulations and their applicability to the Project are discussed in the following sections.

A 2.1.1 Waste Ordinance, 1993

Sint Maarten Waste Ordinance of February 23, 1993, provides regulations regarding the collection and disposal of residential waste, bulky wastes, liquid wastes, commercial waste, car wrecks and other categories of waste. The government is responsible for the collection of wastes generated from residential sites and dispose of it in the government operated landfill site in the island.

Collection of the waste generated from the commercial activities and its disposal in the government’s landfill site is the responsibility of the owners of the commercial enterprises. The wastes generated during the proposed activities of the Project will also fall under the category of commercial waste. The Ordinance provides the following key actions for management of commercial waste:

- I. Those who produce commercial waste must bring it to the government indicated dumpsite on a regular basis and at their own expense.
- II. They are authorized to place a third party in charge of this.
- III. The Minister establishes regulations regarding the days, times and manner in which commercial waste can be collected and transported.
- IV. It is forbidden to throw, put down or leave behind trash or remnants of provisions, paper, cans, bottles or another packaging on or by the road that is open to the public or a place nearby.
- V. Violation of one of the prohibitions as determined by this Ordinance and failure to uphold one of the obligations as established by this Ordinance is punished by imprisonment for a maximum of two months or a maximum monetary fine of Netherlands Antillean Guilder (ANG) 1,000.
- VI. If as the violation or the failure to uphold the obligation takes place not a year as passed since an earlier conviction of the guilty party for a similar violation became irrevocable or since the voluntary compliance with a condition as set by the authorized civil servant of the Public Prosecutor on the basis of Article 76 of the Criminal Code of the Netherlands Antilles, the maximum term of imprisonment or monetary fine for sentencing can be doubled.

A 2.1.2 The Labor Regulations 2000

The Labor Regulation 2000 describe provisions concerning the work-times, periods of rest, overtime, nightshift, standby shift, holidays, prohibition of child labor, the prohibition of night work and dangerous work for youths. A copy of the regulations can be obtained from the GoSM website.³

According to this regulation, Children under the age of 15 years are prohibited from working, whether or not in exchange for wages of compensation.

³ Website on Labour Regulations of GoSM:

<http://www.sintmaartengov.org/government/VSA/labour/Pages/Labour-Legislation.aspx>

The regulations also propose some restriction on the labor involving youth. Boys and girls who have reached the age of 15 years but still not the age of 18 years are considered ‘youthful persons’ under this regulation. The restrictions towards youth labor are:

- It is prohibited for youthful persons to perform night work (between 7.00 p.m. and 7.00 a.m.), whether or not in exchange for wages or compensation.
- It is prohibited for youthful persons to perform dangerous work. The definition of ‘danger’ does mean not only danger as in being killed or wounded but also other kinds of danger to their health, like poisoning or contamination. For instance, youthful persons are not allowed to perform work where they have to,
 - make use of a pneumatic drop stamp or compacting beam;
 - carry or lift heavy loads frequently;
 - operate a concrete mixer with mechanic hoisting gear, circular saws and bending- and shearing machines;
 - operate cranes, platform hoists, fork-lift trucks and tractors;
 - nurse or care for patients who are infected with an infectious disease.

The head or director of an enterprise has an obligation to report occupational injuries to the Department of Labor and the police among others. The injuries should be reported as soon as possible, but no later than 24 hours. For the reporting of injuries, but also other labor-safety matters, the following should be contacted:

- Department of Labor/safety Inspection, Vineyard Building, W. G. Buncamper Road, Third Floor, Philipsburg | Sint Maarten, W.I., Phone: +1-721-5422059/5422079

The contractors to be procured under the Project will be responsible for complying with the Labor Regulations.

A 2.1.3 National HIV and AIDS Workplace Policy

The purpose of this policy is to ensure a uniform and fair approach to the effective prevention of new HIV infections among employees, their families and dependents, and provide social protection within the workplace to employees directly impacted by HIV. The principles of the policy are aligned to the International Labour Organization (ILO) Code of practice on HIV/AIDS and Recommendation No. 200 concerning HIV and AIDS and the World of Work and include the recognition of HIV as a workplace issue, non-discrimination in employment, no screening, no forced disclosure, protection of confidentiality, social dialogue, gender equality, HIV prevention, treatment, care and support measures as critical components for addressing the epidemic in the workplace.

The contractors to be procured under the Project will be responsible for complying with the National HIV and AIDS Workplace Policy.

A 2.2 Relevant Administrative Framework

A 2.2.1 Ministry of VROMI

The Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI) is responsible within the GoSM for all affairs related to environmental with an intention to provide good quality of life for the citizens of Sint Maarten. Tasks of VROMI relevant to environmental management are:

- Garbage collection management;

- Sanitary landfill management;
- Maintenance of public areas;
- Districts, roads, beaches, upkeep management;
- Management of public lighting (streets);
- Public parking areas;
- Surface drainage works (trenches);
- Water management (ponds);
- Part of disaster response team for logistical support;
- Management of sewage facilities and network;

The Ministry issues the permits for construction of any new infrastructure and buildings; and dredging and excavation activities.

The 'Department of Inspection' in the VROMI is responsible for the inspection and control of activities within the sphere of domain land, building, environment and work safety to safeguard environmentally responsible, structured and safe living and work surroundings for the public.

A 2.2.2 Ministry of VSA

The Ministry of VSA is charged with health and prevention of public health risks via the Department of Collective Preventive Services and safeguarding proper execution of the diverse labor laws via the Inspectorate of VSA. The Department of Labor Affairs is charged with the tasks in the area of policies on labor. The Department of Labor Affairs has the following tasks:

- Formulating policy memorandums and recommendations and making proposals for the development, adjustment, monitoring and implementation of national policy concerning labor and the policy in the area of safety and labor inspection;
- Preparing, implementing and monitoring the national legislation concerning labor and monitoring the compliance with this legislation;
- Promoting international, social and labor affairs, such as the relationship with the International Labor Organization

The Department of Labor Affairs is the executing division of the Ministry of VSA, and is tasked with monitoring and settling complaints deriving from labor agreements between employers and employees, handling requests for dismissals and for work permits.

A 2.3 **Permits and Responsibilities**

Shipwreck recovery and salvage and decommissioning and graving operations shall be completed in general accordance with the following:

- Vessel Assessment Guidelines found in *Waste Assessment Guidelines under the London Convention and Protocol: 2014 edition, sales ref. IA531E*
- Disposal of Plastic End-of-Life-Boats (TemaNord 2013:582)
- Guide on Good Scrapping and Waste Management Practices for Out-of-Use Boats (LEITAT, 2012)
- Abandoned Vessel Authorities and Best Practice Guidance (US EPA and US Coast Guard, 2014)

The Contractor shall be responsible for all damages to persons or property that occur as a result of the Contractor's negligence or fault and shall take proper safety and health precautions to protect the work, the workers, the public, and the property of others. In addition, the contractor shall implement "common sense" occupational safety and health practices in accordance with the applicable World Bank Group and the Government of Sint Maarten guidelines.

The Contractor shall be responsible for all materials delivered and work performed until project completion and acceptance of the entire scope of work. These items include, but are not limited to the following:

- **Bridge to Bridge Communications:** Because this work will occur within an open body of water and channels with heavy marine traffic, and in order that radio communication may be made with passing vessels, all tugs or salvage vessels that work under this contract shall be equipped with bridge-to-bridge radio telephone equipment. The radio equipment shall operate on a single channel of very high frequency (VHF) FM on a frequency of 156.8MHZ with low power output having a communication range of approximately ten miles. Channel 16 (the Bridge Operator) must be monitored at all times.
- **Notification to the St. Maarten Marine Department:** The Contractor must notify the Marine Department as well as VROMI and NRPB prior to commencement of vessel salvage activities. Information pertaining to contract work schedule, the locations of rig and equipment during work, and potential hazards of the operation should be provided. The local Marine Department individual to be contacted for this project will be provided prior to the start of work. All vessels that are regulated by the Marine Department shall have current inspections and certificates before being placed in-service for this contract. A copy shall be posted in a public area aboard the vessel.

