



Concept Environmental and Social Review Summary

Concept Stage

(ESRS Concept Stage)

Date Prepared/Updated: 07/10/2020 | Report No: ESRSC01436



BASIC INFORMATION

A. Basic Project Data

Country	Region	Project ID	Parent Project ID (if any)
St Maarten	LATIN AMERICA AND CARIBBEAN	P172753	
Project Name	RESILIENT SCHOOLS PROJECT		
Practice Area (Lead)	Financing Instrument	Estimated Appraisal Date	Estimated Board Date
Education	Investment Project Financing	10/15/2020	12/18/2020
Borrower(s)	Implementing Agency(ies)		
Ministry of General Affairs	National Recovery Program Bureau		

Proposed Development Objective(s)

The Project Development Objective is to (i) restore access to a safe education, learning and cultural environment and (ii) improve the resilience of Sint Maarten’s education system.

Financing (in USD Million)	Amount
Total Project Cost	30.00

B. Is the project being prepared in a Situation of Urgent Need of Assistance or Capacity Constraints, as per Bank IPF Policy, para. 12?

No

C. Summary Description of Proposed Project [including overview of Country, Sectoral & Institutional Contexts and Relationship to CPF]

The Project will include five components: (1) Rebuilding safe schools, (2) Restoring a community learning and cultural environment, (3) Strengthening the resilience of the education system, and (4) Project management. The Project will also include a (5) Contingent Emergency Response Component (CERC), without funding allocation, that will allow a prompt reallocation of resources in case of emergency.

D. Environmental and Social Overview



D.1. Detailed project location(s) and salient physical characteristics relevant to the E&S assessment [geographic, environmental, social]

The proposed project contemplates five components. Component 1 Rebuilding safe schools, will finance the construction, the equipment and the supply of the Sister Marie Lawrence (SML) Primary School and the Charles Leopold Bell Public School (CLB) both destroyed by hurricanes Irma and Maria. SML is located in the Middle Region District near Philipsburg, and is considered a low-income area, although poverty data per region has not been provided. Before the Hurricane Irma hit the Island in 2017, SML provided artistic activities for children in the neighborhood afterschool, engaging with vulnerable social groups and special care programs for children with special needs. MECYS has deemed the school buildings unsafe and inhabitable and the construction of a brand-new school is required. Since the hurricane hit, students and the afterschool program have been relocated to two other Catholic schools in other districts. CLB is located in Cole Bay, an area that has changed over the last 10 years, from untidy housing, warehouses and machine shops to commercial shops and marinas near the Simpson Bay "Golden Mile". CLB was built in 1920 and while it is not Sint Maarten's official registry of historic monuments, it is considered a historical landmark by the community. The proposed subproject contemplates the renovation of the building and the construction of an Educational Care Center which will cater to primary public school students from across the country who have behavioral challenges. Renovations and repairs should be done without interfering with the original architecture of the building.

Component 2 Restoring a community learning and cultural environment will finance the reconstruction of the Sint Martin Library (SML), which together with the Sint Maarten Heritage Museum and the Sint Maarten Archeological Center conform the Heritage Center Project. The Heritage Center, is a converted 1800's house located in Phillipsburg near the Great Bay waterfront. The Center showcases ancient relics from St. Maarten's past, flora, fauna, history and heritage. The library had a media lab that was used as a learning facility to a large share of the population that did not have access to computers and the internet. The facility was also used to conduct afterschool classes and reading programs for various schools within the community. The Library also provided reading materials for the population and it was visited by around 40,000 people annually before hurricane Irma. The project will finance the reconstruction of the Library, and may finance the provision of furniture and equipment, and cultural and learning exchanges with countries that have implemented a similar model of community center. It may also support the establishment of a digital platform for the library and the community center.

Component 3 Strengthening the Management Information System of the Ministry of Education (MECYS) will contribute to improving the education system resilience to external shocks, such as natural or human disasters, through the design and implementation of a Ministry Management Information System (MMIS). The proposed MMIS will also help improve MECYS efficiency in service delivery through the improvement and its human resources and financial management, including subventions to schools and scholarships.

