صندوق تطوير وإقراض البلديات
Municipal Development & Lending Fund

WWW.MDLF.ORG.PS

Integrated Cities and Urban Development Project (ICUD)

Environmental and Social Management Framework

June 2016

The ESMF is prepared by Municipal Development and Lending Fund (MDLF) as the implementing agency of the ICUD project and accepted by Ministry of Local Government

Executive Summary 8
1 Project Description 12
1.1 Preface 12
1.2 Project Development Objective 12
1.3 Project Components 13
2 Environmental Policy, Legal Framework and Institutional Arrangements 14
2.1 Environmental Policy and Legal Framework 14
2.1.1 Palestinian Environmental Laws 14
2.1.2 Palestinian Environmental Assessment Policy 15
2.1.3 Laws and Regulations Relating to Environmental Management 16
2.1.4 World Bank Safeguard Policies 17
2.1.5 Gap Analysis 19
2.2 Institutional and Implementation Arrangements 20
2.2.1 MDLF / MOLG / LGU Roles and Responsibilities 21
2.2.2 Potential Role of Other Ministries 22
3 Environmental and Social Management Framework 23
3.1 Introduction 23
3.2 Project Operations Manual – Environmental and Social Section 23
3.3 Screening Criteria 23
3.3.1 Screening of Subproject Categories 23
3.3.2 Cultural Heritage and Physical Cultural Resources 24
3.3.3 Pest Management 24
3.3.4 Involuntary Resettlement 24
3.3.5 Voluntary Land Donation 24
3.3.6 Subproject Screening and Approval 26
3.3.7 ICUD ESMP Implementation and Monitoring 33
4 Environmental and Social Assessment and Preparation of ESMP 34
4.1 Introduction 34
4.2 Environmental and Social Risk Assessment 39

4.3 Voluntary Land Donation and Willing Seller – Willing Buyer Approach 39
5 Public Consultation and Complaints Mechanism 41
5.1 Laws and Regulations relating to Community Participation 41
5.2 Environmental and Social Consultations 41
5.3 Grievance Redress Mechanism (GRM) 42
5.3.1 Complaints Mechanism 43
6 Capacity Building, Training Program, and Environmental and Social Monitoring 45
6.1 Capacity Building and Training Requirements 45
6.2 ICUD Environmental and Social Safeguards Reporting 45
6.3 Environmental and Social Auditing and Monitoring 46
6.4 Environmental and Social Cost Implication and Schedule 46
7 Annexes 48
7.1 Annex 1: Environmental and Social Management and Monitoring Plan Matrix 49
7.2 Annex 2: Public Consultation Meeting Minutes 52
7.3 Annex 3: Public Consultation Workshop Attendees 55
7.4 Annex 4: Sample Outline of Environmental and Social Management Plan 58
7.5 Annex 5: Recommended Resettlement Policy Framework (RPF) Contents 59
7.6 Annex 6: Chance Find Procedures 63
7.7 Annex 7: Sample Environmental Requirements for Contractors 65

Table 1: World Bank Safeguard Policies and Core Requirements for each Policy 18
Table 2: Environmental Screening and Classification of Projects 27
Table 3: Social and Cultural Resource Screening of Subprojects 31
Table 4: Environmental and Social Management Checklist for Small Construction and Rehabilitation sub-projects 32
Table 5: Potential Environmental and Social Impacts 35
Table 6: ICUD ESMF Indicative Costing 47

List of Acronyms

AMAL	Affordable Mortgage and Loan Corporation
BOQs	Bill of Quantities
DPs	Development Partners
EA	Environmental Assessment
EAU	Environmental Auditing
EHSG	Environmental Health and Safety Guidelines
EIA	Environmental Impact Assessment
EO	Environmental Officer
EoI	Expression of Interest
EQA	Environmental Quality Authority
ESIA	Environmental and Social Impact Assessment
ESMC	Environmental and Social Management Checklist
ESMF	Environmental and Social Management Framework
ESMPs	Environmental and Social Management Plans
FforJ	Finance For Jobs project
FI	Financial Intermediary
GS	Gaza Strip
HSE	Health, Safety, and Environment
HSE-MP	HSE Management Plan
ICUD	Integrated Cities and Urban Development
IEE	Initial Environmental Examination
IFC	International Finance Corporation
ISO	International Organization for Standardization
JSC	Joint Services Council
LC	Local Coordinator
LG	Local Governance
LGSIP	Local Governance and Services Improvement Program
LGU	Local Government Unit
MDLF	Municipal Development and Lending Fund
MDP	Municipal Development Program
MEnA	Ministry of Environmental Affairs
MoLG	Ministry of Local Government
OHSAS	Occupational Health & Safety Advisory Services
OP/BP	Operational Policy / Bank Procedures
PA	Palestinian Authority
PAD	Project Appraisal Document
PDO	Project Development Objective
PEAP	Palestinian Environmental Assessment Policy
PEL	Palestinian Environmental Law
POM/OM	Project Operational Manual/ Operational Manual
RAB	Ramallah-Al Bireh-Beitounia
RPF	Resettlement Policy Framework
SDIP	Strategic Development and Investment Planning
SO	Social Officer
TA	Technical Assistance
TORs	Terms of Reference
VC	Village Councils
VLDs	Voluntary Land Donations
WB	World Bank

Executive Summary

Background:

The report outlines the Environmental and Social Management Framework (ESMF) prepared for the Palestinian Integrated Cities Urban Development (ICUD), which is being prepared under the broader Palestinian Municipal Development Program (MDP) and with the support of the World Bank. The MDP has the long-term objective of achieving municipal fiscal stability and creditworthiness. A recently launched Local Governance and Services Improvement Program (LGSIP) would complement the MDP by providing annual capital grants and institutional development support to selected Village Councils (VCs), Joint Service Councils (JSCs), and central authorities to strengthen the LG financing system and improve local service delivery. The LGSIP supports LG sector consolidation with the long-term objective of establishing viable local authorities capable of accessing funding under MDP and provides an integrated framework for interventions supporting marginalized communities in Palestine.

The proposed ICUD will complement both operations under the World Bank's programmatic approach and would address the specific constraints of urban agglomerations to extend basic services to their rapidly growing population and facilitate economic development in collaboration with the private sector. The Bank is currently conducting an analytical work to fill a critical knowledge gap in the Local Governance (LG) sector by assessing Palestinian local government performance. Outputs of the Local Government Performance assessment will inform policy makers and provide recommendations for critical entry points to reforming local revenue and expenditure assignments, and improve service delivery performance of local authorities. Interventions in the LG sector are complemented by IFC operations targeting the private sector. The recently approved Finance-for-Jobs (FforJ) Project supports private sector stakeholders to mobilize private investment financing in high potential sectors and generate job opportunities for the West Bank and Gaza.

Specifically, the ICUD project development objective (PDO) is to assist participating urban areas to enhance their capacity to plan for sustainable urban growth.

The ICUD will be implemented in two distinctive components:

Component 1: Planning for Sustainable Urban Growth: This component will strengthen the institutional and technical capacity of participating urban areas to plan for sustainable urban growth through the provision of Technical Assistance (TA), goods, and trainings.

Component 2: Project Implementation Support and Management: This component will finance goods and consultancy services for technical oversight, monitoring and evaluation, public outreach and communication, and the management fee of the Municipal Development and Lending Fund (MDLF).

ESMF Objectives and Monitoring:

The purpose of this ESMF is to ensure that environmental and social management is integrated into the entire development cycle of the ICUD. In sections below, a highlight of mitigation process at respective levels of the development cycle is provided. This ESMF is intended to serve as a practical tool to guide identification and mitigation of potential environmental and social impacts of future investments.

This ESMF has been prepared in compliance with the World Bank's Safeguard Policies and the Palestinian Environmental Assessment Policy (PEAP both of which require environmental and social assessment prior to any investment.

The ESMF framework recognizes all WB safeguard policies relevant to social and environmental management and has also factored and duly recognized all sectoral laws with bearing to environmental and social management and planning in Palestine.

The preparation of the ESMF was by desktop and field research methods, whereby project planning documents were reviewed to provide an insight into the scope, design and motivation of the program. This was complemented by on-the ground observations and consultations with target municipalities. This ESMF is a guide to the preparation of site-specific ESMPs on anticipated subprojects that would form part of the ICUD. The site-specific ESMPs would have to be shared with and disclosed to key stakeholders of the ICUD. The aim of the disclosure is to create a forum for revalidating the ESMP and to further secure ownership of whatever development process from various stakeholders. Upon receipt of feedback from the disclosure, the site-specific ESMPs would be disclosed locally in appropriate languages in print media and on the MoLG website and later on at the World Bank's Infoshop.

ESMF Application:

The ESMF will apply to two components of the ICUD. For social safeguards approach, it is important to note that as the ICUD only finances plans/studies and there will be no land acquisition financed as part of this project or added at a later stage to this Project, the World Bank (WB) Policy on Involuntary Resettlement, OP 4.12, will not apply to ICUD. Studies as part of this project on urban space will cover private and public land. However, this project will not recommend, endorse, or facilitate future pipeline investments that are on private land, as well as the municipally owned land that has squatters/ users of the land for livelihoods. Because studies might lead to expropriation beyond the time of World Bank involvement, Resettlement Policy Framework (RPF) ToRs are attached as an annex to this Environment and Social Safeguards Manual, to provide guidance on any potential involuntary land acquisition after the lifetime of this project. The ESMF details the documentation of power of choice in cases of willing-seller willing-buyer and voluntary land donation (VLD).

(i) ESMP Procedure for Screening

This ESMF requires that each investment proposed for funding under the ICUD be screened for social, environmental and displacement impacts using the Screening Checklist, as provided in **Tables 2 and 3** of the ESMF. The screening will take place at the feasibility stage and will among other outcomes, determine applicability of both World Bank Safeguard Policies and statutes following which TORs for follow-up ESMP studies will be developed.

Relevant Palestinian environmental and social laws and the World Bank safeguard policies will guide follow-up ESMP studies. Screening and follow-up ESMP studies will yield an Environmental and Social Management Plan (ESMP), which will be reviewed and approved by the Ministry of Local Government (MoLG), prior to submission to the Municipal Development and Lending Fund (MDLF). Upon approval by MDLF, the Environmental and Social Management Plan (ESMP) will guide resolution of all potential environmental and social impacts likely to be identified for each investment.

(ii) ICUD Procedure for Environmental and Social Management:

Impact mitigation will take place as part of the development cycle for individual investments.

The design stage is crucial as the point where all mitigation activity are planned and resources allocated. Participating municipalities will therefore take charge and supervise activities and will ensure that contracts for design works bear clauses requiring contractors to plan for and allocate resources for impact mitigation. As part of the design process, municipalities will ensure that respective ESMPs are integrated wholly into design reports, allocated funds in the Bill of Quantities (BOQs), and covered in the contracts for both construction and supervision.

Upon execution of the requisite environmental and social studies in respect of individual investments, associated ESMPs will be integrated into project Design Reports and allocated funding in the BOQs. The ESMP will also be integrated into all form of civil works contracts to secure implementation of impact mitigation as part of project implementation.

Mitigation at every stage of the ICUD will take place as part of the contracts for impact-inducing activities which will therefore bear clauses binding respective contractors to undertake impact mitigation as per the Design Report. Municipalities in their capacity as employers will monitor activities of contractors to ensure delivery as per contracts. During project activities, an Environmental and social consultant(s) will attend site meetings to pursue matters related to environmental management.

(iii) ICUD Responsibilities for Environmental and Social Management

The implementation responsibility of ICUD will be with MDLF, with close cooperation and coordination with MoLG and the participating/eligible municipalities.

The MDLF already has a qualified core team, including an Environmental Officer (EO) and a Social Officer (SO). These specialists will follow up the implementation of ESMF and the potentially associated ESMPs. Both the ongoing MDP-II and the ICUD would further develop such capacity for financing training to MDLF environmental and social officers who would be responsible for reviewing, advising and reporting on environmental and social issues.

The entire environmental and social management will be inbuilt into the sub-project development cycle, whereby activities will take place within a work-plan. Further, this ESMF has determined the responsibility for environmental and social management to vest with all stakeholders to the ICUD. Specifically, the benefiting local government are liable to plan, implement and supervise environmental mitigation at every project phase of the investments, with oversight supervision from the MoLG and MDLF. The ESMF has been prepared in order to assist LGUs and MOLG to implement the project in compliance with national and international environmental and social policies.

It is proposed that as the TAs to be developed in ICUD are further delineated and funded, each participating local government unit (LGU) will be required to establish (where they are not in existence) the positions of Environmental Officer (EO) and Social Development Officer (SDO), who will follow-up environmental and social management of ICUD-prepared investments at local authority level.

MDLF's role will then be to monitor and audit LGUs' and MOLG's responsiveness and compliance. MDLF is hiring technical consultants to assess the environmental baseline for each area, to ensure compliance of planning and design phase to environmental and social regulations and safeguards, and to recommend mitigation measures including studies when needed. MDLF is to ensure that those planning and design technical assistance assignments include an environmental and social compliance studies to support technical activities.

In addition, LGUs and MOLG are expected to coordinate with all related line ministries, especially the Environmental Quality Authority. This will further be delineated in each of the ICUD TA studies as appropriate.

