



# Concept Environmental and Social Review Summary

## Concept Stage

### **(ESRS Concept Stage)**

Date Prepared/Updated: 09/11/2019 | Report No: ESRSC00810



## BASIC INFORMATION

### A. Basic Project Data

Country	Region	Project ID	Parent Project ID (if any)
St Maarten	LATIN AMERICA AND CARIBBEAN	P171283	
Project Name	Sint Maarten Road Connectivity and Resilience Improvement Project		
Practice Area (Lead)	Financing Instrument	Estimated Appraisal Date	Estimated Board Date
Transport	Investment Project Financing	3/31/2020	5/15/2020
Borrower(s)	Implementing Agency(ies)		
Sint Maarten Government	National Recovery Program Bureau (NRPB)		

### Proposed Development Objective(s)

The development objective is to improve connectivity in the project area between the western and eastern parts of the country and enhance resilience and safety in the road sector.

Financing (in USD Million)	Amount
<b>Total Project Cost</b>	<b>20.00</b>

### 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]

Sint Maarten is a small island country in the Caribbean, heavily depending on tourism for livelihoods. The recent climate events, such as Hurricanes Irma and Maria in 2017, which significantly damaged the economy, recast light on its vulnerability to extreme weather and climate events as well as the lack of resilience and reliability of transport infrastructure. The Project aims at improving road connectivity and resilience in the country, especially supporting new construction of Link 6, spot improvements of road structures and signage, and better planning of maintenance and resilience.



## **D. Environmental and Social Overview**

### **D.1. Project location(s) and salient characteristics relevant to the ES assessment [geographic, environmental, social]**

The Project includes 1.6 km of new road construction-the Link 6 road, connecting Cul de Sac to Lower Prince's Quarter (the east section), in central Sint Maarten; the upgrade of an existing access road to Link 6 in the Cul de Sac Area (Bethlehem connection: 0.9 km-the west section); and priority spot improvements to strengthen resilience of road infrastructure and road safety in locations to be determined during project implementation. The proposed connection will provide for an alternative connection between Dutch Quarter/ Middle Region and Cul de Sac and will allow for better development possibilities for the Bethlehem area in the east side of Sint Maarten, considered also of historical value because of its plantation history. The terrain along the proposed corridor is very steep. There are a few areas in the existing road alignment presenting constrictions due to presence of houses on one side and steep-20 meter drops on the other. The hillsides where the proposed new access road will be built consist mainly of drought deciduous and mixed evergreen thorn woodlands and the higher hillsides and tops, while not defined as critical habitats under local environmental classification, might be home to some important animal and plant species according to local NGOs. Regarding storm water runoff, an overview of the storm and surface water system of the proposed project site suggests that runoff from the west side of the project would continue to flow eventually into the Fresh Pond water body, one of Sint Maarten's five main inland water bodies; while water runoff from the east side of the road, would need to be routed into the storm and surface water systems that eventually flow into Sint Martin-the French side of the island. Assessments will be needed to ensure risks and impacts on the dense urban low laying areas existing in both ends of the road are managed to avoid flash flooding from the hills. There is a potential for new private developments derived from the proposed road (the east side), and homes in the existing road (the west side) do not have access to wastewater collection systems, which by local ordinance homes beyond 200 meters above sea level are to be served with septic tanks. As such there is a risk of increased pollution of water quality of existing ponds, groundwater and eventually the ocean since wastewater flows could become mixed with storm water runoff. The existing alignment of the road includes slopes beyond 14% and the new section includes slopes up to 16%. While these slopes are within SXM's road design framework, increased accidents could occur, as such proper velocities and road safety features will need to be wholly incorporated in the design of the road with a traffic management and road safety plan. Regarding the main social risks and impacts, the project requires a land acquisition process. Several landholders along the proposed road trajectory have agreed in principle with land acquisition and one landowner has agreed to donate land needed to advance the project. Additional land owners along the trajectory still need to be identified however the 5 landowners represent the vast majority of land needed for construction to begin. In addition to a land acquisition process, stakeholders will need to be engaged.