Component 4 Project management will support the project management including environmental and social risk management, and coordination functions of MECYS and the NRPB, including inter alia, technical assistance, goods, audits, workshops, training and operating costs.

Component 5 (US\$ 0 value) will be a mechanism included in the Project for rapid response in the event of an eligible emergency given Sint Maarten's high vulnerability to natural disasters.

D. 2. Borrower's Institutional Capacity

The National Recovery Program Bureau (NRPB) will be the Project Implementing Agency. The NRPB will be responsible for project management and coordination, including M&E and reporting, procurement, financial management, environmental and social risk management, and citizen engagement. The NRPB has been responsible for the implementation of the first two projects supported by the TF (ERP 1 and ERP 2). It is staffed with procurement and financial management staff and two environmental safeguards specialist- the second was hired in May and is working



from his home based country until travel to the Island can resume due to COVID19 travel restrictions. Similarly, NRBP is in the process of finalizing the hiring of a social specialist to oversee the social safeguards aspects of the NRBP portfolio. The Environmental and Social Specialists will be tasked with preparing the required risk management instruments, particularly for the construction of civil works, review terms of reference and bidding documents, ensuring the environmental and social screening of the activities.

NRPB will appoint a Project Manager tasked with the day to day project management and coordination of the project. The Project Manager will ensure that s/he receives timely contributions from the environmental and social safeguards team, including the monitoring and reporting of progress implementation of the Project’s Environmental and Social Commitment Plan (ESCP). In addition, the Project Manager will coordinate technical inputs from the Ministry of Education, Youth and Sports (MECYS), and ensure a smooth collaboration between all Project stakeholders. MECYS’ input and support will be sought for policy decisions, technical input and overall guidance as needed during project preparation and implementation.

NRPB, while it is already familiar with the World Bank and the Bank's environmental and social safeguards policies, it is new to the Environmental and Social Framework (ESF) and the Standards (ESS). By adding this new project without the human resources and logistics in place needed to manage the environmental and social risk management of the project, NRPB runs the risk of not being able to fulfill its fiduciary role, however, delaying the initiation of the project will delay further the capacity of SXM to start the much needed education infrastructure. The current COVID19 pandemic has also taken a toll in the capacity of NRBP to carry out key aspects of project preparation and implementation, particularly in carrying out meaningful consultations, environmental and social screening and project oversight. As such, project preparation will require a robust stakeholder engagement plan that ensures meaningful consultations are carried out through out project preparation ensuring provisions to minimize the risk of COVID-19 spread. NRBP will be required also to draft and to disclose online and through social media the project's Environmental and Social Management Framework (ESMF). Both MECYS and NRPB will require technical inputs either in the form of short-term consultancies and/or continued hands on support to help manage the environmental and social fiduciary requirements required for the preparation of the Project.

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II. SCREENING OF POTENTIAL ENVIRONMENTAL AND SOCIAL (ES) RISKS AND IMPACTS

A. Environmental and Social Risk Classification (ESRC)

Moderate

Environmental Risk Rating

Moderate

The project activities' potential adverse risks and impacts on the environment are moderate, temporary and highly localized. The main environmental risks and impacts of the project are related to the construction the two schools and the library center under Component 1 and Component 2. Some traffic disturbance, dust and noise pollution from construction and demolition activities might occur during works in the urban areas where the facilities are located. Engineering assessments will be carried out during project preparation and similar to conditions found in several public buildings, it is expected that mold might be present in the existing schools. Assessments will include presence of asbestos considering that the existing infrastructure was built several years ago. As such, the disposal of hazardous and non-hazardous, solid and liquid wastes, vector control and release of contaminants to the air, soil, and water due to routine or accidental circumstances; and inefficient use of resources including water, energy and raw materials might occur as well if not properly managed. Occupational Health and Safety risks associated with construction of the



facilities might also be significant given the limited enforcement of OHS practices in the Island and the additional measures that will need to be taken as Sint Martin resumes economic activities-including construction works- while preventing the spread of COVID19. These risks will be highly localized, temporary in nature and manageable through environmental risk management instruments and mitigation measures that NRBP is already familiar with. Based on the combined set of issues and the instruments to management the potential environmental risks, the environmental risk rating of the project is rated Moderate.