(iv) ESMF Monitoring

Monitoring of environmental management for individual investments are based on respective site-specific ESMPs. However, each investment will be subject to annual environmental audits. As investments are not to occur in ICUD, the ESMPs are expected to be developed in parallel with potential project investment technical studies.

(v) ESMF Cost Implications

Total financial implication for implementing the ICUD ESMF is estimated at $100,000. This is to cater for ESMP studies as well as MDLF staff time and capacity building costs. However, as at the time of finalizing this ESMF document, individual investments are still undergoing identification and their environmental and social impacts largely remain unknown. The cost for the ESMP studies as proposed are purely indicative and might change as the details of investments unfolds.

(vi) Time frame of the ESMF

This ESMF will come into effect upon endorsement by MoLG and will remain valid during planning, design, construction and operation of proposed investments. The ESMF will require periodic updating in view of emerging experiences during planning, design construction and operation stages or due to any changes in Palestinian laws etc.

ESMF Public Consultation:

Public consultation session conducted on April 26, 2016 in order to gain feedback of project stakeholders over the ESM drafted by MDLF. Annexes 2 and 3 of the main ESMF detail the minutes and the participants of this session. Major points raised by the participants included: questions about procedures, the LGU role, and refugee camp inclusion; need for coordination with EQA; as well as need for ministerial coordination as part of regional planning committees. Participants noted their willingness to introduce environmental and social criteria into planning. The site-specific ESMPs that will be prepared for the subprojects will address the concerns that raised in the consultations, before disclosure in Arabic and English on MoLG and MDLF websites.

1 Project Description

1.1 Preface

The World Bank, in partnership with other Development Partners (DPs), has been providing institutional, policy, and investment support through an integrated and programmatic approach to the Palestinian Local Government (LG) sector. The Municipal Development Program (MDP) provides performance-based investment grants and capacity building for individual municipalities to implement reforms and improve municipal management. MDP has the long-term objective to achieve municipal fiscal stability and creditworthiness. The recently launched Local Governance and Services Improvement Program (LGSIP) complements MDP by providing annual capital grants and institutional development support to selected Village Councils (VCs), Joint Service Councils (JSCs), and central authorities to strengthen the LG financing system and improve local service delivery. LGSIP supports LG sector consolidation with the long-term objective of establishing viable local authorities capable to access funding under MDP and provides an integrated framework for interventions supporting marginalized communities in Palestine.

The proposed ICUD complements both operations under the World Bank's programmatic approach and would addresses the specific constraints of urban agglomerations to extend basic services to their rapidly growing population and facilitate economic development in collaboration with the private sector. Additionally, the Bank is also conducting analytical work to fill a critical knowledge gap in the LG sector by assessing Palestinian local government performance. Outputs of the Local Government Performance assessment will inform policy makers and provide recommendations for critical entry points to reforming local revenue and expenditure assignments, and improving service delivery performance of local authorities. Interventions in the LG sector are complemented by World Bank Group operations targeting the private sector. The recently approved Finance-for-Jobs (FforJ) Project supports private sector stakeholders to mobilize private investment financing in high potential sectors and generate job opportunities for the West Bank and Gaza. IFC has helped to establish a program for affordable home loans to lower and middle income Palestinians through the Affordable Mortgage and Loan Corporation (AMAL). However, a gap and emerging need remain to provide the leading urban areas with tailored support to improve effective urban growth management. This is a key priority for unleashing socio-economic potential of the important urban centers of Palestine.

To proceed with the preparation of any project under the Category B of the World Bank, it is necessary to prepare an environmental assessment instrument such as the Environmental and Social Management Framework (ESMF). This is for the purposes of implementing the World Bank supported components of the Integrated Cities and Urban Development (ICUD) project in compliance with the national and local policies and regulations as well as the World Bank safeguard policies and procedures. The ESMF covers environmental and social aspects of the planning phase, and form a background document to prepare site-specific Environmental and Social Management Plans (ESMP) for future subprojects under the ICUD.

As the ICUD only finances plans/studies, there will be no anticipated land acquisition to be as part of this project or added at a later stage to this Project. Thus, the World Bank (WB) Policy on Involuntary Resettlement, OP 4.12, will not apply to the ICUD. Studies as part of this project on urban space may cover private and public land. However, this project will not recommend, endorse, or facilitate future pipeline investments that are on private land, as well as the municipally owned land that has squatters/ users of the land for livelihoods. Because studies might lead to expropriation beyond the time of World Bank involvement, a Recommended Resettlement Policy Framework (RPF) Contents is attached as Annex 5 to this ESMF, to provide guidance on any potential involuntary land acquisition after the lifetime of this project. The ESMF details the documentation of power of choice in the event of willing-seller/willing-buyer and voluntary land donations (VLD).

1.2 Project Development Objective

The proposed PDO is to assist participating urban areas to enhance their capacity to plan for sustainable urban growth.

1.3 Project Components

Component 1: Planning for Sustainable Urban Growth.

This component strengthens the institutional and technical capacity of participating urban areas to plan for sustainable urban growth through, inter alia, the provision of Technical Assistance (TA), goods, and trainings. To ensure a robust process of collaboration among member LGUs of the participating urban areas and their strong ownership and commitment, this component will first facilitate intra-urban area coordination mechanisms to be operational in all of the participating urban areas.

Through the intra-urban area coordination mechanisms, each urban area will be supported to jointly conduct urban growth planning which will enable them to respond to the needs of their growing population and private sector with more sustainably and efficiently planned urban spaces and infrastructure. This component will provide the respective urban area with a substantiated urban growth planning roadmap and equip them with, inter alia, the necessary information, tools, and analysis to apply and utilize it. The roadmap will include following steps: (i) development of Urban Growth Footprint per urban area that includes spatial data on population, economic sector and labor force composition, development patterns and density, housing, connectivity and infrastructure, public and environment/ecological spaces, and disaster risk preparedness; (ii) development of growth vision and scenarios with cost-analysis per growth location and pattern, followed by their public disclosure; (iii) adjustment of spatial and urban plans at individual LGU level and/or development of the expansion area plans based on the chosen growth scenario and vision for the greater urban area.

While the urban growth planning exercises are progressing over the course of the project life by participating urban areas, it is likely that opportunities for quick wins to improve urban space management and services will be identified. Accordingly, this component will provide the urban areas with, inter alia, TAs, goods, and trainings, to materialize the opportunities so that the momentum and ownership for the longer-term urban growth planning exercise will be continually encouraged and maintained. The support will be demand-driven, may include, for example, trainings on land value capture instruments for densification and/or a TA to develop mini-bus timetables, and suggested routes to ease traffic congestion and enhance predictability of public transportation.

Component 2: Project Implementation Support and Management Cost.

This component will finance goods and consultancy services for technical oversight, monitoring and evaluation, public outreach and communication, and the management fee of the Municipal Development and Lending Fund (MDLF).

2 Environmental Policy, Legal Framework and Institutional Arrangements

2.1 Environmental Policy and Legal Framework

The project will comply with all applicable Palestinian laws, policies and regulations that correlate the project planning, implementation and operations to environmental and social standards, as well as the applicable World Bank safeguard policies and relevant ratified international laws and treaties.

The Palestinian Authority (PA) administers its affairs in accordance with relevant ordinances and legislation applicable respectively to the Gaza Strip (GS) and the West Bank. The laws and ordinances applicable to the GS and West Bank before 1967 were adopted into the PA legal regime as Decision No. 1 of the Elected Palestinian Council on 20 May 1994. The decision provided that "The laws, regulations and orders which were in force prior to 5 June 1967 in the West Bank and Gaza Strip shall remain in force until unified."

The Prime Minister and Ministers of Interior, Justice, and Finance have the authority to enact the provisions of the laws. Additional Presidential decrees since June 2007 have provided the President with authority that would normally belong to the various Ministers. However, the Office of the President has delegated the authority to the respective Ministers appointed as part of the "emergency government."

2.1.1 Palestinian Environmental Laws

The Palestinian environmental legal and administrative framework has taken strides towards protecting environmental resources and institutionalizing their sustainable management. The Palestinian Environment Law (PEL) is comprehensive, covering the main issues relevant to environmental protection and law enforcement. Among the objectives of the PEL are:

- Protecting the environment from all sorts and types of pollution;
- Protecting public health and social welfare;
  Incorporating environmental resources protection in all social and economic development plans and promote sustainable development to protect the rights of future generations;
- Conserving ecologically sensitive areas, protecting biodiversity, and rehabilitating environmentally damaged areas;
- Setting inter-ministerial cooperation regulations and standards various environmental protection areas and jurisdictions; and
- Promoting environmental information collection and publication, public awareness, education and training.

The PEL addresses various environmental issues including:

- Management and protection of various resources. Issues covered are related to land environment, air environment, water resources and aquatic environment, natural, archeological, and historical heritage protection;
- Environmental Impact Assessment (EIA) and auditing, permitting of development projects, monitoring of environmental resources and their parameters; as well as
- Penalties to be applied in case of violation of any article presented under the law.

Other issues addressed by the legislation include emergency preparedness, public participation, research training and public education.

The PEL of 1999 has stated in article 45, "The Ministry, in coordination with the competent agencies, shall set standards to determine which projects and fields shall be subject to the environmental impact assessment studies. It shall also prepare lists of these projects and set the rules and procedures of the environmental impact assessment".
Article 47 of the PEL states that: "The Ministry, in coordination with the competent agencies, shall determine the activities and projects that have to obtain an environmental approval before being licensed. This includes the projects that are allowed to be established in the restricted areas".

2.1.2 Palestinian Environmental Assessment Policy

The Palestinian Ministerial Council approves the Palestinian Environmental Assessment Policy (PEAP), through resolution No: 27-23/4/2000. This Policy shall be interpreted and implemented to support the sustainable economic and social development of the Palestinian people in meeting the following goals:

- Ensuring an adequate standard of life in all its aspects, and not negatively affecting the basic needs, and the social, cultural and historical values of people as a result of development activities;
- Preserving the capacity of the natural environment to clean and sustain it;
- Conserving biodiversity, landscapes and the sustainable use of natural resources; and
- Avoiding irreversible environmental damage, and minimizing reversible environmental damage, from development activities.

According to the PEAP, the documents that represent sequential stages in the project life cycle and the Environmental Approval (EA) process are Application for Environmental Approval; Initial Environmental Evaluation (IEE); and Environmental Impact Assessment (EIA). The Ministry of Environment Affairs (MEnA) shall provide guidance on the content and preparation of these documents.

The IEE is for projects where significant environmental impacts are uncertain, or where compliance with environmental regulations must be ensured; whereas An EIA is required for projects, which are likely to have significant environmental impacts. An EIA may be carried out because of an IEE.

Based on the Application for Environmental Approval, screening criteria are used to determine whether an IEE or an EIA is required for a project. A determination of whether or not an IEE or an EIA must be conducted will be based on screening criteria.

The proponent submits the application for EA to the appropriate permitting authorities as part of his overall application package for initial approval. These authorities then refer the project to MEnA, which may ask the proponent for further information to ensure the application is sufficient for consideration. MEnA then applies the screening guidelines and determines whether an IEE Report or an EIA Report is required.

The Screening process is based on requirements of relevant land use plans, and on whether the project is likely to:

- Use a natural resource in a way that pre-empts other uses of that resource;
- Displace people or communities;
- Be located in or near environmentally sensitive areas such as natural reserves, wetlands, or registered archeological and cultural sites;
- Generate unacceptable levels of environmental impact;
- Create a state of public concern; or
- Require further, related development activities that may cause significant environmental impacts.

The IEE and/or the EIA are to define the environmental impacts of the project and the measures to mitigate the adverse impacts or capture potential environmental benefits. If neither IEE nor EIA are required, the MEnA will

determine, in coordination with the relevant permitting authorities or the EA Committee as required, whether or not Environmental Approval will be granted and, if so, under what conditions.

Without limiting its content, an EA may specify:

- Required measures to mitigate adverse environmental impacts or capture potential environmental benefits, including a compliance schedule;
- Measures that the proponent must implement in order to comply with relevant standards and requirements; and
- Monitoring and reporting duties of the proponent.

For existing projects and developments, Environmental Auditing (EAU) may be required. Its aim is to mitigate negative environmental impacts through evaluating their environmental management and performance. An EAU is prepared by the owner or operator of the development activity, and focuses on mitigation measures for existing environmental impacts to comply with relevant environmental standards and regulations.

Decisions resulting from an EAU Report can include:

- Suspension of the permit for the development activity by the permitting authority until specified measures are implemented;
- Agreement on conditions that will be applied to the development activity, including a plan of implementation; or
- Exemption of the development activity from further compliance with the EA Policy.

All mentioned laws, orders and regulations have enforcement power, the main base of the enforcement system is the Palestinian Public Health Law No. 20 and the Municipality regulatory system. Enforcement actions are to be taken by the municipality directly in some cases and through the court, the police and sometimes the district governor for much complicated cases.