### **D. 2. Borrower's Institutional Capacity**

The National Recovery Plan Bureau (NRPB) and the Ministry of Public Housing, Environment, Spatial Planning and Infrastructure (VROMI), and the Government of Sint Maarten (GoSXM) in general, are new to the Bank's Environmental and Social Framework (ESF). It is envisioned that NRPB, with the technical inputs from VROMI, will manage the environmental and social safeguards policies and instruments of the project, however none have the institutional capacity yet to manage these policies and instruments (e.g. the ESIA, ESMP, and RAP of Link 6; the ESF for Component 2; the SEP, LMP and ESCP for the Project). NRPB has one Environmental Policy Officer (EPO) recently appointed to oversee all projects financed by the World Bank. By adding this new project, the EPO runs a high risk of becoming overextended. VROMI will require support in the form of short-term consultancies and resources to help strengthen its Environmental Unit as well. Regarding the social aspects of the Project, NRPB will require a social team consisting of one lead Social Specialist with 1 or 2 community liaisons. Similarly, VROMI will need to contract at least one Social Specialist and a short term Legal professional consultant with experience in land acquisition processes to support NRPB in managing consultations, negotiations with land owners, and conflict resolution amongst existing



stakeholders along Link 6, The environmental and social teams in NRPB and VROMI will need to be in place before NRPB carries out the ESIA and RAP for Link 6 project.

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

### **A. Environmental and Social Risk Classification (ESRC)**

Substantial

#### **Environmental Risk Rating**

Substantial

The project activities' potential adverse risks and impacts on the environment are likely to be significant if not properly managed. Main environmental risks and impacts of the project are related to the Construction of Link 6 Road where land disturbance, erosion and sedimentation of watercourses from road works could occur; increased flow of water runoff from the new road section into existing culverts, channels and watercourses in the Cul de Sac and Belle areas; interference/loss of habitat and biodiversity along the new road construction of Link 6 (1.6 km); disposal of hazardous and non-hazardous, solid and liquid wastes; 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. Additionally, NRPB and VROMI are yet to become familiar with the World Bank ESF and safeguards policies, and their implementation capacity needs to be strengthened. Based on the combined set of issues the environmental risk is rated Substantial.

#### **Social Risk Rating**

Substantial

The main social risks and impacts are related to the land acquisition process, the consultation process with various stakeholders, traffic management and road safety, labor, and capacity of the borrower to prepare and execute the project. There are currently several landowners that have donated land for the road construction however one of those landowners has not yet agreed. Several other smaller landowners along the road trajectory have not yet been contacted therefore it is unknown the potential impacts this part of the land acquisition process will have on the project. Inputs from the design review will help identify if additional land will be needed should the horizontal and/or vertical alignment is adjusted to meet environmental and road safety guidelines. Both the NRPB and VROMI have very little capacity to implement the World Bank ESF and have no social specialist currently on staff to prepare and consult on the SEP, the RAP, nor the LMP. Additionally they have no staff to be available to negotiate with the various landowners along the current trajectory of the road. As such this project social rating is considered Substantial.

### **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:***

Consistent with the Substantial risk rating of the proposed project, NRPB in coordination with VROMI will need to carry out an Environmental and Social Impact Assessment (ESIA) of Link 6. The ESIA and the E&S Management Plan (ESMP) of Link 6 will address: (i) the risks and impacts to any remains of historical or archeological value within the 1.6 km section of proposed new road; (ii) the need for water retention and erosion control works upstream and dredging, and risks and impacts of any channel alteration and improvement of outlets down stream in both sections of the road (east and west side); (iii) assessment of existing and planned public services along the proposed road and suitable storm water management measures for water quality management; (iv) the extent of animals depending on