Social Risk Rating

Moderate

The social risks and impacts are likely to be moderate. The risks arise from the apparent absence of stakeholder inputs in both the selection of schools for prioritization for renovation, and the Education Master Plan more broadly, these bigger picture issues may be exacerbated by stakeholder concerns about school seat allocation and family preferences for particular public schools. This latter point may become an issue as the Sister Marie Laurence school is renovated and needs to fill seats with families living in the neighborhood, however there is no evidence that there is preference for this school despite proximity to it, and MECYS reports declining enrollment in public schools over all and in particular those managed by The Catholic School Board (SKOS). Additionally, as a country wide school for children with behavioral challenges there will be broad interest in the renovation of the CLB school for this purpose.

B. Environment and Social Standards (ESSs) that Apply to the Activities Being Considered

B.1. General Assessment

ESS1 Assessment and Management of Environmental and Social Risks and Impacts

Overview of the relevance of the Standard for the Project:

From the existing available data provided by MECYS and NRBP on the proposed works and the available information at Concept Note stage, the assessment of risks and impacts of the project or subprojects will not require full environmental and social impact assessments.

The expected environmental and social risks and potential negative impacts can be managed through an Environmental and Social Management Framework for the Project. The ESMF will set out the principles, rules, guidelines and procedures to screen the risks and impacts for the specific subprojects listed in Component 1 and Component 2, the mitigation measures and the budgeting for the costs of the proposed measures. NRPB in coordination with MECYS, and with support from external short term consultants, will need to prepare the ESMF, disclosed online in NRBP’s website, consulted at least online and through social media with stakeholders, submitted to the Bank for no objection before the project will be appraised.

Each school and the library listed in Components 1 and 2 will require their own ESMP and will be submitted at project implementation stage. While the location of these subprojects is known, the designs will be carried out during project implementation.

Each ESMP will address: (i) health & safety risks of communities adjacent to the facilities during construction as increased traffic, increased pollution from C&D removal activities and construction works are expected to occur; (ii) labor management provisions including potential influx of foreign workers, as contractors for the works might be prone to employ unskilled foreign labor given the expected shortage of local labor derived from reconstruction already happening in the island; (iii) the risks and impacts to any cultural heritage and the Cultural Heritage Plans needed to address the risks; (iv) health and safety of workers given the potential significant presence of mold and asbestos in the existing facilities, and the risk of COVID-19 associated with OHS and the reference to applicable WBG’s Environmental, Health and Safety Guidelines (EHSGs); (v) universal access to facilities; (vi) energy efficient

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services in the new facilities; (vii) resources and logistics; and (viii) stakeholder engagement. The ESMPs will be part of the contracts for the works under Component 1 and component 2.

Given the potential replacement of obsolete equipment, the ESMF will include guidelines for managing the safe management and disposal of E-Waste Management and subject to the volume this particular waste, the ESMF will also include specific guidance to prepare a E-Waste Management Plan.

Regarding Component 5, the ESMF will include a specific section listing the potential activities that the CERC could finance.

The draft Stakeholder Engagement Plan (SEP), and ESCP will be required before Project appraisal. Labor Management procedures for project workers will also be drafted prior to project appraisal.

Areas where “Use of Borrower Framework” is being considered:

The use of the Borrower Framework will not be considered for this project.

ESS10 Stakeholder Engagement and Information Disclosure

Many of the stakeholders for this project are yet to be identified but they will be and consulted with during the development of the SEP.

NRPB with inputs from MECYS, will prepare and implement the SEP. The draft SEP will identify the key stakeholders to engage during project preparation and the guidelines to identify the key stakeholders for each of the subprojects under Component 1 and 2. NRPB will engage in meaningful consultations with all stakeholders through the project life cycle. The SEP will include a Grievance Redress Mechanism (GRM) for the Project. A draft SEP will be prepared and disclosed as early as possible but prior to Appraisal. The Draft SEP will include summary of the feedback received during consultations and how the feedback received was taken into account in project design.

Given the ongoing global pandemic consultations and engagement will adapt to use more technology and online driven approaches along the lines of the guidance provided in the World Bank’s Technical Note “Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings, March 20, 2020.

B.2. Specific Risks and Impacts

A brief description of the potential environmental and social risks and impacts relevant to the Project.