2.1.3 Laws and Regulations Relating to Environmental Management

The PEL No. 7 for 1999, under the third chapter, requires MEnA to follow up the implementation of decisions that are issued concerning the environmental impact through cooperation with the competent authorities. The MEnA shall, in coordination with the competent authorities, control the various corporations, projects and activities in order to ascertain the extent of its compliance with the approved specifications, standards and instructions for the protection of environment and vital resources formulated by it according to the provisions of this law.

For the above purposes, the law entitles the MEnA inspectors and other inspectors who are appointed in the Ministries and other authorities who have the capacity of judicial police as per the law to impound the environmental violations and crimes that may take place and violate this law. The MEnA inspectors shall also have, in cooperation with the competent departments and authorities, right of entry into the installations for the purpose of: inspecting them; taking samples; carrying out measurements; and ascertaining the application of the standards and conditions of the environment protection and prevention of pollution.

The owners of projects and other activities should enable the MEnA inspectors and competent authorities to carry out their functions and provide them with the information and particulars, which they deem necessary to obtain in implementation of the provisions of the Law. Owners of projects should also carry out self-supervision operations according to the standards and conditions formulated by the MEnA, in coordination with the competent authorities, and submission of reports according to the instructions of the MEnA.

The competent authority shall have the right, with respect to every installation or project, which has violated the environmental conditions necessary for granting the license, to cancel or withdraw the license before the competent court.

MEnA may decide to stop the work in any project or prohibit the use of any machine or material in part or in whole if the continuation of work in the project or use of the machine or article involves a serious hazard to the environment. The stoppage or prohibition shall be for a period not exceeding two weeks and may not be extended except by a judicial order from the competent court. Whoever is harmed from the stoppage or prohibition order may take exception towards it before the competent court.

2.1.4 World Bank Safeguard Policies

The World Bank (WB) classifies projects into four distinctive categories, depending on the type, location, sensitivity, and scale of the project, including the nature and magnitude of its potential environmental impacts. These categories are as follows:

Category A: This list is limited to those projects with significant environmental and social impacts, which require a full detailed EIA.

Category B: A proposed project is classified as Category B if its potential adverse environmental impacts on human populations or environmentally important areas including wetlands, forests, grasslands, and other natural habitats are less adverse than those of Category A projects. These impacts are site-specific, reversible, and in most cases easily remediable than for Category A projects. The proposed ICUD project is categorized as a B, hence all the compliance requirements under the category apply.

Category C: These are projects, which have no adverse environmental impacts, and accordingly will not require any environmental assessment or follow-up.

Categories B and C projects require Initial Environmental Examination, limited environmental management plan (EMP), and/or Environmental Screening (ES).

Category FI: A proposed project is categorized FI (Financial Intermediary) if it involves investment of Bank funds through a financial intermediary, in subprojects that may result in adverse environmental and social impacts. Environmental screening is applied to FI projects to determine the level of Environmental Assessment (EA) to be required.

Under the World Bank's operational policies, there are ten environmental and social policies referred as the Bank's "safeguard policies". The Bank's environmental assessment policy and procedures in light of these ten safeguard policies are well described in the Operational Policy/Bank Procedures (OP/BP).

The ESMF is prepared in light of the World Bank's environmental assessment policy and procedures OP/BP (4.01). Relying on the information collected on the ICUD project, the assessment is addressed through:

- Reviewing the World Bank 10 + 2 safeguard policies and determining the safeguard policies triggered by the project, and identifying requisite mitigating measures accordingly.
- Describing the safeguard issues and impacts associated with the project and identifying/describing any potential impacts.
- Describing the potential indirect and/or long-term impacts due to anticipated future activities in the project area.

- Describing the measures to be taken to address safeguard policy issues, and providing an assessment of project proponent capacity to plan and implement the measures described.
- Identifying the key stakeholders and describing the mechanisms for consultation and disclosure on safeguard policies, with an emphasis on the potentially affected people.

Table 1 outlines the core requirements under each policy and lists the conclusion of applying each to the project. For the ICUD project, which is classified as category B, an environmental and social instrument, the ESMF, has been prepared based on WB policy OP 4.01 requirements.

The ESMF is prepared for the purposes of implementing the World Bank supported components of the ICUD project and therefore must comply with the requisite national and local policies and regulations, as well as the WB policies and procedures for safeguard, financial management, procurement, etc. However, WB policies, including OP 4.12 (Involuntary Resettlement) should take precedence in the event of any discrepancy with the national legislation.

Table 1: World Bank Safeguard Policies and Core Requirements for each Policy

Policy	**Summary of Core Requirements**	**Public Consultation**
OP/BP 4.01 Environmental Assessment	Screen early for potential impacts and select appropriate instrument to assess, minimize, and mitigate potentially adverse impacts.	Consult affected groups and NGOs as early as possible.
OP/BP 4.04 Natural Habitats	Do not finance projects that degrade or convert critical habitats. Support projects that affect noncritical habitats only if no alternatives are available and if acceptable mitigation measures are in place.	Consult local people in planning, designing, and monitoring projects.
OP 4.09 Pest Management	Support integrated approaches to pest management Identify pesticides that may be financed under the project and develop appropriate pest management plan to address risks.	Consult local people in planning, designing, and monitoring projects.
OP/BP 4.10 Indigenous Peoples	Screen to determine presence of Indigenous Peoples in project area. Policy triggered whether potential impacts are positive or negative. Design mitigation measures and benefits that reflect Indigenous People cultural preferences	Carry out free, prior, informed consultation and obtain broad community support.

Policy	Summary of Core Requirements	Public Consultation
OP/BP 4.11 Physical Cultural Resources	Investigate and inventory cultural resources potentially affected, include mitigation measures when there are adverse impacts on physical cultural resources.	Consult appropriate agencies, NGOs, and University departments.
OP/BP 4.12 Involuntary Resettlement (Not triggered)	Assist displaced persons in their effort to improve or at least restore their standards of living. Avoid resettlement where feasible or minimize. Displaced persons should share in project benefits	Consult resettles and host communities, incorporate expressed views in resettlement plans.
OP/BP 4.36 Forests	Support sustainable and conservation oriented forestry. Do not finance projects that involve significant conversion or degradation of critical forest areas	Consult local people, the private sector, and interest groups in forest area.
OP/BP 4.37 Safety of Dams	For large dams, technical review and periodic safety inspections by independent dam safety professionals.	No public consultations
OP/BP 7.50 Projects on International Waterways	Ascertain whether riparian agreements are in place, and ensure that riparian states informed of and do not object to project intervention.	No public consultations. Riparian notification required.
OP/BP 7.60 Projects in Disputed Areas	Ensure that claimants to disputed areas have no objection to proposed projects	No public consultations. Claimants informed.

Initial screening of the IUCD PDO and components has determined that the project activities will not prompt the use of OP 4.12 (Involuntary Resettlement).

2.1.5 Gap Analysis

A gap analysis recently undertaken for the World Bank-funded Local Governance and Service Improvement Program (LGSIP) (June 2015) found that the Palestinian Environmental Law and the Palestinian Environmental Impact Assessment Policy as written, which are the overarching framework for environmental and social impact management, are largely consistent with World Bank environmental and social safeguards policies. However, there are gaps in the system, outlined below:

Gaps in ESIA Content: While the content of the screening and analysis for EIAs under the Palestinian EIA Policy are comprehensive and cover most of the elements of OP/BP 4.01, there are gaps present in the content of EIA

requirements in three areas: (i) The screening process requires additional clear criteria and explanation of criteria related to (i.e. potential resettlement and livelihood impacts, requirements related to voluntary land donation, including documentation of consent, and other environmental and social impacts and hazards), (ii) the analysis of alternatives requires the "without project" alternative, and (iii) the EIA process needs to explicitly analyze induced impacts.

Impact Categorization Differences: There are semantic mismatches between what the Bank and the Palestinian EIA Policy consider projects with "significant" impacts. For the Bank, "significant" refers to projects with adverse impacts that are sensitive, diverse, or unprecedented, and where impacts may affect an area broader than the site of physical works. In Palestine, the threshold for "significant" are not precisely defined. Projects that are considered as "Type A" are determined by a category list, a list that is largely commensurate with those having significant impacts by World Bank standards. As the present project will not finance Category A-level projects by World Bank standards, through a screening process, this screening will also tag as ineligible for financing potential sub-projects considered "Type A" in EQA standards.

Oversight of Non-full EIA Projects: For those projects requiring a full ESIA per the criteria in the Palestinian EIA Policy, there are requirements for environmental management plans (including mitigation measures), environmental audits, public participation and disclosure. Those projects not requiring a full ESIA are subject to fewer requirements and less oversight – there are no requirements that these projects are audited, nor that the public is involved, nor that documents are disclosed.

Public Participation and Accountability: Public participation and disclosure requirements for ESIA in Palestine are weak. For those projects requiring a full ESIA, public availability of the documents is required. However, the actual process of public review and comment could be onerous and result in EIAs being relatively inaccessible. While consultations are required during the preparation of the full ESIA between communities and the project proponent, public hearings are at the government's discretion during the ESIA review and approval process.

Environmental Health and Safety Guidelines (EHSG): The PA encourages both international and national private sector entities to seek International Organization for Standardization (ISO) 14001 Environmental Management System certification as well as Occupational Health & Safety Advisory Services (OHSAS) 18001 Occupational Health and Safety Assessment System certification. These international standards, as they relate to EHSG, fill in for national EHSG standards. See Annex 7 for guidelines to support development of an Health, Safety, and Environment (HSE) Management Plan.

Despite the following gaps above, the MeNA, EQA, and MDLF staff have strong EIA preparation and implementation skills. However, all staff are much less familiar with ESMFs. Furthermore, EO and SDO functions are often understaffed and underfunded, which results in the following shortcomings: screening checklists are not systematically applied at the correct time in the project cycle; staff are not able to systematically monitor environment and social impacts; and environmental and social management often remains outside of the planning and decision-making process. Nonetheless, impacts from projects in the MDP program have been managed fairly well. Findings during field studies and consultations with national counterparts suggest that on both levels there is a strong willingness to work through the issues. The EO and SDO staff hired for MDLP will extend its work program to support ICUD as well, in order to identify and mitigate these implementation, capacity, and training gaps.

2.2 Institutional and Implementation Arrangements

MoLG, participating urban areas, and MDLF will carry out the project implementation. The MoLG has the legal mandate for local government affairs and is in charge of overall policy setting and coordination. Within its mandate, the MoLG will have the lead responsibility for overall coordination and oversight in the sector, and technically oversee the implementation of Component 1.

The MoLG will provide facilitation support to assist the project's participating urban areas to identify, inter alia, needed TA activities, goods, and trainings. The MoLG district offices will represent the land outside of LGU boundaries in respective urban areas of the West Bank. In consultation with the urban area communities through project implementation, the MoLG will prepare the technical content of TORs and EoIs, conduct technical quality control, and provide technical approval of the delivered outputs. The MoLG will also be responsible for advising the fiduciary agent of this project, MDLF, for payment release in a timely manner, and reporting technical aspects of project activity results to the MDLF for inclusion into project progress reports. To assist MoLG in fulfilling these functions, a Technical Supervisor will be selected by MoLG and contracted by MDLF from the project budget. The Supervisor will be placed in the MoLG planning department to oversee technical activities at the local level and fulfill relevant central level coordination, reporting, and other activities important to support overall technical supervision by the Ministry.

LGUs that comprise the project's participating urban areas will be responsible for identifying, inter alia, needed TAs, goods, and trainings, and leading the project activities at the local level with facilitation support and technical oversight from MoLG. As this project aims at developing the urban areas' capacity, all of the TAs and trainings will be participatory in nature, requiring regular technical inputs from the LGUs (e.g. existing spatial population data) over the course of the project cycle. As the participating urban areas do not have a legal body beyond respective LGUs to govern their adjoined built space, the project will support the areas to establish and maintain active coordination mechanisms for the LGUs to collectively deliver results areas. The mechanism will be modeled after the intra-municipal coordination committee that the greater Ramallah-Al Bireh-Beitounia (RAB) urban area established to manage connectivity issues and is staffed by a Coordinator; however, it will be modified based on the degree of collaboration existent in each respective urban area and will not take the form of a legal administrative body. A Local Coordinator (LC) will be recruited per participating area under the project to facilitate project activities at the local level for four participating urban areas that currently lack intra-urban area coordination mechanisms. MoLG will also select the LC in consultation with the urban areas, contracted by MDLF from the project budget, and report to both the urban areas and Technical Supervisor placed at MoLG.

MDLF will be responsible for managing procurement, finance, safeguard, and reporting for the project based on technical inputs from the MoLG. MDLF's role will include: project fund management; preparation of financial statements; organization of the project audit; signing and issuance of all procurement notices, advertisements, and all contracts with suppliers and consultants; environment and social safeguards management; preparation and update of the Project Operational Manual (POM) based on technical input from the MoLG; and compilation of results reporting as well as submission to its Board and the Bank. The MDLF is an independent, semi-governmental organization, governed by a Board of Directors (the Board), which is the policy and strategy-setting authority responsible for monitoring the direction and performance of the Fund. The Board Chairman is the Minister of Local Government and includes 11 members that are key stakeholders for Palestine's Local Government sector. The MDLF has demonstrated its capacity to administer donor-funded projects since its establishment in 2005, including the multi-donor financed MDP-II that is a repeater of MDP-I. MDLF is staffed with all key positions required to fulfill its fiduciary and safeguard management roles for this project.