the trees and plants in the woodlands and forests subject to modification and measures to protect, measures to manage the natural hillside landscapes and guidelines for certain development restrictions consistent with applicable laws and regulations in Sint Maarten; (v) health & safety of communities within the corridor (improvement of existing road) and into the existing communities in both ends of the road, both during construction and during operation and maintenance of the road; (vi) increased risk of GBV during construction of the road and increased road accidents during construction and operation of the road; (vi) and labor management plans as contractors for the works are expected to employ local labor for unskilled labor requirements, and labor outside the island for skilled activities. The ESIA of Link 6 will include all relevant direct, indirect and cumulative environmental and social risks and impacts throughout the project life cycle, with particular reference to those specified in ESSs 2-10.

For the works to be implemented under Component 2, spot improvements such as surface, drainage and culverts, road signs, guardrails, and sidewalks, will not require full environmental and social assessments. The location of these works will be known after the transport sector studies, financed under component 3, are prepared. An Environmental and Social Management Framework (ESMF) that sets out the principles, rules, guidelines and procedures to screen the risks and impacts, mitigation measures and the budgeting for the costs of the measures will be prepared and submitting to the Bank for approval. The contracts for the works will include standard mitigation measures defined in the ESMF.

The ESIA, ESMP and RAP for Component 1-Link 6 Road and the ESMF for Component 2, draft SEP, draft LMP and draft ESCP will be required before Project Appraisal. Final LMP, SEP, and ESCP will required before Project approval.

#### **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**

In consultation with the World Bank, NRPB with inputs from VROMI, will prepare and implement the SEP. The ESIA for the Link 6 Road will identify stakeholders along the ROW and in both ends of project road, including potential stakeholders on the French side of the Island should storm water runoff from the road could eventually reach the French side. 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/grievances received during consultations carried during the ESIA and RAP process and how the feedback received was taken into account in project design. The road itself will likely be a welcomed project given that it's purpose will be to alleviate traffic congestion and provide alternative evacuation routes in the case of natural emergencies to several communities.

Many of the stakeholders for this project have not yet been identified but will through the consultation process of the SEP.

#### **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 prepare a draft Labor Management Procedures plan and can be part of the ESMP, which outlines requirements for assessing and managing labor and working conditions and includes good practice guidelines in accordance with this standard. The draft will be ready before appraisal. During project implementation, the Labor Management Procedures will be updated as needed to incorporate in terms of references and legal obligations for contractors hired to complete tasks during the project. Labor-related requirements specific to construction activities, including a requirement for contractors to have in place appropriate occupational health and safety (OHS) management systems including emergency prevention and preparedness and response arrangements, will also be incorporated into the ESMP and also bid documents. 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. Labor 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 workers so that they have an official communication channel for complaints or other issues.

At this point it is unclear which type of workers will be associated with the construction however this will be determined and clearly spelled out in the labor management procedures once they are drafted and ready for the appraisal ESRS. Only paragraphs 17 to 20 regarding child labor of this standard (ESS2) will be applicable to civil servants working on the project. Civil servants will otherwise be subject to the terms and conditions of their existing public sector employment agreements. We anticipate typical safety risks associated with road construction such as risks related to: traffic accidents; noise pollution; dust pollution; falls; lacerations; etc. The project will not include any child labor in accordance with the standard.