Inspection by the Contracting Authority Representative (CR) - The CR (and/or TNF) will inspect the salvage operations when in-progress and at any time deemed appropriate by the CR. The Contractor is required and shall furnish CR (and/or TNF) and the Government personnel (VROMI and/or NRPB and/or Marine Department) transportation from shore to the site of salvage operations as necessary and as requested.

A 2.4 World Bank Group's Environmental, Health and Safety Guidelines (EHSs)

The World Bank Groups Environmental, Health, and Safety (EHS) Guidelines are technical reference documents with general and industry specific examples of Good International Industry Practice (GIIP). EHS Guidelines are applied as required by their respective policies and standards. The EHS Guidelines contain the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable costs. Application of the EHS Guidelines to existing facilities may involve the establishment of site-specific targets, with an appropriate timetable for achieving them. The applicability of the EHS Guidelines should be tailored to the hazards and risks established for each project on the basis of the results of an environmental assessment in which site-specific variables, such as host country context, assimilative capacity of the environment, and other project factors, are taken into account. The applicability of specific technical recommendations should be based on the professional opinion of qualified and experienced persons. When host country regulations differ from the levels and measures presented in the EHS Guidelines, projects are expected to achieve whichever is more stringent. If less stringent levels or measures than those provided in the EHS Guidelines are appropriate, in view of specific project circumstances, a full and detailed justification for any proposed alternatives is needed as part of the site-specific environmental assessment. This

justification should demonstrate that the choice for any alternate performance levels is protective of human health and the environment.

Effective management of environmental, health, and safety (EHS) issues entails the inclusion of EHS considerations in an organized, hierarchical approach that includes the following steps:

- Identifying EHS project hazards and associated risks as early as possible in the facility development or project cycle,
- Involving EHS professionals, who have the experience, competence, and training necessary to assess and manage EHS impacts and risks and carry out specialized environmental management functions including the preparation of project or activity-specific plans and procedures that incorporate the technical recommendations presented in this document that are relevant to the project.
- Understanding the likelihood and magnitude of EHS risks, based on:
 - The nature of the project activities, such as whether the project will generate significant quantities of emissions or effluents, or involve hazardous materials or processes;
 - The potential consequences to workers, nearby communities, or the environment if hazards are not adequately managed, which may depend on the proximity of project activities to people or to the environmental resources on which they depend.
 - The potential consequences for informal workers (waste pickers) on or near the fire suppression activities
- Prioritizing risk management strategies with the objective of achieving an overall reduction of risk to human health and the environment, focusing on the prevention of irreversible and / or significant impacts.
- Favoring strategies that eliminate the cause of the hazard at its source, for example, by selecting less hazardous materials or processes that avoid the need for EHS controls.
- When impact avoidance is not feasible, incorporating engineering and management controls to reduce or minimize the possibility and magnitude of undesired consequences, for example, with the application of pollution controls to reduce the levels of emitted contaminants to workers or environments.
- Preparing workers and nearby communities to respond to accidents, including providing technical and financial resources to effectively and safely control such events, and restoring workplace and community environments to a safe and healthy condition.
- Improving EHS performance through a combination of ongoing monitoring of facility performance and effective accountability.

A 2.4.1 Sectoral guidelines applicable to the project: Waste Management

These guidelines apply to projects that generate, store, or handle any quantity of waste across a range of industry sectors. Waste materials should be treated and disposed of and all measures should be taken to avoid potential impacts to human health and the environment. Selected management approaches should be consistent with the characteristics of the waste and local regulations, and may include one or more of the following:

- On-site or off-site biological, chemical, or physical treatment of the waste material to render it nonhazardous prior to final disposal

- Treatment or disposal at permitted facilities specially designed to receive the waste. Examples include: composting operations for organic non-hazardous wastes; properly designed, permitted and operated landfills or incinerators designed for the respective type of waste; or other methods known to be effective in the safe, final disposal of waste materials such as bioremediation.

Hazardous Waste Management - Hazardous wastes should always be segregated from non-hazardous wastes. If generation of hazardous waste cannot be prevented through the implementation of the above general waste management practices, its management should focus on the prevention of harm to health, safety, and the environment, according to the following additional principles:

- Understanding potential impacts and risks associated with the management of any generated hazardous waste during its complete life cycle
- Ensuring that contractors handling, treating, and disposing of hazardous waste are reputable and legitimate enterprises, licensed by the relevant regulatory agencies and following good international industry practice for the waste being handled
- Ensuring compliance with applicable local and international regulations.

Waste Storage - Hazardous waste should be stored so as to prevent or control accidental releases to air, soil, and water resources in area location where:

- Waste is stored in a manner that prevents the commingling or contact between incompatible wastes and allows for inspection between containers to monitor leaks or spills. Examples include sufficient space between incompatibles or physical separation such as walls or containment curbs
- Store in closed containers away from direct sunlight, wind and rain
- Secondary containment systems should be constructed with materials appropriate for the wastes being contained and adequate to prevent loss to the environment
- Secondary containment is included wherever liquid wastes are stored in volumes greater than 220 liters. The available volume of secondary containment should be at least 110 percent of the largest storage container, or 25 percent of the total storage capacity (whichever is greater), in that specific location
- Provide adequate ventilation where volatile wastes are stored.

Hazardous waste storage activities should also be subject to special management actions, conducted by employees who have received specific training in handling and storage of hazardous wastes:

- Provision of readily available information on chemical compatibility to employees, including labeling each container to identify its contents
- Limiting access to hazardous waste storage areas to employees who have received proper training
- Clearly identifying (label) and demarcating the area, including documentation of its location on a facility map or site plan
- Conducting periodic inspections of waste storage areas and documenting the findings
- Preparing and implementing spill response and emergency plans to address their accidental release (additional information on Emergency Plans is provided in Section 3 of this document)
- Avoiding underground storage tanks and underground piping of hazardous waste

Transportation On-site and Off-site transportation of waste should be conducted so as to prevent or minimize spills, releases, and exposures to employees and the public. All waste containers designated

for off-site shipment should be secured and labeled with the contents and associated hazards, be properly loaded on the transport vehicles before leaving the site, and be accompanied by a shipping paper (i.e., manifest) that describes the load and its associated hazards, consistent with the guidance provided in Section 3.4 on the Transport of Hazardous Materials.