2.2.1 MDLF / MOLG / LGU Roles and Responsibilities

The implementation responsibility of ICUD will be with MDLF, with close cooperation and coordination with MoLG and the participating/eligible municipalities.

The MDLF already has a qualified core team, including an Environmental Officer (EO) and a Social Officer (SO), who will follow implementation of ESMF/ESMP. They will also provide the guidance on the understanding of the World Bank and other donors' and the national environmental policies. This will also include experience on the

ground in monitoring and mitigating the anticipated environmental and social implications created by the implemented sub-projects.

Both the ongoing MDP-II and the ICUD would further develop such capacity for financing training to MDLF environmental and social officers who would be responsible for reviewing, advising and reporting on environmental and social issues.

The entire environmental and social management will be inbuilt into the sub-project development cycle, whereby activities will take place within a work-plan. Further, this ESMF has determined the responsibility for environmental and social management to vest with all stakeholders to the ICUD. Specifically, the benefiting local government are liable to plan, implement and supervise environmental mitigation at every project phase of the investments, with oversight supervision from the MoLG and MDLF.

It is proposed that, as the TAs to be developed in ICUD are further delineated and funded, that each participating local government unit (LGU) will be required to establish (where they are not in existence) the positions of Environmental Officer (EO) and Social Development Officer (SDO). These two specialists will oversee and coordinate environmental and social management of ICUD-prepared investments at local level.

MDLF's role will then be to monitor and audit LGUs' and MOLG's responsiveness and compliance. MDLF is hiring technical consultants to assess the environmental baseline for each area, to ensure compliance of planning and design phase to environmental and social regulations and safeguards, and to recommend mitigation measures including studies when needed. MDLF is to ensure that those planning and designing technical assistance assignments include an environmental and social compliance studies to support technical activities.

In addition, LGUs and MOLG are expected to coordinate with all related line ministries, especially the Environmental Quality Authority. This will be further delineated in each of the ICUD TA studies as appropriate.

Refugee Camps voice and needs in the planning scenarios especially in issues affecting their urban areas should be taken into account. The involvement of representatives from the urban areas including camps through the different phases will be ensured through participation in **public hearings**. Although the ICUD will not work within camps; the camps are part of the urban areas and might be affected indirectly. Two low risks are identified: socio-economic and political, the following explain the risks and its mitigation measures proposed:

- Socio-economic risk (planning affecting community interests and livelihoods): public hearing will be conducted in each planning phase; feedback of marginalized communities' interests will be reflected. Other means like using municipal web sites and social media will also enable such groups to interact with the project through different phases.
- Political risk (Low): to ensure that the project will not be involved in the basic rights of refugees specifically: right of return. The project will make sure that its' objectives, action plan, and activities are communicated clearly with all relevant stakeholders through the initial workshops, and publications.

2.2.2 Potential Role of Other Ministries

MOLG and LGUs are to follow National environmental and social related policies and regulations, environmental and social safeguards approach detailed in preface and have to provide all requested forms, documentations, reporting required to gain the aligned ministries approvals as minimum requirements.

MOLG and LGUs are to coordinate with all related aligned ministries, mainly Environmental Quality Authority, in order to ensure their representative presence as planning committee members. The MDLF, MOLG and LGU will further coordinate with Palestinian Water Authority, Palestinian Energy Authority, Ministry of Health, Ministry of Antiques, Ministry of Agriculture, Ministry of Economy, Ministry of Transport, Lands Authority, Ministry of Local Government, Palestinian Central Bureau of Statistics and any other environmental and social related institutions.

3 Environmental and Social Management Framework

3.1 Introduction

Environmental and social screening, which took place at an early stage of the ICUD project cycle, helped to identify and exclude the sub-projects that might trigger full ESIA requirements, including such safeguard policies as WB OP 4.11 (Physical Cultural Resources), (Involuntary Resettlement), and OP 4.09 (Pest Management).

The initial project-screening mission indicated that the environmental and social concerns of the associated subprojects under the ICUD are low. As part of the sub-project screening in the Operations Manual, potential future investments that may trigger OP 4.12 will be excluded. Because studies might lead to expropriation beyond the time of World Bank involvement, Recommended Resettlement Policy Framework (RPF) Contents are attached (Annex 5) to this Environment and Social Safeguards Manual, to provide guidance on any potential involuntary land acquisition after the lifetime of this project.

This ESMF provides technical day-to-day guide for making sure that various ICUD subprojects are implemented in an environmentally and socially responsible manner. It provides guidance for screening subproject proposals against environmental and social risks. Based on the outcome of the risk identification and appraisal, eligibility of subprojects for financing will be determined based on negative lists and screening criteria. The ESMF carry uniform templates to facilitate conducting review and screening. It provides guidance on planning the site-specific environmental and social management plans (ESMP), their implementation, and monitoring for the eligible subprojects.

3.2 Project Operations Manual – Environmental and Social Section

This ESMF relates to the environmental assessment of the project, and will form an integral part of the Project Operations Manual (POM) of the project. In addition, the POM will include the following most of which have been referenced in Table 5 and in use during MDP-1 and MDP-II:

- The Advisory Office Guide, which contains Arabic language versions of the Tables and Annexes here relating to Environmental and Social Screening as well as subproject EIA and ESMP preparation guidance;
- EQA Environmental Impact Assessment Manual for Consultancy Firms Use;
- EQA Environmental Impact Assessment Annex- Forms;
- EQA Environmental Impact Assessment Manual for Investors;
- Sample Feasibility Study TOR;
- Sample Technical Study TOR; and
- Sample Socio-economic Studies TOR.

3.3 Screening Criteria

3.3.1 Screening of Subproject Categories

The ICUD project will not finance any subproject that may meet the Category A requirements. The OP/BP4.01 "Environmental Assessment" policy defined the kind of projects, which are categorized as "A", and for which a full environmental assessment is required. Category B project, on the other hand, does not require a full ESIA but do require a certain level of environmental analysis. Category C projects do not require environmental analysis.

The ICUD project mainly includes activities that have positive environmental and social impacts such as awareness creation programs and capacity building. Most of the subprojects will be classified as either category B or C as they are predominantly social service-delivery related. However, some of the subprojects could include activities that might have minor negative impact particularly in terms of small-scale construction projects. The classification will depend on the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts. See Section 3.3 and **Table 2** for more details.

3.3.2 Cultural Heritage and Physical Cultural Resources

The definition of physical cultural resources include any movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Their cultural significance may be at the local, provincial or national level, or within the international community.

Although it is anticipated that ICUD prepared technical studies will not result in investments that trigger OP/BP 4.11 (Physical Cultural Resources). In the event of accidental discovery of any antiquities or physical cultural resources that might occur during the implementation of the subprojects, all ICUD-prepared technical studies, including their accompanying ESMPs much include "chance find" procedures that fulfill both World Bank OP/BP 4.11 as well as Heritage Law No. 51 for the year 1966, Article 15. This Article notes that the contractor must stop work immediately and notify the related Authority (Ministry of Tourism and Antiquities) within 3 days to take the necessary actions. See Section 3.3, **Table 3** (screening form), and **Annex 6** (Chance Find Procedures to be included in all ICUD prepared projects) for more details.

3.3.3 Pest Management

Any project that could triggers OP/BP 4.09 (Pest Management), which supports integrated pest management and safe use of agricultural pesticides, will not be part of the ICUD project activities.

In Palestine, the use of pesticides is not controlled and the capacity to control and manage pesticides and pests need significant enhancement. There are regulations that control and manage pests and the use of pesticides, but their enforcement and implementation is generally weak. Therefore, there is a need to enforce regulations, and apply appropriate management plans and support integrated approaches to pest management in the country.

3.3.4 Involuntary Resettlement

In terms of social safeguards, any potential future investments that could trigger the OP/BP 4.12 would be excluded as part of the list of ineligible grants. In other words, this project will not recommend, endorse, or facilitate future pipeline investments that result in direct economic and social impacts through the: (1) involuntary taking of land resulting in relocation or loss of shelter, loss of assets or access to assets, or loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (2) involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

Considering that when submitting a project proposal/appraisal to MDLF, MoLG would have accomplished all legal requirements acquired by and respecting the revised Palestinian Basic Law of 2003, the Cities, the Villages and Buildings Regulating Law, and the Buildings and Regulation Bylaw for Local Authorities No. 5. See Section 3.3 and **Table 3** for more details.

3.3.5 Voluntary Land Donation

In cases there is voluntary land donation, defined as when people or communities agree to voluntarily provide land in exchange for benefits or services related to the project, the World Bank requirements must be met:

- The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities;
- The potential donor is aware that refusal or to say no is an option without any consequences, and that right of refusal is specified in the donation document the donor will sign.
- Land to be donated must be identified by the municipalities or Village councils LGUs in coordination with the community for the project that have been selected; the impacts of proposed activities on donated land must be fully explained to the donor;
- The donor may negotiate compensation (in full or in part) or alternative forms of benefits as a condition for donation
- Donation of land cannot occur if it requires any household relocation;
- For community or collective land, donation can only occur with the consent of the individuals owners of the land.
- Verification must be obtained from each person donating land (either through proper documentation or through confirmation by at least two witnesses);
- The implementing agency establishes that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry;
- Voluntary land donation will not be permitted in cases of site-specific infrastructure as community pressure could be too onerous for a person to refuse, thus removing the power of choice.1
- In case that the donated land were not used for it is agreed purpose then the LGUs needs to have a written agreement from the land donor that they agree to use the land for the new purpose , otherwise the LGUs will return the land to the owner.
- There should be no coercion, manipulation or pressure from the community or public or traditional authorities for individuals to voluntary donate land.
- The proportion of land that may be donated cannot exceed the area required to maintain the donor's livelihood or that of his/her household. Documentation for VLD provided below should be sufficient to verify this.
- The infrastructure must not be site specific.

In cases of voluntary land donation, MDLF will need to confirm the above criteria is met as well ensure that voluntary land donation was not done through coercion.

Willing-Seller, Willing-Buyer

For Land Purchase through willing seller willing buyer approach, land acquisition must occur by mutual agreement in exchange for a notarized purchase contract based on the market price at the date of acquisition.

Prior to land purchase process, (1) the LGUs shall take official council decision in the LGUs intention to purchase certain land after checking allocation in the budget abundance; (2) Then LGUs should establish a valuation committee with a member from MOLG district office and whom they see relevant to evaluate the land market value. The committee shall represent MOLG, MOF, LGU, and the Land Authority among others; (3) After that, the LGU take steps necessary to negotiate with the owner till reaching agreement; (4) The LGU then continues with the legal procedures of buying, and registering the land with Land Authority.

[1]In cases of site-specific infrastructure it is recommended to use land under ownership of LGUs and in exceptional cases willing-buyer willing-seller if adequate measures are put in place to avoid coercion.

3.3.6 Subproject Screening and Approval

While risks associated with various subprojects may vary from high to low risk, all of them will most likely fall under Category B and C. The following screening steps are to be applied:

- The category of the sub-project is to be checked; if the project is classified as A, it will be rejected. Only projects of categories B and C are accepted.
- The projects are to be checked against the safeguard policies; if any of the WB safeguard policies are triggered by the project, then it will be rejected. **Table 1** lists these safeguard policies and the consultation required under each.
- If the project is of Category B and is accepted, then a site specific ESMP is required to be prepared.
- If the project is of Category C and is accepted, no further environmental and social requirements are applied.

Table 2 details the Environmental Screening that should take place at an early stage of the ICUD project cycle. The MDLF project officers will conduct the screening and review process. Whereas **Table 3** details the Social and Cultural Resource Screening of the ICUD subprojects.

The screening process is to include also documentations, checklists and site-specific Environment and Social Review. This is needed in order to verify the sector and site specific ESMP that has to be prepared for category B subprojects.

Table 4 provides an example of an Environmental and Social Management Checklist (ESMC) for any small construction and rehabilitation subprojects that may occur beyond the lifetime of ICUD. This project does not include any subprojects although this may apply throughout the lifetime of the project.

It should be noted that these Tables are the similar to those in the MDP-II ESMF and therefore the clients are already working with these Tables, as well as the ICUD proposed screening process.

A standard appraisal and mitigation ESMP will be part of the specifications for the contractor and will form the basis of regular monitoring that could be used for future pipeline investment. The ESMP matrix will be based on the sectors and consisting of phases, and potential environmental and social impacts, if any, mitigation measures, operation and supervision.

Table 2: Environmental Screening and Classification of Projects

Project Title:	
Project Sector:	
Duration:	
A) EQA Screening	
Does the proposed subproject include any of the following characteristics:	**Yes/No**
Dams and reservoirs?	
Forestry production projects?	
Industrial plants (large-scale) and industrial estates?	
Irrigation, drainage, and flood control (large-scale)?	
Land clearance and leveling?	
Mineral development (including oil and gas)?	
Port and harbor development?	
Reclamation and new land development?	
Resettlement and all projects with potentially major impacts on people?	
River basin development?	
Thermal and hydropower development?	
Manufacture, transportation, and use of pesticides or other hazardous and/or toxic materials?	
Digging new water wells?	