### **ESS3 Resource Efficiency and Pollution Prevention and Management**

The new section of the Link 6 road and the expanded Right of Way (ROW) in the existing section will require excavation and filling during construction. In addition to assessing the Impact of excavation and mining, materials sourcing for the road will need to be assessed, particularly sand, since there are no readily available banks of materials in the Island. GofSXM has proposed that construction materials can be acquired from nearby sources, as such impacts in neighboring islands and/or critical natural habitats due particularly to sand mining would need to be assessed. In addition, VROMI has informally proposed that some materials could be recycled from debris on the island. Both options will need to be assessed through the ESIA and verified during appraisal to ensure the implementation of the works adhere to the safety measures spelled out in this standard. The surface of the road is expected to be built using asphalt cement. The ESIA and ESMP will define specific resources management measures for contractors to apply during the construction of the works. In addition, as the construction of the works might affect people living in the proximity of the road (the west side) and in both ends of the road (Bethlehem and Cul de Sac), the ESMP will also include mitigation measures that the contractors will implement during road construction, including but not limited to dust suppression, traffic management, water management requirements, solid and wastewater management, and hazardous waste management such as hydrocarbon oil from construction machinery. The ESIA and ESMP will also include specifications for contractors to dispose wastes at approved sites according to local laws and regulations. The approved sites will be assessed thoroughly to ensure that they adhere to the safety specifications spelled out in this standard. Appropriate waste disposal sites will be identified if those on island are not considered appropriate.



#### **ESS4 Community Health and Safety**

Communities immediately close to the new road and in both ends of the road will be exposed to health and safety risks derived from the construction of the works, and from increased traffic during construction and operation of the road. Depending on the need for additional works to accommodate increased storm water runoff in both ends of the road, communities might also be exposed to traffic interruption as well while the works take place. The ESMP for Link 6 will include provisions for contractors to implement during construction and operation of the road, including community health and safety measures around the project sites, as part of the Contractor's Community Health and Safety Plan. The road design review will incorporate specific works and measures to improve accessibility for people with disabilities (guards and rails), and bikes (even though biking is a recent activity, the scenic value of the road on top of the hill might attract bikers once the road becomes operational). According to VROMI, no heavy traffic will be allowed in the new road given the evacuation route nature of the road and the design characteristics of the road (slope and alignment). Considering the nature of the proposed road, the ESMP for the works will include specific emergency preparedness and response procedures and community awareness raising activities to be implemented as part of project implementation. Regarding labor workforce, it is unknown at this time how many workers will be needed for construction however the vast majority will likely be local with small portion of international experts managing very specific tasks. There will be no need for a workers camp however this will be verified during design review.

#### **ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**

The borrower will be required to prepare a RAP for any land in the ROW taken in preparation for the project. Since Link 6, the new road does not currently exist, the project will establish a new ROW for the road. There are currently four landowners that have agreed in principle to donate land for the road construction however one landowner has not yet agreed. These 5 owners represent an estimated 90-95% of the land needed for construction. The maps provided to the Bank show that the land being donated is mostly slivers but an exact estimate will need to be verified. The estates provided some legal documentation during the preparation mission showing their land donation to the government however this will need to also be verified to ensure that it conforms to the principles in this standard.

Voluntary Land Donation (VLD) may be acceptable provided that the Borrower fulfills the requirements spelled out in the ESS5 guidance note on VLD. Consultations with these landowners will ensure that they understand their rights and if any of the owners change their mind or refuse to donate land they will be compensated through the normal land acquisition process.

VROMI estimates that another 20-25 smaller landowners along the road trajectory will be impacted by land acquisition and have not yet been consulted.

Inputs from the design review will help identify if additional land will be needed should the horizontal and/or vertical alignment be adjusted to meet environmental and road safety guidelines. More information will be gathered and collected during the preparation of the RAP in order to understand in detail the process the government will use for compensation or resettlement (if needed). The substantial risk related to this and many of the other standards is that there is currently no team in place to execute the RAP, which must be consulted and disclosed before appraisal.





#### **ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources**

The area where the proposed 1.6 km new section of road will be built is private land and it will connect two densely populated areas. Since the Zoning Plan for the area that GoSXM prepared in 2004, private developers have already divided the land. The proposed horizontal alignment will also connect individual lots along the proposed road. However, the construction of the new section of Link 6 road might affect existing natural waterways, biodiversity corridors and vegetation along the proposed alignment. The ESIA will determine if there are critical natural habitats close to the proposed ROW that would be affected. The ESIA will confirm the absence of any ecologically important species along the proposed ROW of the project. The ESMP and the design review of the Road will try to avoid or minimize affecting biodiversity corridors and water ways to the extend possible following the mitigation hierarchy spelled out in this standard and consistent with ESS1. The ESIA and ESMP will also define measures to reduce storm water velocity and prevent soil erosion. Stakeholder engagement will need to be reflected in the SEP.