ESS2 Labor and Working Conditions

The Borrower will draft Labor Management Procedures which will outline the requirements for assessing and managing labor and working conditions for the project since typical safety risks associated with the construction and demolition of works under Component 1 are 2 are expected (OHS risks; noise pollution; dust pollution). The draft LMP will be part of the ESMF which will be ready before project appraisal and the final version will be submitted to the Bank for approval within 30 days after project effectiveness date.

During project implementation, the draft Labor Management Procedures will be updated as needed to incorporate in terms of references and legal obligations for contractors hired to complete specific construction activities, including a requirement for contractors to have in place appropriate occupational health and safety (OHS) management systems, emergency prevention and preparedness and response arrangements. Contractors will be required to ensure appropriate quality of accommodation for all non-local workers to adequately protect and promote their health,



safety, and well-being. In addition, labor brought from outside the island should be trained on avoiding and managing sexually transmitted diseases and be provided a general Code of Conduct. The Labor Management Procedures will also include a GRM specifically for project workers so that they have an official communication channel for complaints or other issues.

To reduce the risk of COVID19 transmission, enhanced occupational health and safety measures will be added to the construction contracts and the ESMP for each site will include, in addition to the standards for contractors listed in the ESMF, additional provisions to prevent COVID19 risks in the workplace. NRBP will follow the Government of Sint Maarten guidelines and will take into consideration the WBG ESF/Safeguards Interim Note "COVID-19 Considerations in Construction/Civil Works. The final provisions will need to be included in the ESMP for the specific subprojects. The type of workers associated with the project is yet to be defined. Preliminarily, it is envisioned that there will be civil servants from MECYS and NRBP working on the project. Civil servants will be subject to the terms and conditions of their existing public sector employment agreements. NRBP will hire consultants to support in the preparation and implementation of the project. The LMP will include provisions for the management of contracted workers which will include standards for personal conduct including sanctions pertaining to sexual harrassment. The implementation of the works will require primary supply workers. The LMP will include provisions that will be reflected in the bidding documents for the works and required in the Contractor' ESMP for the specific subprojects. The project will not include any child labor nor community workers in accordance with the standard. The Labor management procedures will be drafted before project appraisal and the final version will be submitted to the Bank for approval within 30 days after project effectiveness date.

ESS3 Resource Efficiency and Pollution Prevention and Management

NRPB will hire the design of the construction and rehabilitation of the subprojects listed in Component 1. It is expected that the works will include site specific excavation and filling during construction. The ESMP for each subproject will address the risks and impacts of excavation, materials sourcing for the facilities, disposal of construction and demolition waste, energy and resources efficiency to ensure the implementation of the works adhere to the safety measures spelled out in this standard.

The specific ESMPs for subprojects included in Components 1 and 2 will also include mitigation measures that the contractors will implement during the construction of the facilities, including but not limited to dust suppression, traffic management, water management requirements, solid and wastewater management, and hazardous waste management such as mold and asbestos should the latter be identified as part of the design of the works.

The ESMP will also include specifications for contractors to dispose wastes at approved sites according to national laws and regulations and the ESF requirements. The approved sites will be assessed thoroughly to ensure that they adhere to the safety specifications spelled out in this standard. Construction and demolition waste disposal is permitted in the Salty Pond Municipal Solid Waste Landfill, provided it follows the permits and provisions that VROMI provides.

Regarding the equipment for the facilities under Components 1 and 2, the ESMF will include provisions to incorporate e-Waste Management should activities include removal of existing obsolete electronic equipment. For the acquisition of new electronic products, the ESMF will also include provisions to incorporate energy efficiency



requirements in the bidding documents. Specific requirements will be developed prior to preparation of any electronic equipment acquisition process.

ESS4 Community Health and Safety

The construction and demolition of the facilities under Component 1 and 2 might affect people living in the proximity of the construction sites. The specific ESMPs will include mitigation measures that the contractors will implement during the construction of the facilities to avoid, reduce and mitigate risks to the adjacent communities, including traffic management provisions during the construction of the works.

ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

No resettlement or restrictions on land use are anticipated, though the Project team will assess the ownership and use of each of the three sites (land and buildings) . A recent court case on the proposed sale of the St Joseph School property found in favor of the Catholic School Board but it illustrates the complexities of land and property arrangements in Sint Maarten and as such the land and the built improvements for both schools needs to be further looked into. MECYS has provided preliminary information from the Cadaster office indicating that for the schools there are no impediments to developing the sites. MECYS has reported that the land the CLB school is on is fully owned by the Government of Sint Maarten, while the SML land is under a long lease to the SKOS, which has 27 years remaining. Similar information on the land and improvements are needed for the Library.

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

Not relevant for the project.

ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

There are no communities in Sint Maarten that fulfill ESS7 definition of Indigenous Peoples.

ESS8 Cultural Heritage

MECYS has informed that the CLB school is a 100 year old building which is considered an important historic building even though it is not on the list of Sint Maarten's official registry of historic monuments, it is considered a historical landmark by the community. Renovations and repairs should be done without interfering with the original architecture of the building. The CLB should be restored following the guidance of an architectural historian familiar with the region to ensure that the renovation restores and replicates the historic craftsmanship, architectural details, and colors of the historic landmark.

The ESMP of any of the subprojects under Component 1 and 2 will include a Cultural Heritage Management Plan. The Plan will include implementation timeline and estimate of resources needed for proposed mitigation measures. Independently, Chance Find Procedures will also be included in each ESMP and a chance find clause will be included in the works contracts following provisions made in the ESMF.



ESS9 Financial Intermediaries

Not relevant. The Project will not channel funds to a Financial Intermediary with the objective of sub-lending.

C. Legal Operational Policies that Apply

OP 7.50 Projects on International Waterways No

OP 7.60 Projects in Disputed Areas No

III. WORLD BANK ENVIRONMENTAL AND SOCIAL DUE DILIGENCE

A. Is a common approach being considered? No

Financing Partners

None.

B. Proposed Measures, Actions and Timing (Borrower's commitments)

Actions to be completed prior to Bank Board Approval:

NRPB, with inputs from MECYS, to:

- (i) Appoint an environmental specialist and a social specialist for the project;
- (ii) Prepare, consult and disclose an ESMF for the Project;
- (iii) Conduct meaningful consultations with stakeholders on the project and its impacts, prepare, consult and disclose SEP and GRM for the Project;
- (iv) Prepare and disclose the ESCP for the Project.
- (v) Prepare draft LMP

Possible issues to be addressed in the Borrower Environmental and Social Commitment Plan (ESCP):

- Report quarterly progress of ESMF implementation and any specific ESMPs;
- Maintain adequate staffing of E and S specialists who are appointed to this project,
- Disclose Labor Management Procedures (LMP) for the Project, and submit final LMP for Bank clearance within 30 days after project effectiveness; and disclosing prior to bidding for civil works or major hiring for the project;
- Prepare and submit for World Bank clearance the ESMPs for each facility under Component 1 and 2, before bidding documents for the works are released;
- Request and submit to World Bank the Contractor's ESMP (and associated sub-plans) for each facility under Component 1 and 2, prior to contract signing of the works;
- Submit to World Bank the specifications of electronic goods reflecting energy efficiency, prior to the request for bids of those goods;
- Submit specific Asbestos, Mold and/or E-Waste management plans should the screening of the works or activities provide evidence of the existence of these pollutants;
- Implementation of Labor Management Procedures;

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- Implementation of Stakeholder Engagement Plan;
- Management of grievances under the SEP and LMP.

C. Timing

Tentative target date for preparing the Appraisal Stage ESRS

02-Aug-2020

IV. CONTACT POINTS

World Bank

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Borrower/Client/Recipient

Borrower: Ministry of General Affairs

Implementing Agency(ies)

Implementing Agency: National Recovery Program Bureau

V. FOR MORE INFORMATION CONTACT

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VI. APPROVAL

Task Team Leader(s):	Yves Jantzem, Celine Gavach
Practice Manager (ENR/Social)	Valerie Hickey Recommended on 11-Jun-2020 at 11:15:16 EDT
Safeguards Advisor ESSA	Valerie Hickey (SAESSA) Cleared on 10-Jul-2020 at 17:24:57 EDT