Monitoring - Monitoring activities associated with the management of hazardous and non-hazardous waste should include:

- Regular visual inspection of all waste storage collection and storage areas for evidence of accidental releases and to verify that wastes are properly labeled and stored. When significant quantities of hazardous wastes are generated and stored on site, monitoring activities should include:
 - Inspection of vessels for leaks, drips or other indications of loss
 - Identification of cracks, corrosion, or damage to tanks, protective equipment, or floors
 - Verification of locks, emergency valves, and other safety devices for easy operation (lubricating if required and employing the practice of keeping locks and safety equipment in standby position when the area is not occupied)
 - Checking the operability of emergency systems
 - Documenting results of testing for integrity, emissions, or monitoring stations (air, soil vapor, or groundwater)
 - Documenting any changes to the storage facility, and any significant changes in the quantity of materials in storage
- Regular audits of waste segregation and collection practices
- Tracking of waste generation trends by type and amount of waste generated, preferably by facility departments
- Characterizing waste at the beginning of generation of a new waste stream, and periodically documenting the characteristics and proper management of the waste, especially hazardous wastes
- Keeping manifests or other records that document the amount of waste generated and its destination
- Periodic auditing of third-party treatment, and disposal services including re-use and recycling facilities when significant quantities of hazardous wastes are managed by third parties. Whenever possible, audits should include site visits to the treatment storage and disposal location
- Regular monitoring of groundwater quality in cases of Hazardous Waste on site storage and/or pre-treatment disposal
- Monitoring records for hazardous waste collected, stored, or shipped should include:
 - Name and identification number of the material(s) composing the hazardous waste
 - Physical state (i.e., solid, liquid, gaseous or a combination of one, or more, of these)
 - Quantity (e.g., kilograms or liters and number of containers)
 - Waste shipment tracking documentation to include, quantity and type, date dispatched, date transported, and date received, record of the originator, the receiver and the transporter

- Method and date of storing, repacking, treating, or disposing at the facility, cross-referenced to specific manifest document numbers applicable to the hazardous waste
- Location of each item of hazardous waste within the facility, and the quantity at each location

Annex 3 Specific Mitigation Measures for Each Project Activity

Table A-1: ESHS Conditions in the Bidding Documents

#	Condition	The rationale for inclusion of this Condition in the Contract	Specifications to be included in the Bidding Documents	Responsibility	
				Bidders	NRPB
1	Past performance of the Contractor on ESHS is one of the eligibility criteria for the shortlisting process	The contractor's past performance on compliance with ESHS is an indicator on contractor's commitment and capability for implementation of the EMP	The Bidder shall "declare any civil work contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, or social (including sexual exploitation and abuse (SEA) and gender-based violence (GBV)), or health or safety requirements or safeguard in the past five years	Bidder Will Make the Declaration	NRPB uses this information to seek further information or clarifications in carrying out its due diligence
2	Contractor shall propose an ESHS Specialist in his team	The Contractor's staff should include an ESHS specialist who is responsible for implementation of all mitigation measures on ESHS risks and compliance with EMP	The Bidder shall propose an Environmental, Social, Health and Safety (ESHS) Specialist as the Contractor's Key Personnel at the Site. The Bidder shall provide details of the proposed ESHS specialist including qualifications and work experience.	The bidder will submit the CV of proposed ESHS Specialist	NRPB will review and approve
3	Contractor shall submit ESHS Performance Security for compliance with ESHS obligations	The Contractor should have a financial implication if he could not comply with ESHS requirements. Hence performance security will be collected from the contractor	The Bidder shall submit the ESHS Performance Security in the form of a "demand guarantee" in the amount of one percent (1%) of the Contract Amount.	The bidder will submit the performance security	
4	Implement Mitigation Measures to Address Project Related Impacts given in Table A-3	The mitigation measures to address potential ESHS risks and impacts should be included in the bidding documents. The contractor shall be made responsible for implementation of the mitigation measures through the necessary conditions in the contract.	<p>NRPB will include Table A-3 of the EMP in the General Specifications of the Bidding Document, and the reference to these tables will be provided in the Conditions of the Contract as follows:</p> <ul style="list-style-type: none"> The Contractor shall implement the mitigation and monitoring measures given in Table A-3 of the EMP to address ESHS risks associated with the project works. The Consultant shall refer to the EMP of the Project, which is available on the NRPB website, for further guidance. 		NRPB will include this condition in the bidding document

#	Condition	The rationale for inclusion of this Condition in the Contract	Specifications to be included in the Bidding Documents	Responsibility	
				Bidders	NRPB
			<ul style="list-style-type: none"> The Contractor shall comply with the World Bank Group's General Environmental Health and Safety Guidelines 		
5	Payments for implementation of ESHS Mitigation and Monitoring Measures	The proposed measures to address ESHS risks are mainly related to workplace safety. Hence the cost of implementing the ESHS requirements shall be covered by Bidder's rates for the relevant works, and no separate payment will be made.	The cost of the delivering the ESHS requirements shall be a subsidiary obligation of the Contractor covered under the prices quoted for other Bill of Quantity items. No separate payments will be made for implementation of ESHS requirements.		NRPB will include this in the general specifications of the bid document
6	Code of Conduct for Contractor's Personnel	All workers hired by the Contractor should sign a code of conduct to ensure compliance with ESHS obligations of the Contract	<p>The Bidder shall submit the Code of Conduct that will apply to the Contractor's employees and subcontractors. The Code of Conduct will state that the workers will comply with the following ESHS requirements:</p> <ul style="list-style-type: none"> Wearing of PPEs at all times in the workplace Non-discrimination in dealing with the community including by race, ethnicity, gender, religion, disability, sexual orientation, gender identity, social, or health status Respectful attitude while interacting with the community Prohibit sexual harassment Prohibit violence, including sexual and/ or gender-based violence Respecting the reasonable work instructions Protection of and Proposer use of the property 	Bidder Shall submit code of Conduct with the bid documents	
7	Contractor's Management Strategies and Implementation Plans (MSIP) to	The Contractor proposal should include his understanding of the ESHS requirements of the project and the proposed strategies to manage the ESHS risks	<p>The Bidder shall submit Management Strategies and Implementation Plans (MSIP) to manage the following key ESHS risks:</p> <ul style="list-style-type: none"> Strategy for the protection of workers and community from the project related hazards 	The bidder will submit MSIP along with the Bid Documents	

#	Condition	The rationale for inclusion of this Condition in the Contract	Specifications to be included in the Bidding Documents	Responsibility	
				Bidders	NRPB
	manage the ESHS Risk		<ul style="list-style-type: none"> • Strategy to avoid spread of pests, specifically to avoid the spread of mosquito borne diseases, such as Dengue and Zika. • Pollution prevention (wastewater, and air and noise emissions) and management • A waste management plan for proper collection and disposal of wastes • Traffic management plan to ensure the safety of communities from project-generated traffic • Hazardous material management plan safe storage, handling, processing • Strategy to address labor influx impacts on the communities, if applicable • Gender-based violence and sexual exploitation and abuse prevention and response action plan • Emergency response plan and early warning system <p>The Contractor shall be subsequently required to submit (before mobilization) Contractor's Environment Management Plan (C-EMP), by the above strategies and Condition 4 of this table.</p>		
8	Hurricane Preparedness Plan	The Contractor must outline how debris and shipwrecks will be secured to prevent damage to private possessions and environment in the case of a hurricane	The Bidder shall submit a Hurricane Preparedness Plan that is specific to the proposed means of operations.	The Bidder will submit	

Table A-2: ESHS Conditions in the Project Preparation Stage

#	Condition	The rationale for the inclusion of this Condition	Description of the Condition	Responsibility	
				Implementation	Supervision
1	Preparation of Contractor's Environmental Management Plan (C-EMP)	The Contractor shall submit site-specific management plans to address ESHS risks following the EMP requirements and MSIP proposed in the bid documents.	<p>The Contractor shall be required to submit for approval, and subsequently implement, the Contractor's Environment and Social Management Plan (C-EMP).</p> <p>The C-EMP should be submitted prior to the commencement of any project works, and no activities will be carried out under the project until approval of the C-EMP.</p> <p>The C-EMP will include the following <u>site-specific</u> management plans as applicable:</p> <ul style="list-style-type: none"> • Occupational health and safety management plan • Community health and safety management plan, including pest management • Waste management plan • Wastewater discharges management plan • Air and noise emissions management plan • Hazardous material management and spill control plan • Water supply and sanitation management at the worksites and workers' accommodations • Management of labor influx and facilities for the foreign workers • Labor recruitment procedures and labor management • Traffic management plan related to both the decommissioning yard and the traffic associated with the vessel resurfacing • Training plan for ESHS risks including HIV/AIDS, sexual exploitation and abuse, and gender-based violence • Emergency Response Plan • Hurricane Preparedness Plan • Grievance Redress Mechanism • Demobilization plan after completion of works 	The contractor will submit this plan and update it every six months.	NRPB and its Engineer (Project Management Consultant) will review and approve. Failure to comply with C-EMP work or obligation may lead to withholding of the payment until the work or obligation has been performed.