If any of the replies to the above questions is "yes", then the potential sub-project is excluded from ICUD funding.

Project Title:	
Project Sector:	
Duration:	
B) World Bank Project Screening	
Questions	**Actions**
1. Is the sub-project likely to have **significant adverse*** environmental impacts (based on type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts)? ***Significant adverse** impacts are generally: (i) large-scale;	Yes / No (circle one) Please describe the primary adverse impacts and their possible 'significance' (as defined at left) here:

Project Title:	
(ii) irreversible; (iii) sensitive; (iv) diverse; (v) cumulative; (vi) precedent setting; and/or (vii) may affect an area broader than the sites or facilities financed by the project.	(If potentially "yes", please confer with ESO and confirm the environmental category of this sub-project will not be "A") **date non-applicability confirmed:**
2. Is the sub-project likely to result in significant degradation or conversion of habitats and/or forests in designated protected areas, proposed protected areas or areas that, based on local public consultation, are considered of special ecological significance? 3. Does this subproject have potential to cause significant conversion or loss or degradation of natural habitats either directly through construction or indirectly through induced human activities?	Yes / No (circle one) If potentially yes, please describe these impacts here: (If potentially "yes", please confer with ESO and confirm that these potential impacts will not invoke application of OP 4.04 Natural Habitats) **date non-applicability confirmed:**
4. Will this sub-project have potential to cause temporary or permanent relocation or any other type of impact on physical cultural resources known to be of local, regional, or PA significance based on PA or international list?	Note: To answer this question please go to **Table 3.** Yes / No (circle one)
5. Will the sub-project utilize or discharge water from or into a river or river tributary that flows to or through or forms a border with a neighboring country or drains into an international sea or a sea that is connected with an international sea?	Yes / No (circle one) If potentially yes, please describe these impacts here: (If potentially "yes", please confer with ESO and confirm that this sub-project will not invoke application of OP 7.50 International Waterways.) **date non-applicability confirmed:**
6. Will this sub-project involve dams in any way (e.g. new dams, dams under construction, current dams in use, dam rehabilitation):	Yes / No (circle one)
7. Will this sub-project have any potential impacts on : (a) health and quality of forests; (b) (rights and welfare of people who depend on or interact with forests; (c)	Yes / No (circle one) If potentially yes, please describe these impacts here:

Project Title:	
and their level of dependence upon or interaction with forests; and/or (c) management, protection, or utilization of natural forests or plantations, whether they are publicly, privately, or communally owned?	(If potentially "yes", please confer with EO and confirm that this sub-project will not invoke application of OP 4.36 Forests.) **date non-applicability confirmed:**
8. Does this sub-project have the potential to include any of the following: involuntary taking of land; involuntary restriction of access; loss of shelter, loss of assets or access to assets, or loss of income sources?	Note: To answer this question please complete **Table 3**, and then (circle one) Yes/No.
9. Does the sub-project propose to manufacture, transport, and/or directly finance the use of pesticides? 10. Does the project have the potential to stimulate increase/change in pesticides use and thus may trigger the Bank safeguard policy OP/BP 4.09 (Pest Management)?	Yes / No (circle one) If potentially yes, then the project is excluded per EQA guidance Yes / No (circle one) If potentially yes, the project is excluded per EQA guidance
11. Is this sub-project likely to have minimal or no adverse environmental impacts?	Please outline all potential impacts and explain how they are likely to be minimal: **Date Environmental Category confirmed as C:** If category C: no ESIA or ESMP are required.
12. Is this sub-project's potential adverse environmental impacts on human populations or environmentally important areas--including wetlands, forests, grasslands, and other natural habitats likely to be: (i) Site-specific? (ii) Reversible? (iii) Mitigated with specific mitigation measures?	Please outline the sub-projects' potential positive and negative environmental and social impacts: Please note how these impacts are site-specific, reversible, and able to be mitigated:

Project Title:	
	Date Environmental Category confirmed as B: If the answer to any of the questions of 11 is yes, then a project is under EA category B and ESIA and ESMP are required.
C) For Sub-Projects of Category "B"	
What design alternatives have been considered and what measures are suggested to prevent, minimize, mitigate, or compensate for adverse impacts?	
What lessons from the previous similar projects have been incorporated into the design?	
Have concerned communities been involved yet? If so, have their interests and knowledge been adequately taken into consideration?	
D) Conclusions	
Conclusion of the environmental screening: Project is declined ☐	Project is accepted ☐
Project is classified as category B: ☐ Project is classified as category C: ☐	
If accepted as category "B", project preparation requires: ESIA/ESMP: ☐ The following land documents: _____ ☐ Standard contractor clause: _____ ☐	
If accepted as category "C", project is accepted and no ESMP is required.	
Comments of Environmental and Social Officer (ESO): Name: Title: Signature: Date: ***Approval Signature of MDLF officer and Date:***	

Table 3: Social and Cultural Resource Screening of Subprojects

	Safeguard Screening Format	***YES***	***NO***
1	Will the project reduce other people's access to their economic resources, such as land, pasture, water, public services or other resources that they depend on?		
2	Will the project result in resettlement of individuals or families or require the acquisition of land (public or private, temporarily or permanently) for its development?		
3	Will the project result in the temporary or permanent loss of crops, fruit trees, etc.?		
4	Will the project result in the temporary or permanent loss of household infrastructure (such as granaries, outside toilets and kitchens, etc.)?		
If the answer to any above question is "Yes", then OP/BP 4.12 Involuntary Resettlement is applicable and the project is rejected.			
If the Answer for all the above is "No", please fill in the followings;			
Required Documentation		***YES***	***NO***
5	Is the information related to the affiliation and ownership status of the project site available and verifiable?		
6	If there is voluntary land donation, is documentation provided, and have the World Bank procedures been followed as outlined in the ESMF?		
Cultural resources safeguard screening information		***YES***	***NO***
6	Will the project require excavation near any historical, archaeological or cultural heritage site?		
If answer to question 6 is "Yes", then OP/BP 4.11 Physical Cultural Resources is applicable and the project is rejected. *Possible chance finds must be handled in accordance with the OP and relevant procedures provided in every individual ESMP prepared within ICUD (see Annex 6).*			

Table 4: Environmental and Social Management Checklist for Small Construction and Rehabilitation sub-projects

Project Name: ***Date:***					
S/N	***Impact***	***Yes***	***No***	***Remarks***	***Safeguard /Mitigation Measures***
1	Noise/Alarm generation				
2	Dust				
3	Odor emission				
4	Traffic problems (obstructing normal flow)				
5	Solid Waste problem				
6	Sewage problem				
7	Water service problem				
8	Impacts on green cover				
9	Pedestrians' safety threatened				
10	Electricity problem				
11	Deterioration in Landscape/aesthetic elements				
12	Impact on natural resources				
13	Biodiversity and wildlife threatened				
14	Recreational sites impacted				
15	Heritage and archeological sites impacted				
16	Agricultural activities negatively affected				
17	Industrial utilities negatively affected				
18	Workers' safety and health considered				
19	Worker's commitment to using PPP (vests, gloves, overall, helmets, etc.)				
20	Working machine suitability				
21	Add additional impacts as necessary				
22	***Comments:***				
23	***Recommendations:***				
Environmental Officer Signature: ***Date:***					

3.3.7 ICUD ESMP Implementation and Monitoring

Environmental and social monitoring will form an integral part of the MDLF supervisory work in the course of the project implementation. Social monitoring will include social review for potential investments to avoid recommending forced evictions and forced evictions of squatters as a result of this project. The MDLF safeguards fiduciary officers (e.g. EO and SO) as well as MoLG Project Coordinator will be responsible to ensure that ESMPs are prepared such that contractors will familiar with all relevant World Bank and PA safeguards requirements.

The site-specific ESMPs prepared for accepted subprojects of category B will be prepared to be included in the bidding document, so that potential bidders of individual projects to be technically prepared in ICUD will be aware of the environmental and social performance standards expected from them and are able to reflect that in their bids. The ESMPs are also expected become an essential part of contracts, with their implementation is mandatory. The MoLG, as an owner of construction works, will be responsible for enforcing compliance of contractor with the terms of the contract, including adherence to the ESMF. Further any environmental and social related issues are to be reported immediately are to MDLF in order to ensure that environmental and social issues will managed.
The next chapter provides guidelines for the assessment of the potential environmental and social impacts of the subprojects and the preparation of the ESMP.

4 Environmental and Social Assessment and Preparation of ESMP

4.1 Introduction

ICUD includes activities that mainly have positive environmental and social impacts such as awareness programs and capacity building. For potential future investments, negative impacts might occur during the construction and operation phases such as dust, noise, safety hazards, restriction to access, etc. The ESMF is to cater for these negative impacts and provides the framework for the ESMP to be prepared.

Examples of some of the anticipated negative impacts are provided in **Table 5**. To mitigate these negative impacts, an ESMP will be prepared for each approved subproject. It is recommended to use Environmental Matrices (EM) for listing overall main environmental and social impacts. The EM lists the expected environmental and social impacts and indicates whether the impact is positive, negative or neutral.

The ESMPs will outline the measures needed to address the issues identified in the impact assessment, demonstrate proposed monitoring activities that encompass all impacts and identify how they will be integrated into project management. The ICUD project is a multidisciplinary planning exercise with variable factors impacting the process as LGU vision, community participation, natural resources, socio-economic, political, technical, financial, etc. though to ensure that the planning process are well incorporating environmental and social aspects, a matrix (Annex 1) was built to summarize the major potential impacts and the proposed crosscutting activities to mitigate. This Annex should be used to guide this planning exercise, including the structuring of consultations.

The project first stage is of minimal environmental impact and low risk; however, the planning and design stages are of variable impact and risk potential. Impact would differ according to the exercise, and the LGU/MOLG are to ensure selection of the proper mitigation measures through intensive investigation and studies.

LGU/MOLG are responsible on contracting consultancy firms to conduct further studies, MDLF are to monitor and audit the project.

The following table details the potential environmental and social impacts and potential mitigation measures.

The LGU and MOLG to follow during all project stages in order to minimize the risk of any environmental or social impact.

Table 5: Potential Environmental and Social Impacts

Project Steps		Environmental Considerations
Assessment Phase	Development of Urban Growth Footprint per urban area that includes spatial data on population, economic sector and labor force composition, development patterns and density, housing, connectivity and infrastructure, public and environment/ecological spaces, and disaster risk preparedness	At this stage, the MOLG/LGU will identify the existing environmental and social related data, gaps and issues. Mainly to identify the current issues related to development, urban development sectors. The current utilization of the resources and is expected to be of minimal compliance to environmental and social regulations except of urban planned conducted exercises. Unplanned urban development could have caused an impact to the natural and cultural resources; though gaps and issues shall be identified and 1. Assess what environmental related data for each project area 2. Verify environmental baseline (conduct environmental baseline study) 3. Verify what environmental gaps 4. Verify if the existing situation trigger: Environmental Assessment, Physical Cultural Resources, Involuntary Resettlement 5. Assess the required environment related means to ensure sustainable development 6. verify natural resources utilized /to be utilized resources, gaps, issues, pros and cons
Planning Phase	Development of growth vision and scenarios with cost-analysis per growth location and pattern, followed by their public disclosure. Adjustment of spatial and urban plans at individual LGU level and/or development of the expansion area plans based on the chosen growth scenario and vision for the greater urban area	At this stage; development of growth vision and scenarios, public disclosure and adjustment of spatial and urban plans at individual LGU level and/or development of the expansion area plans; LGU/MOLG are to ensure implementing planning in compliance to environmental and social safeguards, laws and regulations. LGU/MOLG are to comply with recommendations and requirements resulted in the environmental and social data collection stage. MOLG to set environmental and social impacts weight in planning and urban planning activities. MOLG/LGU during this stage has to assess requirement of Environmental and Social Impact Assessment Studies, Feasibility Studies, Technical Studies. Studies TOR's shall be prepared and to incorporate environmental and social related considerations. LGU/MOLG when planning is to consider: 1. Preservation of natural resources 2. Preservation of heritage and cultural resources 3. Comply with Environmental related laws 4. Comply with Palestinian related strategies and policies mainly in (solid waste, water, transportation, energy, health, economy, etc.) 5. Comply with EQA Environmental Policy environmental screening process: where LGU are to approach the EQA and submit for project screening, EQA environmental Screening

Project Steps		Environmental Considerations
		sheet and EQA TOR would be an output of this step. In cases where uncertainty of EIA/SEIA required an IEE TOR shall be prepared.
Design phase	Detailed Planning and Design of specific interest sector	1. EQA Environmental Impact Assessment Manual for Consultancy Firms Use 2. EQA Environmental Impact Assessment Manual for Investors 3. EQA Environmental Impact Assessment Annex- Forms of Environmental Impact Assessment Manual for Consultancy Firms Use 4. Recommended RPF Contents (Annex 5) 5. Feasibility Study TOR 6. Technical Study TOR 7. Socio-economic studies TOR 8. Comply to Environmental Screening outputs: o No impact/ minor impact: ESMP (Annex 4) o Need further investigation: Initial Environmental Assessment o Require assessment: ▪ Need Environmental and Social Impact Assessment Study ▪ Need Strategic Environmental and Social Impact Study o Rejection 9. Conduct ESIA/ ESA/ IEE Studies 10. Conduct feasibility Studies 11. Conduct Consultation workshops 12. Conduct planning exercise that shall integrate environmental and social considerations of both stages

Social Considerations

Project Steps		Social Considerations
Assessment Phase	Development of Urban Growth Footprint per urban area that includes spatial data on population, economic sector and labor force composition, development patterns and density, housing, connectivity and infrastructure, public and environment/ecological spaces, and disaster risk preparedness	Verify social and economic related data taking into account all necessary Statistics (ex. poverty, unemployment, education, health, and any relevant social information and statistics). Verify Gender related data (ex. number of households headed by women, the nature of the businesses operated by women in the region, number of households headed by people with disabilities). Identify marginalized groups within the urban areas; assess their needs and track any violations to the "right to cities". Verify all information concerning land used by citizens that account for a source of income (Bedouin communities, etc.).
Planning Phase	Development of growth vision and scenarios with cost-analysis per growth location and pattern, followed by their public disclosure	Comply with Palestinian laws relating to lands and preservation of archaeological and cultural sites, further to World Bank social safeguards (see pg. 11, paragraph 4). The planning process must comply with all relevant social policies prepared by the Ministry of Local Government with respect to social accountability policies, youth policy, community participation policies, and the local economic development policies). Comply with transparency and good governance concepts. Particular attention to have accessible, transparent and inclusive consultations is necessary. Consultation for Land Use / Spatial Planning: Ensure public participation including marginalized groups in all stages of planning. Public meetings and introductory workshops with the local community to define project objectives and stages of plan preparation. Formation of diverse specialized local committees to participate in the planning process including the marginalized and the private sector. Validation of all plans, and make certain that their procedures include presentation to the local community for revision and validation. Public disclosure of plans.