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

Not currently relevant.

#### **ESS8 Cultural Heritage**

The ESIA of Link 6 Road will confirm the absence of cultural heritage in the new section of the road (the west side) that otherwise would be affected by the construction of the works. If found, a Cultural Heritage Management Plan, with implementation timeline and estimate of resources needed for proposed mitigation measures, will be prepared. Mitigation measures could include relocation of structures or modification of the physical footprint of the road. Stakeholder engagement will also need to be reflected in the SEP. Independently, Chance Find Procedures will be included in the ESMP and chance find clause will be included in the works contracts.

#### **ESS9 Financial Intermediaries**

Not relevant.

### **C. Legal Operational Policies that Apply**

<b>OP 7.50 Projects on International Waterways</b>	No
--	----

<b>OP 7.60 Projects in Disputed Areas</b>	No
---	----

### **III. WORLD BANK ENVIRONMENTAL AND SOCIAL DUE DILIGENCE**

<b>A. Is a common approach being considered?</b>	No
--	----

#### **Financing Partners**

There are currently no other financing partners.





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

### **Actions to be completed prior to Bank Board Approval:**

NRPB, with inputs from VROMI, to:

- (i) Appoint environmental and social project preparation team;
- (ii) finalize ToR for ESIA, ESMP, design review and RAP for Link 6 Road;
- (iii) Prepare, consult and disclose an ESIA and ESMP for Link 6 Road
- (iv) Prepare, consult and disclose a RAP for Link 6 Road;
- (v) Prepare, consult and disclose ESF for Component 2;
- (vi) Prepare, consult and disclose SEP and GRM for the Project;
- (vii) Prepare and disclose Labor Management Procedures (LMP) for the Project, as part of the ESMP;
- (viii) Prepare and disclose ESCP for the Project.

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

- Implement ESIA/ESMP for Link 6 Road;
- Implement RAP for Link 6 Road;
- Request and submit to World Bank the Contractor's ESMP (and associated sub-plans) for Link 6 Road, prior to contract signing of the works;
- Implement and monitor ESF and specific ESMPs if needed for works under Component 2;
- Implementation of Labor Management Procedures;
- Implementation of Stakeholder Engagement Plan;
- Management of grievances under the SEP and LMP.

## **C. Timing**

**Tentative target date for preparing the Appraisal Stage ESRS**

27-Dec-2019

## **IV. CONTACT POINTS**

### **World Bank**

Contact:	Atsushi Iimi	Title:	Senior Economist
Telephone No:	473-4698	Email:	aiimi@worldbank.org
Contact:	Satoshi Ogita	Title:	Senior Transport Specialist
Telephone No:	458-7332	Email:	sogita@worldbank.org

### **Borrower/Client/Recipient**

Borrower: Sint Maarten Government



**Implementing Agency(ies)**

Implementing Agency: National Recovery Program Bureau (NRPB)

**V. FOR MORE INFORMATION CONTACT**

The World Bank  
1818 H Street, NW  
Washington, D.C. 20433  
Telephone: (202) 473-1000  
Web: <http://www.worldbank.org/projects>

**VI. APPROVAL**

Task Team Leader(s):	Atsushi Iimi, Satoshi Ogita
Practice Manager (ENR/Social)	Valerie Hickey Recommended on 11-Sep-2019 at 10:25:46 EDT
Safeguards Advisor ESSA	Svend E. Jensby (SAESSA) Cleared on 11-Sep-2019 at 11:31:9 EDT