#	Condition	The rationale for the inclusion of this Condition	Description of the Condition	Responsibility	
				Implementation	Supervision
			<ul style="list-style-type: none"> Specific plan for wrecks located at causeway bridge, stating how to prevent damage to the bridge 		
2	Mobilization of ESHS Specialist	The ESHS Specialist should be mobilised at this stage for preparation of C-EMP	The Contractor shall submit the CV of ESHS Specialist for NRPB review and approval. The ESHS Specialist should be present throughout the entire project duration	Contractor	NRPB
3	Permits for disposal of commercial waste	Government permits are required for disposal of commercial wastes generated from the project activities at the government operated landfill site.	Contractor shall obtain all necessary permits from the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI) for disposal of waste at the government's operated landfill site.	Contractor	NRPB
4	The hiring of Laborers	Government of Sint Maarten Labor Legislation 02. Labor Agreement sets out the standards for working conditions and management of workers' relationships.	The Contractor will implement labor management procedures following the national labor regulations for the hiring of workers. The procedures include terms and conditions of employment including hours of work, wages, overtime, compensation and benefits, holidays, leaves, and so on. The Contractor will set out measures to prevent and address harassment, intimidation and/or exploitation.	Contractor	NRPB
5	Temporary storage facilities	The contractor will need areas for setting up temporary storage areas	Contractor shall set up temporary storage facilities at the sites approved by the ministry of VROMI.	Contractor	NRPB

Table A-3: Vessel Salvage and Lagoon Debris Collection, Processing and Disposal

#	Activity / Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
1	Pollution Prevention Practices (Shipwreck Salvage Operation)	Oil and other hazardous fluids spill containment and removal practices: Marine and Terrestrial.	Simpson Bay Lagoon area, including Cole Bay, Mullet Pond and the shallows	Contract document	Prospective Contractor	NRPB
2	Only if inland decommissioning yard is used Pollution Prevention Practices (Decommissioning Yard)	a) Minimize Storm water and Wash water runoff. b) Provide secondary containment for oil products and other hazardous substances. c) Provide suitable battery storage out of weather d) Utilize dust and other fine particle control measures.	Decommissioning Yard	Contract document	Prospective Contractor	NRPB
3	Pollution Prevention Practices (Shoreline Cleanup)	Proper sorting and containment of shoreline debris	Simpson Bay Lagoon area; surrounding shorelines	Contract document	Prospective Contractor	NRPB
4	Only if inland decommissioning yard is used Recovered Wastes	<p>Burnable Debris. Burnable debris includes all biodegradable matter except those included in the following definitions of other categories of debris. It includes, but is not limited to, paper and cardboard goods, general household trash accumulated on vessels, untreated structural timber; untreated wood products; and brush or organic biomass collected in the course of shipwreck collection.</p> <p>Non-Burnable Debris. Non-burnable debris includes, but is not limited to, treated timber; plastic (including fiberglass); glass; rubber products; metal products; sheet rock; cloth items; non-wood building materials, furniture, and carpet and padding, cushions life jackets and rings.</p>	Decommissioning Yard		Prospective Contractor	NRPB

#	Activity / Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
		<p>Metals. Metals including keels, rudders, pintles, engines, transmissions, water heaters, shafts propellers, masts, railings, winches, anchors chain, chain-plates, and various other ship parts, fixtures, tanks, structural steel and appliances.</p> <p>Household Hazardous Waste (HHW). HHW includes household cleaners, oils, paints, flammables, insecticides, fuel cans, propane gas bottles, refrigerant and batteries.</p> <p>Fiberglass Debris. Grinding of fiberglass and recycling or disposal is preferable to breaking and burial. At this time, disposal of fiberglass vessel hulls in part or in whole may not be disposed of at the SXM Landfill. Offsite disposal options must be preapproved by the Government prior to initiating any disposal activities. Fiberglass boats may not be disposed of at sea under any circumstances.</p> <ul style="list-style-type: none"> Grinding of fiberglass boats must be accomplished with no visible emissions 				
5	Sanitation and Disposal for project workers	a) Proper availability of drinking water and sanitation facilities should be ensured at for worker. The facilities include temporary toilets, suitable collection & disposal system for domestic refuse	Workers camp		Prospective Contractor	NRPB
6	Only if inland decommissioning yard is used Water Conservation (Loss of water resource)	a) The contractor will minimize wastage of water in the process/ operation. b) No ground water withdrawal will be permitted for operational activities	Decommissioning Yard	Project requirement and legal requirement	Prospective Contractor	NRPB
7	Only if inland decommissioning yard is used Emission from	a) All vehicles, equipment and machinery used for operations shall be regularly maintained to ensure that pollution emission levels comply with the relevant requirements of Sint Maarten Vehicle Standards.	Decommissioning Yard	Contracts requirements	Prospective Contractor	NRPB

#	Activity / Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
	operational Vehicles, Vessels equipment and machinery (Air Pollution)					
8	Only if inland decommissioning yard is used Noise levels from vehicles, plants and equipment. (Health & Safety)	a) The machinery and equipment used in the project shall strictly conform to the Sint Maarten Vehicle Standards. b) Maintenance of vehicles, equipment and machinery shall take place regularly to keep noise from these at a minimum. c) Workers shall wear appropriate (PPE) safety gear in vicinity of loud operations.	Decommissioning Yard		Prospective Contractor	NRPB
9	Only if inland decommissioning yard is used Risk from operations (Safety)	a) The contractor is required to comply with all the precautions as required for the safety of the workmen as per the International Labor Organization (ILO) Convention No. 62 as far as those are applicable to this contract. b) The contractor shall supply all necessary Personal Protective Equipment (PPE)safety appliances such as but not limited to safety goggles, helmets, masks, etc., to the workers and staff. c) The contractor has to comply with all regulation regarding safe scaffolding, ladders, working platforms, gangway, stairwells, and safe means entry or egress.	Decommissioning Yard	Contract requirement	Prospective Contractor	NRPB
10	Salvaging Vessels: barges, boats which are to be used in salvaging operations are subject to inspection	a) All marine vessels which are to be used in or in support of salvaging operations are subject to inspection and the requirements set forth by the Department of Civil Aviation, Shipping & Maritime Affairs	Marine	Contract requirement	Contractor	Department of Civil Aviation, Shipping & Maritime Affairs / NRPB

#	Activity / Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
11	Risk from Electrical Equipment (Occupational Health & Safety)	a) Adequate precautions will be taken to prevent danger from electrical equipment. b) No material will be so stacked or placed as to cause danger or inconvenience to any person or the public. c) All necessary arrangement on fencing and lights will be provided to protect the public. d) All machines to be used in the Salvaging and Graving operations will conform to the relevant Standards and codes; will be free from patent defect; will be kept in good working order, will be regularly inspected & maintained as per IS provisions.	Marine and Terrestrial		Prospective Contractor	NRPB
12	Risk Hazardous Activity (Occupational health & Safety)	a) All workers employed on dismantling or Final Graving of Vessels etc. will be provided with suitable protective gear, included but not limited to: gloves, protective footwear and protective goggles. b) Workers who are engaged in welding works would be provided with welder's protective eye shields. c) The use of any herbicide or other toxic chemical shall be strictly in accordance with the manufacturer's instructions (MSDS). d) The NRPB shall be given at least 6 working days' notice of the proposed use of any herbicide or toxic chemicals. e) Inventory of all herbicide or toxic chemicals delivered to the site shall be kept and maintained up to date by the contractor.	Marine and Terrestrial		Prospective Contractor	NRPB
13	Only if inland decommissioning yard is used Risk Force Majeure (Environmental emergency)	All reasonable precaution will be taken to prevent danger of the workers and public from fire, flood, etc. All necessary steps will be taken for prompt first aid treatment of all injuries likely to be sustained during the course of action.	Decommissioning Yard		Prospective Contractor	NRPB