Project Steps		Social Considerations
		Noting that the EQA Environmental Impact assessment Manual for Consultancy Firms use provides detailed section for public consultation of EIA studies.
	Adjustment of spatial and urban plans at individual LGU level and/or development of the expansion area plans based on the chosen growth scenario and vision for the greater urban area	The use of relevant guidelines if necessary, such as the Community Participation Manual, Community Accountability Tools, Strategic Development Planning Guide, communication manual, and citizenship guide. The plans should take into consideration the following: • Equitable and fair distribution in setting priorities taking into account all segments of society and all regions. • Poverty and unemployment reduction as one of the objectives of the plans especially those relating to local economic development sector. The plans must be gender sensitive in all stages.
Design phase	Detailed Planning and Design of specific interest sector	Verify that all information and procedures for land donation are available and fulfilled in case there is a land donation (refer to WB Best Practice Recommendations on VLD in section 4.3.) Verify that the development projects will not reduce the individual ability to access natural and economic resources such as land, pastures, water sources and public services. • Projects designs in the plan must comply with gender sensitivity issues. Projects design must take into account the needs of people with disabilities. • Preparation of social and environmental management plan for the project in participation with the local community and all relevant parties, as well as identify associated social risks that may result from the project.

4.2 Environmental and Social Risk Assessment

The ICUD project is a planning exercise for five clusters of different characteristics, where planning expectations were not defined at ESMF stage preparation. For that the framework take into account the potential legally required mitigations to be followed through planning stages in order to minimize the risk of harming the surrounding environment or the social context. Additional risk might rise to the impact on marginalized refugee camps and smaller village councils and towns.

The project is of moderate environmental risk and low social risk as assessed in the Project PAD. The following are considered the potential environmental and social risks for each stage:

Assessment stage:

- Lack of sufficient information from the Palestinian Central Bureau of Statistics and other agencies
- The reliability of the data
- lack of cooperation among the relevant institutions
- variance in capacity among the larger and smaller LGUs

Planning stage:

- Unsound planning or design of natural resource.
- Ignorance of environmental sensitive areas/ preserves in planning
- Ignorance of environmental and social aspect sensitivity in planning
- Ignorance of the need to conduct environmental and social impact assessment studies,
- Preference of economic outcome over preservation of environment
- The marginalization of some communities/ groups from participating in the planning process, and ignorance of the need to assess resettlement or recommending conducting RAP's
- Choosing community projects that differ from the citizen priorities
- Selecting tools that were deemed irrelevant in the planning process
- Local community was not informed properly on the results as required
- Real time needed to implement the plan contradicted with the projected time.
- The impact on marginalized refugee camps and smaller village councils and towns.

4.3 Voluntary Land Donation and Willing Seller – Willing Buyer Approach

With regards to land ownership during identification, planning, and design stages of the ICUD; the LGUs and MOLG will follow Revised Palestinian Basic Law 2003, Local governorates Act/ Law of 1997, The Jordanian Law No.79 of 1966 the Cities, the Villages and Building Regulation Law. On the other hand, for the World Bank social safeguards please refer to see social safeguards approach detailed in preface.
LGUs and MOLG shall ensure protecting natural and cultural resources and livelihood, and squatters. Additionally, LGUs and MOLG to ensure the community are aware of the specifics of both voluntary land donation and the willing seller – willing buyer approach.

Voluntary Land Donation

In cases where there is voluntary land donation, defined as when people or communities agree to voluntarily provide land in exchange for benefits or services related to the project, the below requirements must be met. Recommendations on Voluntary Land Donation should be applied as detailed below:

- The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities;
- The potential donor is aware that refusal or to say no is an option without any consequences, and that right of refusal is specified in the donation document the donor will sign.
- Land to be donated must be identified by the municipalities or Village councils LGUs in coordination with the community for the project that have been selected; the impacts of proposed activities on donated land must be fully explained to the donor;

- The donor may negotiate compensation (in full or in part) or alternative forms of benefits as a condition for donation
- Donation of land cannot occur if it requires any household relocation;
- For community or collective land, donation can only occur with the consent of the individual owners of the land.
- Verification must be obtained from each person donating land (either through proper documentation or through confirmation by at least two witnesses);
- The implementing agency establishes that the land to be donated is free of encumbrances or encroachment and registers the donated land in an official land registry;
- Voluntary land donation would not be permitted in cases of site-specific infrastructure, as community pressure could be too onerous for a person to refuse, thus removing the power of choice.[2]
- In case that the donated land was not used for it is agreed purpose then the LGUs needs to have a written agreement from the land donor that they agree to use the land for the new purpose, otherwise the LGUs will return the land to the owner.
- There should be no coercion, manipulation or pressure from the community or public or traditional authorities for individuals to voluntary donate land.
- The proportion of land that may be donated cannot exceed the area required to maintain the donor's livelihood or that of his/her household. Documentation for VLD provided below should be sufficient to verify this.
- The infrastructure must not be site specific.

Willing-Seller, Willing-Buyer

For Land Purchase through willing seller willing buyer approach, land acquisition must occur by mutual agreement in exchange for a notarized purchase contract based on the market price at the date of acquisition.

Prior to land purchase process, (1) the LGUs shall take official council decision in the LGUs intention to purchase certain land after checking allocation in the budget abundance; (2) Then LGUs should establish a valuation committee with a member from MOLG district office and whom they see relevant to evaluate the land market value. The committee shall represent MOLG, MOF, LGU, and the Land Authority among others; (3) After that, the LGU take steps necessary to negotiate with the owner till reaching agreement; (4) The LGU then continues with the legal procedures of buying, and registering the land with Land Authority.

[2]In cases of site-specific infrastructure, it is recommended to use land under ownership of VCs or JSCs and in exceptional cases willing-buyer willing-seller if adequate measures are put in place to avoid coercion.

5 Public Consultation and Complaints Mechanism

5.1 Laws and Regulations relating to Community Participation

The PEAP has referred to the stakeholder (any person in his natural or legal capacity with an interest in or affected by a development activity) consultation in two stages:

The Initial Environmental Evaluation (IEE) Report: where the policy stated that the stakeholder consultation is optional when undertaking an IEE. In consultation with the proponent and the EA Committee as required, the MEnA determines whether stakeholder consultation is required and, if so, what the minimum requirements should be. It may be required during scoping and terms of-reference preparation, and during the conduction of the IEE.

The Environmental Impact Assessment (EIA) Report: where the policy stated that the stakeholder consultation is mandatory when undertaking an EIA. In consultation with the proponent and the EA Committee, the MEnA determines what the minimum requirements for stakeholder consultation should be. It may be required during scoping and terms-of-reference preparation, and during the conduction of the EIA.

In all cases, consultations would be held as part of land use / spatial planning process. Public consultation will be accessible, transparent and inclusive to ensure participation including marginalized groups in all stages of planning:

1. Public meetings and introductory workshops with the local community to define project objectives and stages of plan preparation.
2. Formation of diverse specialized local committees to participate in the planning process including the marginalized and the private sector.
3. Validation of all plans, and make certain that their procedures include presentation to the local community for revision and validation.
4. Public disclosure of plans.

5.2 Environmental and Social Consultations

Public consultation meeting was held on April 26, 2016 in order to gain feedback of project stakeholders over the ESM drafted by MDLF. Annexes 2 and 3 details the consultation meeting minutes and participants. Major points raised by the participants included: questions about procedures, the LGU role, and refugee camp inclusion; need for coordination with EQA; as well as need for ministerial coordination as part of regional planning committees. Participants noted their willingness to introduce environmental and social criteria into planning. The site-specific ESMPs that will be prepared for the subprojects will address the concerns that were raised in the consultations and will be disclosed in Arabic and English on MoLG and MDLF websites.

The slide presentations used for these consultations is available upon request from the MDLF. The introductory presentation on project objectives, components, and implementation is in English; whereas, the presentations specific to environmental and social considerations, procedures, potential impacts, and mitigations is available in Arabic.

Refugee Camps voice and needs in the planning scenarios especially in issues affecting their urban areas should be taken into account. The involvement of representatives from the urban areas including camps through the different phases will be ensured through participation in **public hearings**. Although the ICUD will not work within camps; the camps are part of the urban areas and might be affected indirectly. Two low risks are potentially identified: socio-economic and political, the following explain the risks and its mitigation measures proposed:

- Socio-economic risk (planning affecting community interests and livelihoods): public hearing will be conducted in each planning phase; feedback of marginalized communities' interests will be reflected. Other means like using municipal web sites and social media will also enable such groups to interact with the project through different phases.
- Political risk (Low): to ensure that the project will not intervene in the basic rights of refugees specifically: right of return. The project will make sure that its' objectives, action plan, and activities are communicated clearly with all relevant stakeholders through the initial workshops, and publications.

5.3 Grievance Redress Mechanism (GRM)

The right of the public to complain has been confirmed by the Grievance and Complaints bylaw that has been approved by the Ministerial Cabinet on 9/3/2005 and updated on 8/3/2009. The Bylaw has regulated the means and tools to settle the complaints of the public and has stated the policies for the improvement of the performance of the Palestinian Ministries and Authorities and other NGOs.

This means that the citizens and beneficiaries of ICUD can raise their complaints anytime at every phase of the project and that their complaints must be settled.

The appropriate partner for the implementation of the Grievance and Redress Mechanism (GRM) is the project proponent (MoLG). MDLF is responsible for working with MoLG for assisting with implementation of the GRM. It advises people on their rights and GRM process throughout the period of project implementation.

For minor infringements and social complaints, an incident, which causes temporary but reversible damage, the contractor, will be given environmental and social note/stop and alert to remedy the problem and to restore the environment.

If reviewing the action, shows that restoration was done satisfactorily no further actions will be taken, otherwise and if the Contractor has not remedied the situation within 1 day, any additional days of stopping work will not be considered as excused delay.

If the remediation is not done during the given time, the MoLG and the Consultant has to stop the work and give the contractor an environmental and social note. Financial penalty is applied to the non-complied mitigation measure as depicted in the biding document and the ESMP.

If repeating the noncompliance to the ESMP and penalties approximated (3-5%) of the contract value, the MoLG will raise the formal recorded environmental and social notes and the deduction history to MDLF in order to apply a legal action.

The penalty item will be added to the bidding document stating the deduction percentage if there is noncompliance to the ESMP. The ESMP will be part of the bidding documents, which will include explanation of the penalty deduction method.

Chance Finds Procedures will be applied in case culturally valuable materials are uncovered during excavation:

- Stop work immediately following the discovery of any materials with possible archeological, historical, paleontological, or other cultural value; announce findings to project manager; and notify relevant authorities;
- Protect artifacts as well as possible using plastic covers; implement measures to stabilize the area, if necessary, to properly protect artifacts;

- Control access to site where finding occurred
- Prevent and penalize any unauthorized access to the artifacts; and
- Restart construction works only upon the authorization of the relevant authorities.

See Annex 6 for more details.

5.3.1 Complaints Mechanism

The LGUs are to ensure availability of documentation of complaints and responses, timely responses, a log of all complaints received-date received, date responded to, type of response, etc.