#	Activity / Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
14	Only if inland decommissioning yard is used Record of Accidents	All records of accidents or any mishap either at Marine or Terrestrial operational sites shall be maintained and documented regularly by the contractor.	Decommissioning Yard		Prospective Contractor	NRPB
15	First Aid (Health and Safety)	At every workplace, a readily available first aid unit including an adequate and well maintained supply of sterilized dressing materials and appliances will be provided	Decommissioning Yard, Salvage Vessels		Prospective Contractor	NRPB
16	Potable Water (Occupational Health)	a) In every workplace at suitable and easily accessible places, sufficient supply of portable water will be maintained. b) If the drinking water is obtained from intermittent public water supply then, storage tanks will be provided. c) All water supply storage shall be at a distance of not less than 15m, from any latrine, drain or other source of pollution.	Decommissioning Yard, Salvage Vessels where appropriate	Contract requirement	Prospective Contractor	NRPB
17	Only if inland decommissioning yard is used Noise Mitigation (Health & Safety)	Use of heavy noise producing equipment and operations are not be allowed in the night time. Their operation will be allowed only in the daytime. If urgently required, noise protection covering should be provided.	Decommissioning Yard	Design requirement	Prospective Contractor	NRPB
18	Only if inland decommissioning yard is used Continued community consultation during project activities	The NRPB will have continued interaction with the community in the project area to ensure that project activities are not causing undue inconvenience to neighboring communities due to noise, dust, disposal of debris, etc.	Decommissioning Yard	Project Requirement	Environmental Officer of TCC	NRPB

#	Activity / Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
18	Avoid the risk of losing control over barge's movements	Make use of more than one tug boat when moving barges around in the lagoon, thereby lowering risk of damage to surroundings	Lagoon and Mullet Pond	Design requirement	Prospective contractor	
19	Removal of Pyrotechnic signaling devices (including aerial flares and handheld signals)	Appropriate measures and precautions will be taken to prevent danger and injury from the removal of pyrotechnic signaling devices. The contractor is required to coordinate with the Dutch Caribbean Coast Guard and comply with all the precautions as required by the Coast Guard for the removal and disposal of aforementioned. An inventory of Pyrotechnic signaling devices must be maintained and all such devices must be delivered to the Coast Guard for safe disposal.	Decommissioning Yard, Salvage Vessels, Mullet Pond, Lagoon	Contract requirement	Prospective Contractor	Coast Guard, NRPB

Table A-4: Project Closeout

#	Environmental Impact/Issue	Mitigation Measures	Location	Reference to Contract Document	Responsibility	
					Implementation	Supervision
1	Community consultation	The prospective contractor will have continued interaction with population in the project area to ensure that operational activities are not causing undue inconvenience to the neighboring communities residing in the vicinity of operations due to noise, dust, disposal debris	Simpson Bay Lagoon area, including Cole Bay, Mullet Pond and the shallows, marinas and the surrounding shorelines	Title, Lease	Prospective Contractor	NRPB
2	<i>Only if inland decommissioning yard is used</i> Decommissioning Yard	Restoration of Decommissioning Yard to pre-project conditions as identified in the initial environmental assessment. (minimum requirement)	Decommissioning Yard	Project Requirement	Prospective Contractor	NRPB
3	Disposal Manifest	Submission and tracking all disposal manifests	Simpson Bay Lagoon area		Prospective Contractor	NRPB
4	Equipment	Verify demobilization of salvage equipment.	Not available	Project Requirement	Prospective Contractor	NRPB
5	Final inspection	Inspection and Release by Property Owner and NRPB	Decommissioning Yard, Simpson Bay Lagoon area, including Cole Bay, Mullet Pond and the shallows, marinas and the surrounding shorelines	Project Requirement	Project Requirement	NRPB, Property Owner

Table A-5: ESHS Monitoring Plan

(Note: NRPB will include this Table in the Contract Specifications of the Bidding Documents)

#	Monitoring Parameter/ Activity	Means of Monitoring	Compliance indicator/ threshold limits	Frequency	Responsible Agency	
					Implementation	Supervision
1	Controls for workplace hazards	Visual inspection to ensure controls for workplace hazards are in place	Implementation of Control Measures specified in the Job Hazard Analysis Reports	Monthly	Contractor	NRPB
2	Workers are trained on ESHS Risks and Code of Conduct	Inspection of training records and interviews with the workers	100 percent of workers are to be trained	Monthly	Contractor	NRPB
3	Workers are trained on providing First Aid.	Inspection of training records and interviews with the workers	A minimum of two workers are trained (preferably more). Training certificates must be valid. At least one worker trained in First Aid is required to be on site during operation hours at all times.	Monthly	Contractor	NRPB
3	Use of PPE by staff	Visual inspection on use of relevant PPEs	100 percent use of PPE	Monthly	Contractor	NRPB
4	Licensed equipment operators and vehicle drivers	Visual inspection of driving licenses	All operators and drivers shall have valid licenses relevant for the equipment and vehicles to be operated	Monthly	Contractor	NRPB
5	Water and sanitation facilities at worksites	Visual inspection and interviews	Availability of safe drinking water and sanitation facilities	Monthly	Contractor	NRPB
6	Water and sanitation facilities at workers' residences	Visual inspection and interviews	Availability of safe drinking water and sanitation facilities, and adequate kitchen supplies	Monthly	Contractor	NRPB
7	Cleanliness at worksites and residences	Visual inspection	Worksites shall be clean, and free of litter, debris or run-off	Monthly	Contractor	NRPB
8	First Aid Kits at worksites and residences	Visual inspection and interviews	All worksites and worker's residences shall have adequate first aid kits which are restocked as needed.	Monthly	Contractor	NRPB
9	Grievances from labor	Records of grievances registered and resolved.	All grievances shall be addressed within 15 days of complaint.	Monthly	Contractor	NRPB

#	Monitoring Parameter/ Activity	Means of Monitoring	Compliance indicator/ threshold limits	Frequency	Responsible Agency	
					Implementation	Supervision
10	Air pollution	Visual inspection of equipment/vehicle exhausts and records of vehicle maintenance where applicable	All equipment and vehicles shall be maintained as per manufacturers recommendations	Monthly	Contractor	NRPB
11	Noise and vibration	Visual inspection of noise control measures	Controls measures shall be in place for high noise generating equipment	Monthly	Contractor	NRPB
12	Wastewater discharges	Visual inspection of wastewater discharges	All wastewater shall be directed to the sewerage (wastewater treatment) facility where possible, or stored in suitable facilities (holding tanks) and subsequently transported to the appropriate facility by a licensed operator.	Monthly	Contractor	NRPB
13	Waste Management	Waste management as per the approved plan	Facilities are kept clean, waste collection and disposal facilities are in place.	Monthly	Contractor	NRPB
14	Traffic Safety	Visual inspection for traffic management	The smooth flowing of traffic; and placement of traffic signs and flag-person	Monthly	Contractor	NRPB
15	Hydrocarbon and chemical storage and handling	Visual Inspection of storage facilities	No leakages from the containers in the storage. Handling follows procedures to avoid spillages.	Monthly	Contractor	NRPB
16	Emergency Response Mechanism	Visual inspection	Fire extinguishers are in place at all work sites. Emergency routes are displayed.	Monthly	Contractor	NRPB
17	Restoration of Work Sites	Visual Inspection	The facilities are clean with no waste at the works sites	Monthly	Contractor	NRPB