The proposed procedure that LGUs will follow through the implementation of ICUD project:
Complaints procedures depend on the nature of complaint submitted by citizens. Some complaints are submitted to the LGU, then submitted to the concerned department or person in charge to resolve the matter. In cases where the LGU are unable to resolve the complaint, it will then be transferred to the regional directorate or to the Ministry of Local Government (MoLG) either through the project coordinator, or through the citizens themselves. The process reads as follows:

1. Citizen submits their complaint to the LGU. The entity that receive the complaint shall reply to it either by solving the problem of the complainant or informing the complainant that they are studying the complaint and will respond at a specific date (the reply shall be in time less than 10 days). In the event the concerned Directorate provided a negative response or was unable to provide feedback, the citizen may then make a complaint to the Complaints Department at the MoLG, as follows:
    a. Submit a written complaint with the annex of all required documents concerning the complaint. Citizen must receive a copy of the receipt.
    b. The Complaints unit pursues with the complaint following the procedures.
    c. Citizen must receive a written response regarding their complaint within one (1) week at minimum.

<u>Accepting or Rejecting the Complaint:</u>

1 Employee in charge of handling the complaint must inform the complainant about the accepting or rejecting procedures within three (3) upon complaint submission.
2. In the event the employee in charge of handling the complaint submitted the complaint to a specialized complaint unit, the unit must also submit an accepting or rejecting of the complaint within three (3) days.
3. In the event the complaint was accepted, the complainant will receive an officially-stamped Review Card with the following data:
    a. Complainant's Name or Their Legal Representative
    b. Complainant Address
    c. Complaint Title
    d. Review Date
    e. List Annexes Submitted with the Complaint

<u>Means of Communicating to the Complaints Department:</u>

1. Directly contacting the MoLG
2. Contact Hotline
3. Contact website of the MoLG
4. Provide a written complaint as stated in the system

In terms of monitoring the complaints, the LGU will be required to submit the log of complaints periodically to the MOLG. MOLG are to share the logs with MDLF in reporting data collection.

Regarding complains and objections on announced *Plans for objection*, the procedures follow Law#79, 1966. These procedures make sure that each objection was reviewed by LGU committee and the District Regional committee before the final decision of Higher Planning Council.

6 Capacity Building, Training Program, and Environmental and Social Monitoring

6.1 Capacity Building and Training Requirements

Capacity Building Assessment is required at the first stage of the project in order to set plans and capacity building projects for the benefit of five clusters.

The capacity building program shall include environmental and social related capacity building for planning and construction, i.e. environmental and social safeguards, EIA requirements, environmental and social screening for planning, weighing environmental and social criteria into planning criteria, etc.

MDFL will use an environmental consultant to monitor all safeguard-related issues. Specifically, the consultant in coordination with MDFL and MoLG project officers will:

- Screen and review all proposed projects in order to identify any activity that may carry the risk of adverse environmental impacts;
- Assign a category to each project in accordance with the Environmental safeguard policies of the World Bank;
- Design ESMP for the projects that are classified under Category "B" with the aim of demonstrating proposed monitoring activities that encompass all major impacts and identify how they will be integrated into project supervision;
- Train LGU and MoLG officials on proper implementation of the World Bank environmental and social requirements;
- Provide support to LGUs and MoLG as they liaise with Stakeholders, Beneficiaries, and Contractors to carry out similar training; and
- Hold field visits to project sites to ensure compliance with the World Bank environmental safeguard procedures.

Any cost implications relevant to the development/training will be recorded and financed from the project. The mitigation measures and the associated costs will become part of the ESMP for the project, which will be monitored during the implementation. The MDFL Grants Manager, and the Social Specialist, will participate and act as a liaison with the public for the training sessions with the different target groups.

Social safeguards training will be on reviewing potential proposed activities to ensure that they do not recommend expropriation and forced evictions of squatters, as well as on voluntary land donation, and willing buying and seller as detailed in the ESMF and will be outlined in the OM. They will also be trained on how to identify risks and social impacts and prevention measures. Additional training will be on social issues related to the preparation of strategic plans and training on the concept of citizenship.

MOLG and MDLF as the Safeguard Manger will conduct additional consultation workshop for all stakeholders after finalizing the ESMF document. Furthermore, the MOLG and MDLF will conduct orientation workshop to identifying project process and environmental and social management framework application for each partner and levels in the LGUs.

6.2 ICUD Environmental and Social Safeguards Reporting

LGUs and MOLG are to integrate environmental and social aspects into all prepared reports. Reports are to include safeguards compliance, environmental and social issues, gaps and requirements. LGUs are to periodically report to MOLG on environmental and social related issues. Environmental and social considerations are to be integrated into various expression of interests (EOI's) and TA TORs. Periodic reports and any related issues are to be forwarded to MDLF in order to prepare the necessary management reports.

Detailed presentation of the status of environmental and social performance under the ICUD cycle will be included in the progress reports during its implementation. MDLF will be responsible for this reporting, which will include:

- The content and status of ICUD technical studies under preparation;
- Timing and results of the environmental and social screenings for each ICUD technical studies, to be conducted as outlined in **Tables 2, 3, and 4**;
- An environmental and social plan of action for each ICUD technical study, to include a TOR for the ESMP as well as an outline of the budget and timing of the ESMP preparation;
- Work program of the EO and SO in the last reporting period, as well as anticipated work program of the EO and SO in the upcoming reporting period; and
- Summaries (content, timing, venue, participant list, etc) of all capacity buildings, trainings, and any other ICUD ESMF-related technical support, as conducted by the MDLF EO and SO or any ICUD-employed consultants.

Social reporting and monitoring will be to verify that studies will be screened to avoid activities that might lead to expropriation and forced evictions of squatters because of this project.

LGUs are to periodically report to MOLG upon the environmental and social related issues environmental and social considerations are to be integrated into EOI's and TA TOR's.

MOLG are to report biannually to MDLF in order to prepare the management reports.

6.3 Environmental and Social Auditing and Monitoring

Environmental and social auditing for ICUD-prepared studies shall be conducted annually, considering identifying the LGUs, ministry compliance to the environmental regulations, to identify development and enhancement over the Environmental baseline identified at the first stage.

Environmental auditing methodology shall be proposed during the identification stage of the projects.

Environmental and social auditing on planning and design could be conducted as part of technical audit of the project, or audit for each one of the urban areas shall be conducted solely. A consultant will be hired by the MDLF to undertake this assignment. The sum of $10,000 has been set aside for this purpose. MOLG and LGUs are to provide all support to the assignment.

6.4 Environmental and Social Cost Implication and Schedule

The cost of environmental and social related activities are to be incorporated into the overall ICUD project cost, noting that it should be verified at the first stage of the project implementation, the following is expected to be included:

- All consultancy services assignments to include environmental and social sections (i.e. Feasibility Studies Assignment, Planning, Socio-economic studies, etc.)
- Environmental and Social Baseline Study for the ICUD project.
- Environmental and Social Impact Assessment Studies for certain activities
- Capacity Building Training activities
- Auditing and Monitoring Activities
- ESMP preparation

- Consultation
- Public hearing workshops

The mitigation measures and the associated costs will become part of the ESMP for the project, which will be monitored during the implementation. The **Table 6** below shows the indicative cost:

Table 6: ICUD ESMF Indicative Costing

Target Group	**Workshop/ Training Sessions**	**Costs US $**
MOLG, LGUs, etc.	- Training session on environmental and social screening forms. - Training session on planning and design of ESIAs/ESMPs. - The design and implementation of mitigation measures. - Occupational health and safety guidelines.	15,000
Beneficiaries and Stakeholders	- Consultation sessions on potential environmental and social impacts of proposed ICUD sub-projects.	15,000
Consultants / Technical Assistance	- Capacity and content directly related to environmental and social safeguards aspects of ICUD prepared feasibility studies	20,000
Environmental and Social Audit	- To be conducted as part of Mid-Term Review	10,000
	Sub Total (US $)	**60,000**
Support to MDLF EO and SO Salaries (included in MDLF Management Fee)		**40,000**
	Total (US $)	**100,000**

In addition to the US$ 60,000 for training, studies, and a MTR audit, US $40,000 will be made available to underwrite partial salary costs of the MDLF EO and SO as estimated at US$ 3,000 per month total, including social charges and taxes.

7 Annexes

Annex 1: Environmental and Social Management Matrix

Annex 2: ICUD Public Consultation

Annex 3: ICUD Consultation List of Participants

Annex 4: Sample Outline of Environmental Management Plan

Annex 5: Recommended Resettlement Policy Framework Contents

Annex 6: Chance Find Procedures

Annex 7: Sample Environmental Requirements for Contractors

7.1 Annex 1: Environmental and Social Management and Monitoring Plan Matrix

Environmental and Social Considerations	Mitigation Steps		Tools	Responsibilities
Assessment Phase:				
Development of urban growth footprint per urban area that includes spatial data on population, economic sector and labor force composition, development patterns and density, housing, connectivity and infrastructure, public and environment /ecological spaces, and disaster risk preparedness	Uncertainty/ undefined natural resources	Add environmental & social aspects tasks to technical consultancy	Drafting TORs Data Collection Tools Baseline Study TOR Following Up Baseline Study Consultant Planning Criteria definition Consultation meetings	Primary responsibility: Project Coordinators Advisor responsibility: LGU planning committee Supervision responsibility: MOLG Fiduciary and Monitoring responsibility: MDLF
	Uncertainty of data availability (environmental and social)	Prepare environmental & social baseline study TOR Conduct baseline study (verify natural resources utilized, resources, gaps, issues, pros and cons etc)		
	Environmentally unsound spatial or urban planning activities	Define & collect data, statistics, reports, standards, etc on issues as relevant: environmental, water, energy, services, natural resources, poverty, gender, citizens, marginalized communities, education, health, etc. Define environmental & social gaps in already planned zones. Refer to guidelines for consultants (Annex 7) Conduct environmental & social audit as needed. Assess & define environmental & social related planning criteria to be added to the planning exercise. Define the criterion weight upon importance.		
	Unsound/non sustainable utilization of resources	Assess the required environment & social related means to ensure sustainable development		
	Lack of cooperation among LGUs	MOLG to ensure equity among LGUs		
	Potential noncompliance to environmental and social safeguards, laws and regulations	Planning committee to be well informed with the environmental and social laws, regulations and world bank safeguards social risk mitigations and sectorial policies		
	Presence of environmental gaps as an output of the data collection	LGU/MOLG are to introduce data collection recommendations into planning guidelines.		

Environmental and Social Considerations	Mitigation Steps		Tools	Responsibilities
	Deficiency in environmental and social impacts crosscutting into planning	Planning Committees to review/revise weights of environmental and social impacts into planning criteria, and urban planning activities. Environmental Screening of planning concepts cross cutting (refer to Annex 1) Assess requirement of Environmental and Social Impact Assessment Studies, Feasibility Studies, Technical Studies. Studies TORs shall be prepared and to incorporate environmental and social related considerations.		
	Inequity of planning against smaller LGUs or in marginalized areas	Ensure that all LGUs are well represented and their vision is incorporated in planning		
Planning Phase				
Development of growth vision and scenarios with cost-analysis per growth location and pattern, followed by their public disclosure adjustment of spatial and urban plans at individual LGU level and/or development of the expansion area plans based on the chosen growth scenario and vision for the greater urban area	Screening output / project of Category C	LGU are to approach the EQA and submit for Environmental approval	Orientation Workshop to Planning committees Use the ESMF document Environmental screening sheet Environmental and social crosscutting to planning criteria Consultation meetings Desktop studies Applying the spatial planning and SDIP planning manual and tools	Orientation responsibility: MDLF/MOLG & LGU planning committee Supervision responsibility: MOLG Fiduciary and Monitoring responsibility: MDLF
	Could cause Involuntary resettlement	Consult with community Refer to social safeguards approach in preface		
	Screening Output, project of Category B, A	LGU to prepare the EIA TOR Approach EQA environmental forms A, B (Guidelines document) Approach EQA IEE TOR shall be prepared Stakeholders identified and public consultations planned Prepare Feasibility Study		
	Screening output is of minor environmental impact	Approach EQA environmental forms B (Guidelines document) Prepare TOR for simplified ESMP Prepare Feasibility Study		
	Public complaints, including regarding defining land use	Grievance redress mechanism established or, if already in place, strengthened if needed Follow up with planning procedures of receiving complaints Ensure that feedback loop is closed		
Design Phase				

Environmental and Social Considerations	Mitigation Steps		Tools	Responsibilities
Detailed Planning and Design of specific interest sector	Could cause Involuntary resettlement	Consult with community Refer to social safeguards approach in preface	EIA TOR preparation IEE TOR preparation Workshops Approaching Aligned Ministries for approvals Consultation procedures	Orientation responsibility: MDLF/MOLG & LGU planning committee Supervision responsibility: MOLG Fiduciary and Monitoring responsibility: MDLF Regulatory approval: EQA
	Screening Output, project of Category B, A	LGU to prepare the EIA TOR Approach EQA environmental forms A, B (Guidelines document) Approach EQA IEE TOR shall be prepared LGU are to approach the EQA and submit for Environmental approval		
	Screening output is of minor environmental impact	Prepare simplified ESMP LGU are to approach the EQA and submit for Environmental approval		
	Public complaints, including regarding defining land use	Grievance redress mechanism in place and working Refer to guidance on VLD and OP 4.12		

7.2 Annex 2: Public Consultation Meeting Minutes

Caesar Hotel, Ramallah
April 26th, 2016

Attendees:
20 participant from the West Bank Clusters, MDLF, MOLG, and EQA (Annex 4-A)

Noting that MOLG has invited other aligned ministries: PWA, ministry of transportation and PEA, etc

MDLF, the safeguard and fiduciary agent for the ICUD project has conducted a public consultation workshop to present the Environmental and Social Management Framework (ESMF) draft to the ICUD major stakeholders.