Table A-6: ESMP Monitoring and Compliance Reports

#	Title of the Report	Contents of the Report	The frequency of Report Preparation	Report to be prepared by
1.	ESHS Monitoring Report	<p>Compliance status of the Project with the environmental and social mitigation and monitoring measures. Furthermore, the report also covers:</p> <ul style="list-style-type: none"> • environmental incidents; • health and safety incidents, • health and safety supervision: • Usage of PPEs by workers • worker accommodations for foreign workers – highlights of inspection • Training conducted, and workers participated • Workers grievances • Community grievances 	Monthly	Contractor
2	ESMP Monitoring Report	Compliance status of overall Project with ESMP requirements	Quarterly	NRPB
3	Incident Reports	Incident investigation reports for all major incidents covering details of the incident, root cause analysis, and actions taken to address the future recurrence of this event	<p>Initial investigation report within 24 hours</p> <p>Detailed Investigation Report within ten days</p>	Contractor

Annex 4 Grievance Mechanism of the NRPB



COMPLAINTS PROCEDURE - NATIONAL RECOVERY PROGRAM BUREAU

Introduction

Complaints are a valuable source of feedback and a valuable tool for organizational development. Diligent and prompt attention to complaints can help identify the needs of persons that encounter the National Recovery Program Bureau, understand the shortcomings, increase satisfaction and improve overall performance of the staff of the Bureau.⁴

This objective of this complaint procedure is to ensure that the National Recovery Program Bureau handles complaints fairly, efficiently and effectively. The Bureau aims to provide quick and effective resolution to concerns and complaints.

Our complaint procedure intends to:

- 1) enable us to respond to complaints in a timely and cost-effective way
- 2) boost public confidence in our work and administrative processes, and
- 3) provide information on complaints to enhance and give a quality impulse to our products and services.

What is a complaint?

A complaint is a written formal expression of dissatisfaction made to or about our services, products or staff. Requests for information, service requests and reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response are to be distinguished from complaints.

This procedure applies to complaints filed against the staff at all levels within the Bureau. In case of doubt, the complaint officer will get in contact to clarify the merits of the request, report or complaint.⁵

A complaint cannot be filed if:

you already filed a complaint about the same service, product or staff at the Bureau, or a complaint has been filed at the Ombudsman

1. the service, product or staff that caused the grievance took place over a year ago
2. there is a different way or procedure to address your grievances, for example through an appeals procedure based on a formal decision of government
3. the complaint should be addressed to a different entity within government, the Bureau will send the complaint to the right entity

⁴ Until the National Ordinance on the Bureau is in effect, complaints will be handled by the Interim Recovery Committee under the responsibility of the Minister of General Affairs.

⁵ A service request includes, but is not limited to: requests for approval, requests for action, routine inquiries on planning or state of affairs, reports of failure to comply with laws regulated by the Bureau, requests for explanation of policies, procedures and decisions.

4. your complaint is part of a court case, or part of a criminal investigation by the Public Prosecutor
5. your complaint does not address the products, service, or conduct by our staff
6. your complaints is about personal and general conduct of one of the staff members of the Bureau that is not directly related to a provided service

A complaint should be done by filling the online form provided below:

<https://goo.gl/forms/9qMpmJelF0sTuaUk2>

Complaints can also be sent via email to complaints@nrpbxm.org with "Complaint [name] Project" in the title of the e-mail. For example, "complaint Emergency Recovery Project I".

In the case that the person does not have access to internet or does not wish to submit an online form:

A complaint can be done in person at the address below. In such case the person will be asked to fill out a form that will contain the following information:

- ✦ personal and contact information: name, address, phone number, email address
- ✦ date
- ✦ merits and nature of the complaint: what happened, when it happened, who was involved
- ✦ the consequences of the occurrence: damage, or other grievance

Complaints can be addressed to:

National Recovery Program Bureau
#57 Walter A. Nisbeth Road
Philipsburg
Sint Maarten

Are there costs involved?

No, filing a complaint is free of charge.

Who is handling your complaint?

A complaint officer together with the legal counsel to the Bureau is handling your complaint.^{6 7}

This way it is ensured that the person handling the complaint is different from any staff member whose conduct or service is related to the complaint. Conflicts of interests, whether actual or perceived, will be managed responsibly.

How will the complaint be addressed?

Process:



Receipt

We will acknowledge receipt of each complaint promptly, and preferably **within 5 working days**.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with

⁶ Until the NRPB is established and both a complaint officer and a legal counselor are appointed, the majority of the complaints will be handled by the IRC's legal advisors with support from the office assistant and other relevant teams. In some cases, this may also involve the assistance of Judicial Affairs.

⁷ In the case that the complaint is related to the Director of the NRPB, it will be handled by the Cabinet of the Prime Minister.

the person making a complaint. The complaint officers and legal counsel will consider any relevant legislation and/or regulations when responding to complaints and feedback.

Where possible, complaints will be resolved at first contact with the Bureau. We will address each complaint with integrity and in an equitable, objective and unbiased manner.

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will also assign a unique identifier to the complaint file.

The record of the complaint will document:

1. the contact information of the person making a complaint
2. issues raised by the person making a complaint and the outcome/s they want
3. any other relevant and
4. any additional support the person making a complaint requires

We will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by the Bureau as permitted under the relevant privacy Ordinance (*National Ordinance on the Protection of Privacy*), and any relevant confidentiality obligations.

Complaints filed against the Director of the Bureau, will be handled outside the Bureau, by the Ministry of General Affairs, to ensure an independent procedure.

Initial assessment

Complaining is free of charge. After acknowledging receipt of the complaint, we will confirm whether the issue/s raised in the complaint is/are within our control. We will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

We will advise the complainant as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Addressing the complaint

After the initial assessment of the complaint, we will consider how to address it. **Within 6 weeks, the complaint will be addressed.** Only in complex cases, this period can be extended. The complainant will be informed accordingly.

If a person prefers or needs another person or organization to assist or represent them in the making and/ or resolution of their complaint, we will communicate with them through their representative if this is their wish. We will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

When determining how a complaint will be addressed, we will consider:

- ✦ How serious, complicated or urgent the complaint is
- ✦ Whether the complaint raises concerns about people's health and safety
- ✦ How the person making the complaint is/has been affected
- ✦ The risks involved if resolution of the complaint is delayed, and
- ✦ Whether a resolution requires the involvement of other organizations

To address a complaint, we may:

1. Give the person making a complaint information or an explanation

2. Gather information from the product, person or area that the complaint is about, or 3. Investigate the claims made in the complaint.

Notably:

- ✦ We will keep the person making the complaint up to date on our progress, particularly if there are any delays. We will also communicate the outcome of the complaint using the most appropriate medium. Which actions we decide to take will be tailored to each case.
- ✦ We will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.
- ✦ We will assess and priorities complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated appropriately.
- ✦ When similar complaints are made by related parties we will try to arrange to communicate with a single representative of the group, if the parties agree to this.
- ✦ Where a complaint involves multiple organizations, we will work with the other organization/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.
- ✦ Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organized to facilitate a timely response to the complaint.
- ✦ Where a complaint involves multiple areas within our organization, responsibility for communicating with the person making the complaint and/or their representative will be coordinated.

Provide reasons for decision

Following consideration of the complaint and any investigation into the issues raised, we will contact the person making the complaint and advise them:

1. the outcome of the complaint and any action we took
2. the reason/s for our decision
3. the remedy or resolution/s that we have proposed or put in place, and
4. any options for review that may be available to the complainant, such as filing a complaint at the National Ombudsman

If during an investigation, we make any adverse findings about a particular individual, we will consider any applicable privacy obligations under the *Landsverordening Bescherming Persoonsgegevens (National Ordinance on the Protection of Privacy)* and any applicable exemptions in or made pursuant to that Act, before sharing our findings with the person making the complaint.

Close complaint and follow up

After addressing the complaint and informing the complainative (including options for review if the complaint is not addressed to the satisfactory of the complainative) we close the complaint.

We will keep comprehensive records about:

1. How we managed the complaint
2. The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations, and
3. Any outstanding actions that need to be followed up.
4. We will ensure that outcomes are properly implemented, monitored and reported to the complaint handling officer and/or senior management.

5. We will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis in an aggregated and anonymous form. Those records are kept for a maximum duration in accordance with the law.

Regular reports will be run on:

1. the number of complaints received
2. the outcome of complaints, including matters resolved at the frontline
3. issues arising from complaints
4. systemic issues identified, and
the number of requests we receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our services and make improvements. Both reports and their analysis will be provided to the Bureau's senior management for review. Any information provided on the complaints at the Bureau to Parliament will be anonymous.

Annex 5 Preparation and Results of the Stakeholder Consultation

Public consultation on the Environmental and Social Management Plan Shipwreck Salvage and Lagoon Debris Removal and Disposal Project National Recovery Program Bureau

Date: May 9, 2019 at 14.30
Place: NRPB office second floor

Objective

Gather input and feedback from the stakeholder on the ESMP.

Expected result

Input and feedback from the participants on the Shipwreck Salvage and Lagoon Debris Removal and Disposal Project that will be used to finalize the **Environmental and Social Management Plan**.

Participants invited

Stakeholders of the EDMP Shipwreck project: Environmental & Nature Organizations

(SXM Nature Foundation, EPIC); Ministry TEATT; Port Sint Maarten/ SLAC; Ministry VROMI; Marina's in the Simpson Bay Lagoon; Ship salvaging companies

WB mission consultant, NRPB

Preparations

Preparation meetings were held between May 7, 2019 and May 9, 2019 at the office of the NRPB. The latter received technical assistance from World Bank consultants and the World Bank Environmental Specialist in defining the scope of the consultations. A PowerPoint presentation was concluded by the Communications Department of the NRPB with support from the World Bank technical assistance.

The event

The event took place at the NRPB building on the second floor.

Participants: 10 people from the government, 2 from the Marina's, 8 people from Ship salvaging companies, 2 consultants from the World Bank, 2 from NRPB/IRC (as facilitators)

Facilitators: Thijn Laurensse for the content and Hanneke Spaans for the facilitation of the workshop

After a brief introduction on the purpose of the event, Thijn Laurensse, explained about the process on the various documents for the project of the Ship Salvaging and Debris clearance of the shoreline. The Environmental and Social Management Plan is the basis in which there is an overview of rules, regulations and a risk assessment around the works.

After the presentation there was a short discussion on the content of the work to be done. Clarification on the different aspects of the contract, the area where the work needs to be done, etc.

The group was then split up in four working groups randomly. In each group a facilitator from the WB guided the discussion and kept the participants on the questions for discussion

The guiding questions for the working groups were:

1. Do you need any clarifications on the document?
2. Are the proposed activities adequate?
3. Did we miss potential risks?
4. Are the proposed mitigation measures adequate?
5. Suggestions on keeping stakeholders informed on project activities

In all groups there were lively discussion. This resulted in a number of comments and remarks.

The main remarks and comments were presented by one of the participants in plenary.

The questions raised were compiled by Min Ji Sohn, WB consultant.

During the plenary Thijn was asked after every presentation whether he understood the comments and remarks on the document. Some were answered, most will be answered in the updated document.

Finalizing the work session, Thijn Laurensse explained about the continuation of the process to update the ESMP of this EDMP project on Ship Salvaging and Debris collection on the shore line.

1. There is a 2 weeks time period to submit further remarks and questions at this email address:
shipwreck@nrpbxm.org
2. The questions will be compiled in a table and send to the responsible team
3. This team will analyze the questions one by one and provide a comment in the table with the questions.
4. Based on all the remarks and questions, the answers and concerns are incorporated in the draft ESMP.
5. The final draft is submitted to the WB team for approval
6. The final version is published on the NRPB website.

The expected works are planned to start in the third quarter of 2019

Program of the public consultation

Time	Content	Method	Fac.
14.30	Registration		
14.45	Introduction: aim and program		Thijn
14.50	Presentation of the document	Powerpoint	Thijn
15.20	Individual reflection on the document and presentation Quick round names and organization As ESMP is basis, we want your feedback. Let us reflect on it together. Guidelines: 5 questions – read and explain them Write your reaction on cards: take 5 min	Explanation Reflect individual	Hanneke
15.25	Group discussion on the questions concerning the document and presentation In group exchange comments, all are valid. In group: explain and discuss, each part to mention at least one Gather input on cards.	Groups of 3-5 participants randomly	Hanneke

	On flipcharts, please write the main comments that will be presented in plenary Each group one presenter, max 4 min Clear? Make group of max 5 participants, facilitator from NRPB and WB Hand in all comments (anonymous or named)		
16.00	Present main group result, each group Clarify the question and ask Points for quick answer yes Other points concerning ESMP will be discussed in NRPB team. Let us leave other points for another time Discussion on key issues	Maximum 4 minutes per group Plenary	Hanneke
16.20	Closure: what is next, what happens with feedback Thank for your presence	See ppt	Thijn
16.30	END		




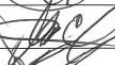






List of Participants

Name	Agency/ Organization	Function
unable to come	<u>Environmental & Nature Organizations</u>	
<u>Government Entities</u>		
Paul Ellinger	Ministry TEATT	Maritime Department
Claudius Carty	Ministry TEATT	Maritime Department
Louis Halley	Ministry TEATT	Maritime Department
Bertrand Peters	Port Sint Maarten/ SLAC	SLAC
Alexis Schoormans-van Houten	Ministry VROMI	Inspection
John Davis	Ministry VROMI	Inspection
Melissa Peterson	Ministry VROMI	Policy Department
Ildiko Gilders	Ministry VROMI	Policy Department
Claudius Buncamper	Ministry VROMI	Infrastructure Management
Mark Williams	Ministry VROMI	Staff Bureau/Focal Point
<u>Marina's in the Simpson Bay Lagoon</u>		
Bobby Velasquez	Bobby's Marina & Boatyard	
Brat Taylor	St Maarten Shipyard	
<u>Ship salvaging companies</u>		
Deon Swart	Aquatic Solutions	
Stephen Coetzer	Sea Cure Marine Construction	
Jeffrey Boyd	Marine Management & Consulting	
Jesse Peterson	Marine Management & Consulting	
Benjamin Sweetman	Marine Management & Consulting	

Michael Ferrier	Marine Management & Consulting	
Kirk Smith	Environmental engineers EE&G	
Tim Gipe	Environmental engineers EE&G	
Martin H. Ochoa	World Bank	Environment
Dan Petrescu	World Bank	Communication
Pasquale Franzese	World Bank	
Min Ji Sohn	World Bank	Environment
Thijn Laurensse	IRC/NRPB	Procurement Advisor a.i./incoming Program Manager
Hanneke Spaans	NRPB	Communication and Community Outreach

Public Consultations – Philipsburg, 16 May 2019
on
Environmental and Social Management Plan
for the Shipwreck Salvage and Lagoon Debris Removal Project

Attendance List

#	Name	Organization	Email	Phone	Signature
1	John Davis	VRMI			
2	Brad Taylor	St Maarten Shipyard			
3	JEFF O Boyd	MMC - Marine Group			
4	Jesse Peterson	mmc - Marine Group			
5	Michael Ferrier	MMC			
6	BENJAMIN SWEETMAN	MMC			
7	Bobby Velasquez	Bobby's Group			
8	MARTIN JHON	WB			
9	Dan Peterson	WB			
10	STEPHEN COETZER	SECURE MARINE CONSULTANTS			




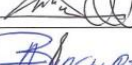








11	BERTAND PETERS	SIMPSON BAY LAGOON AUTHORITY PORT ST. MAARTEN			
12	Kirk Smith	EEG			
13	Ellinger Paul	Shipping Maritime Department			
14	Heliko Gilders	VRMI			
15	Mark Williams	VRMI			
16	Claudio Buncage	VRMI			
17	Deon Swail	Aquatic Solutions			
18	Rosenda Frantese	WB			
19	Tim Gipe	EEG			
20	Hanneke Spans	NRPB			
21	Minji Sohn	WB			
22	Tygn Lawrence	IRC			

Table 7-3: Feedback Received from the Stakeholders

Feedback from Stakeholders	Classification	Measures adopted or answer to question
How to prevent this situation from happening again	NR	This is an issue that is being looked into by the responsible authorities. It is not part of this project, which specifically focuses on cleaning up the remaining wrecks and debris
Why wasn't an ESIA done to include artificial reefing?	GQ	An EIA is a very lengthy procedure and was therefore avoided. However, we are exploring ways to include artificial reefing still and the ESMP and project design has been updated accordingly. See also related questions below.
Why no artificial reefing, creation of dive-sites with steel hulls?	GQ	The possible impact of artificial reefing may be significant and therefore there was discussion that an EIA was to be conducted prior to getting approval for this. Means of avoiding an ESIA are being explored and it is being looked into whether the SXM nature Foundation can take the lead in this endeavor without full EIA requirements.
Will a new inventory be performed?	GQ	Yes, it is included in the document and will be part of the tender package.
Why does the project not use the local shipyards locations?	GQ	It is up to the bidder to determine a decommissioning site.
Include and give priority to Oyster Pond on the Shipwreck Salvage and Lagoon Debris Removal and Disposal program given the fact that residents and visitors are affected on a daily basis.	GQ	The Oyster pond was at the initial phase of project design identified as an area under dispute. World Bank operational guidelines as such required that the French Authorities would not object to activities taking place in that area. This 'no objection' was not granted and as such we were not allowed to implement any action funded through the World Bank in the Oyster Pond. Based on the Operation Policy: Projects in Disputed Areas (OP7.60/BO7.60):
Regarding the scope of work, (i) What is the job, and (ii) Is seabed debris included?	GQ	The scope of works is described in chapter two of the ESMP. Seabed debris is not included.
What are standards in ESMP for (i) Environmental, and (ii) Disposal	ESMP	This is described in paragraph 5.5 and in more detail in Annex 3
Tender documents should incorporate international standards for shipwreck removal and de-pollution	ESMP	Reference is made to OSHA standards
If another hurricane comes what to do with collected debris? A hurricane preparedness plan should be included.	ESMP	The requirement of developing a hurricane preparedness plan is put with the bidder. The content of the plan depends on the decommissioning site. The plan is to be included in the C-EMP.
What to do with fiberglass? Bidder should not determine exposal. Guidelines should be provided for managing fiberglass. Include Fiberglass Management Plan	GQ, ESMP	The management of fiberglass depends on the proposal. Options are recycling or shipping off island to an acceptable disposal site. No specific on-island disposal option was identified.
Working areas are to be indicated and marked in the lagoon.	ESMP	This falls under the Traffic Management Plan to be provided by the Bidder as stated in Table A-2.

Feedback from Stakeholders	Classification	Measures adopted or answer to question
Ensure that proper legal and public notice is issued as soon as possible requesting the removal of the remaining boats, therefore not loosing any more time if public notice are required while the project planning is completed.	NR	A notice was published and the time for response is over. The Minister of VROMI is custodian of the remaining vessels/ wrecks and a new notice is thus not needed.
Provide us with a clear action plan and timetable of when the cleanup project would take place.	GQ	The broad time-frame is provided however a specific plan is to be delivered by the Bidder in their proposal. The bidder should determine what is feasible within the requirements set in the tender document.
Mitigate and prevent damage to cause-way when removing wrecks in corner	ESMP	Specific mention is made in the ESMP, table A-2
Ensure that contractors use more than one tug when moving barges	ESMP	Specific mention is made in paragraph 5.5 and Table A-3
Ensure clear specifics are included to prevent debris from stripping boats going to the environment	NR	The project is about taking debris and wrecks out of the environment. It is self evident that no debris should end up in the environment and it is a requirement to leave the project side behind cleaned up.
Coordination with the French Side should be mandatory. It was a point in the recent MOU signed between all four parties--St. Maarten, Holland, France and St. Martin.	NR	Coordination with the French side is being done from the beginning. Regular updates are provided both ways.
A viable disposal solution or multiple solutions should be identified, including the space in which the work should be conducted. Not doing so creates a tremendous disparity in possible outcomes of a bid. The risk being that the least expensive option or the best presented option cannot be materialized due to something not being properly secured. Without having defined storage/staging areas and knowing what the final disposal method will be, the project assumes additional risk that could be mitigated by a more complete plan. Further, the environmental reasons for lifting the boats all concentrate around the disposal of said boats. Without a clear plan as to how this will be done there is no way to even discuss the environmental risks, much less mitigate and control those risks via this undefined plan.	GQ	A more detailed description of the scope of works will be provided in the tender package for the request for proposals. As there are multiple ways on how to deal with the debris (from mere disposal to recycling options), the stage after decommissioning is left up to the bidder to allow flexibility and creativity on the way of dealing with the materials. Indeed, this will make the evaluation of proposals more intensive. Details on scoring will be provided however in the tender package and will thereby show interested companies where the focus will be related to the importance of different aspects of a proposal.

Feedback from Stakeholders	Classification	Measures adopted or answer to question
The disposal option will determine the associated costs to a large extent. This includes labor costs. This plan makes wide assumptions in regards to jobs and employment without any type of hard back numbers and is based on an unknow process therefore the amount of employment is impossible to determine.	NR	The ESMP mentions possible impacts related to jobs and employment and presents potentially needed areas of mitigation. Details are indeed unknown and up to the bidder to determine based on their proposal.
In some cases, such as but not limited to the wrecks on moorings scattered around the lagoon, the salvage company has already been paid to dispose of the wreck but has lacked an officially sanctioned method for doing so. Some salvagers were also allowed to operate in the territory without said permits and without the proper authority to do so, while others were not; thereby creating an unlevel playing field immediately after the storm and now passing this level back to the Recovery Trust Fund and potentially wasting public funds or allowing entities to get paid twice for the same work. The draft project plan should at least mention this eventuality and ensure clarity to all stakeholders; and to every extent possible those previously compensated should be made to contribute to this project.	NR	This falls outside the responsibility of the NRPB.
There are only a few of the marina stakeholders listed prominent ones missing are Palapa Marina, FKG, New Wave, Porto Cupecoy, Lagoon Marina and Island Water World and not all of the local salvage companies are listed, most notably but not solely is Nica NV operating Conan Barge.	NR	Noted. The list mentioned in the draft was not exhaustive, however that was not mentioned.
Further comments from SHTA (letter attached to this Annex)		
Pests and storms	ESMP	See hurricane preparedness plan on the matter of Storms. A line specifically asking for a plan to avoid spread of pests and mosquitos specifically has been added.
Disposal Options	GQ	See above
Guiding Principles	NR	Noted

Feedback from Stakeholders	Classification	Measures adopted or answer to question
Licensing and permitting complications	NR	Noted

Classifications:

NR: Not Relevant to this ESMP and/or activity

GQ: General Question on the Project design

ESMP: Specifically related to the ESMP