Municipal Development and Lending Fund (MDLF) Acting Director introduced the session; Mr. Hazem Kawasmi who provided brief about MDLF, the major programs and projects, and MDLF role in the ICUD project as the Safeguard manager, the procurement and financial manager.

Following, Arch Shuroq Jaber from Planning Department at the MOLG provided detailed project description, the presentation summarized:

(i) urban challenges and beneficiaries and
(ii) Project objective, components, and institutional arrangements and roles (MoLG, LGUs and MDLF) and anticipated results.

A **summary** of the presentation is as follows:

- A project to assist five major urban clusters in West Bank and Gaza Strip (RAB, Nablus, Hebron, Bethlehem, and Gaza City), benefiting 1,0340,425 citizens of major cities, smaller towns, village councils and refugee camps;
- The major challenges that face development are the population growth, in-resilience in municipalities, and the lack of cooperation among towns, the deficit in financial resources to implement joint projects.
- Project Anticipated Outcomes:
    - Participating urban areas that establish and actively maintain an intra-urban area coordination mechanism;
    - Urban areas that develop cost-analyzed scenarios for urban growth and publicize them; and
    - Urban areas that reflect and align their preferred growth scenario with their member LGUs' spatial and urban plans.

A summary of the question-and-answers related to the initial presentation session is as follows:

- MOLG has conducted visits and meetings to the selected municipalities and village councils.
- How will the project be coordinated? Each Urban Cluster will have an appointed or designated coordinator at local level, and joint planning team.
- Duplication of plans: the planning process will be on sub regional level and shall integrate the existing plans, or recommend needed modifications.
- Relation with other related projects such as the CHF who worked on Planning Joint service Council for Bethlehem area was note and to be verified.

Environmental and Social Presentations: the environmental presentation was interactive where moderator asked questions to verify points further to answer all raised questions

MDLF Environmental and Social Officers presented the Environmental and Social Management Framework (ESMF) draft in separate presentations to the attendees with major topics:

- Laws and regulations;
- World bank safeguards, roles and responsibilities;
- Environmental screening;

- Potential environmental impact and mitigation for each project stage;
- Environmental risk;
- Capacity building, monitoring, reporting and auditing;
- Complaints, land ownership, and VLD; and
- EQA guidelines and forms.

MDLF emphasized about the participatory and partnership with EQA as the regulatory and supervisor of the environmental assessment. Furthermore, the project will obey EQA regulations in all project stages.

The LGUs will also coordinate with all aligned sectorial ministries for their participation and approval.

MDLF raised that integrating environmental and social aspects are to sustain, and efficiently utilize shared natural resources, cultural resources and livelihood and integrate the marginalized communities.

MDLF raised examples of the potential shared resources that shall be environmentally and socially sound planned, and stated that shared cultural and natural resources could be a baseline for cooperation.

MDLF stated that the need to identify environmental baseline for each cluster, to define environmental sound planning criteria and weights.

MDLF stated that many social crosscutting data should be gathered during assessment stage

The MDLF explained that planning wouldn't be restricted, however environmental and social aspects shall be complied.

MDLF notified participants that the ICUD only finances plans/studies and there will be no land acquisition financed as part of this project or added at a later stage to this Project, the World Bank (WB) Policy on Involuntary Resettlement, OP 4.12, will not apply to ICUD.

Studies as part of this project on urban space will cover private and public land. However, this project will not recommend, endorse, or facilitate future pipeline investments that are on private land, as well as the municipally owned land that has squatters / users of the land for livelihoods. Because studies might lead to expropriation beyond the time of World Bank involvement, recommended Resettlement Policy Framework (RPF) Content are attached to this ESMF as Annex 8 to provide guidance on any potential involuntary land acquisition after the lifetime of this project. The ESMF details the documentation of power of choice in cases of willing-seller willing-buyer and voluntary land donation (VLD).

TORs are to be prepared as environmental requirements of the planning stage in order to assist LGUs to verify if to proceed with concept planning into design, rejection or modification required. TORs could be on EIA, ESIA, IEE, socio-economic studies, etc.

The project will follow planning procedures with intrusion of environmental aspects to ensure sustainability, though planning committees shall be aware of the basic guidelines and requirements, further orientation will be conducted.

Capacity building in environmental and social considerations are required; however, it should be assessed and defined in details in the assessment stage.
EQA stated that this is the first time to integrate environmental and social aspects into the planning and asked to involve their directorate offices as participants in the planning committees.

Major notes raised by participants and replied by MDLF:

Participants stated that it's pioneer to utilize environmental and social aspects into planning, and emphasized on willingness to apply it.

Participants asked about the procedures, and the MDLF provided additional presentation on using the guidelines, forms. Furthermore, MDLF emphasized that Technical Assistance will support LGUs in environmental and social aspects by the MDLF EO and SO over the project period.

Participants emphasized on EQA participation in the planning committees and notified that aligned ministries are part of regional planning committees.

Participants emphasized to clarify the role of each LGU, and the refugee camps, and noticed that refugee camps has different laws and regulations to comply with.

Participants are willing to introduce environmental and social criteria into planning.

All of these points have been incorporated into this revised ESMF as deemed appropriate. Participants are to receive a revised version of the ESMF as soon as draft finalized, where minor changes was incorporated after the public consultation session.

التاريخ: 2016/04/26

المكان : فندق السيزر

التوقيت :9:30-1:00

Consultation Workshop

ICUD

الرقم	الاسم	المسمى الوظيفي	اسم البلدية	رقم الجوال	البريد الالكتروني	التوقيع
١	[illegible]	[illegible]	البيرة	0599274256	dima@al-bireh.org	[illegible]
٢	حنولة وليد عابد	[illegible]	[illegible]	0599997648	Khtaweel@gmail.com	[illegible]
٣	سليمان السارق	[illegible]	نابلس	0598903677	Sarel1966@Gmail.com	[illegible]
٤	علاء شاهين	رئيس قسم التخطيط	بلدية جنين	0599074228	shahin_alaa@hotmail.com	[illegible]

الرقم	الاسم	المسمى الوظيفي	اسم البلدية	رقم الجوال	البريد الالكتروني	التوقيع
5	اياهم الهموز	مهندس الحفيظ	الحلم لل	0599662133	hammouz71@gohoo.com	[signature]
6	علي جليل عطاونة	مهندس المجلس	مجلس قروي [illegible]	0592200547	akattawneh2488@yahoo.com	[signature]
7	غيثاء عبدالحليم نمر	مهندسة بلدية	بلدية صردا أبوقش	0599433913	ghaithanimer@hotmail.com	[signature]
8	م. فداء عازم	مهندس [illegible]	[illegible]	0594449814	fida1285@hotmail.com	[signature]
9	فيصل دورين	رئيس قسم التخطيط	دورا	0599889540		[signature]
10	م. حذيفة خشان	رئيس قسم [illegible]	دورا	0599937009	Eng.huthayfa@hotmail.com	[signature]
11	م. ربا صبح	رئيس تنظيم	[illegible]	0599789698	rubasobh@Gmail.com	[signature]
12	م. حنان منولي	مهندس / مدير البلدية	بيت ساحور	0592100254	hanan@beitsahourmunicipality.com	[signature]
13	م. منتصر ابو خلف	[illegible]	[illegible]	0599357375	montasera@malg.pna.ps	[signature]
14	م. لطفي صلاح	مدير دائرة الهندسة	بلدية [illegible]	0597915576	nsalah82@Yahoo.com	[signature]
15	م. يوسف الجعبري	مدير دائرة الهندسة	تقوع	0599524494	Yousef@hebron-city.p	
16	م. زغلول [illegible]	مدير عام	سلطة البيئة	0599264225	zaghloulsamhan@hotmail.com	[signature]

الرقم	الاسم	المسمى الوظيفي	اسم البلدية	رقم الجوال	البريد الالكتروني	التوقيع
17	[illegible] جابر	مهندسة تخطيط	MahG	0599714110	pafshuruq@yahoo.com	[signature]
18	[illegible] المصري	[illegible]	mdLF	0598779988	nalmasri@mdlf.org.ps	[signature]

7.4 Annex 4: Sample Outline of Environmental and Social Management Plan

Guidelines for a ICUD TA ESMP: An ESIA is needed for EA category B projects in order to identify the potential impacts and appropriate mitigation measures to be included in the ESMP. Any ICUD TA ESMP would have the following format:

1. **Project Description.**

2. **Description of Adverse Impacts**: The anticipated impacts are identified and summarized.

3. **Description of Mitigation Measures**: Each measure is described with reference to the effects it is intended to deal with. As needed, detailed plans, designs, equipment description, and operating procedures are described.

4. **Mitigation Indicators and Description of Monitoring Program**: Monitoring provides information on the occurrence of impacts. It helps identify how well mitigation measures are working, and where better mitigation may be needed. The monitoring program should identify what information will be collected, how, where and how often. It should also indicate at what level of effect there will be a need for further mitigation. How environmental impacts are monitored is discussed below.

5. **Monitoring methods**: Methods for monitoring the implementation of mitigation measures or environmental impacts should be as simple as possible, consistent with collecting useful information, so that the sub project implementer can apply them. For instance, they could just be regular observations of the sub project activities or sites during construction and then when in use. Are plant/equipment being maintained and damages repaired, does a water source look muddier/cloudier different than it should, if so, why and where is the potential source of contamination. Most observations of inappropriate behavior or adverse impacts should lead to common sense solutions. In some case, there may be need to require investigation by a technically qualified person.

6. **Responsibilities**: The people, groups, or organizations that will carry out the mitigation and monitoring activities are defined, as well as to whom they report and are responsible. There may be a need to train people to carry out these responsibilities, and to provide them with equipment and supplies.

7. **Implementation Schedule**: The timing, frequency and duration of mitigation measure and monitoring are specified in an implementation schedule, and linked to the overall sub project schedule.

8. **Capacity Development and Training**: If necessary, the ESMP can recommend specific, targeted training for project staff, contractor, and community groups to ensure the implementation of environmental safeguards recommendations.

9. **Cost Estimates and Source of Funds**: These are specified for the mitigation and monitoring activities as a sub project is implemented.

10. **Integration:** The ESMP must be integrated into the TA/feasibility studies planning and design, budget, specifications, estimated costs, bid documents, and contract/agreements clauses. Contract documents should only be finalized when site-specific ESMP recommendations are adequately and appropriately incorporated into the plan and design, cost estimates, specifications, and contract clauses.

7.5 Annex 5: Recommended Resettlement Policy Framework (RPF) Contents

The below describes the main elements of a Resettlement Policy Framework (RPF) taken from the World Bank Resettlement Sourcebook (2004), which should be consulted for more details on the preparation of an RPF.[3] The scope and level of detail of the framework vary with the magnitude and complexity of resettlement. The framework is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement framework covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the Resettlement Framework.

1. *Description of the project.* General description of the project and identification of the project area.

2. *Potential impacts.* Identification of:

(a) the project component or activities that give rise to resettlement;
(b) the zone of impact of such component or activities;
(c) the alternatives considered to avoid or minimize resettlement; and
(d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

3. *Objectives.* The main objectives of the resettlement program.

4. *Socioeconomic studies.* The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including

(a) the results of a census survey covering

(i)current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
(ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
(iii) the magnitude of the expected loss—total or partial—of assets, and the extent of displacement, physical or economic;
(iv) information on vulnerable groups or persons as provided for in OP 4.12, para. 8, for whom special provisions may have to be made; and
(v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

(b) Other studies describing the following

(i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
(ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how
they will be affected by the project;
(iii) public infrastructure and social services that will be affected;
and

[3]For more information on content of an RPF, please see page 27 of the Involuntary Resettlement Sourcebook (2004) at http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2004/10/04/000012009_20041004165645/Rendered/PDF/301180v110PAPE1ettlement0sourcebook.pdf.

(iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g. community organizations, ritual groups, nongovernmental organizations [NGOs]) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

5. *Legal framework*. The findings of an analysis of the legal framework, covering
(a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
(b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project;
(c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation;
(d) laws and regulations relating to the agencies responsible for implementing resettlement activities;
(e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to
bridge such gaps; and
(f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land—including claims that derive from customary law and traditional usage (see OP 4.12, para. 15b).

6. *Institutional framework.* The findings of an analysis of the institutional framework covering
(a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation;
(b) an assessment of the institutional capacity of such agencies and NGOs; and
(c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

7. *Eligibility*. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.

8. *Valuation of and compensation for losses*. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

9. *Resettlement measures.* A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy (see OP 4.12, para. 6). In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons, and prepared in consultation with them.

10. *Site selection, site preparation, and relocation*. Alternative relocation sites considered and explanation of those selected, covering:
(a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
(b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
(c) procedures for physical relocation under the project, including
timetables for site preparation and transfer; and

(d) legal arrangements for regularizing tenure and transferring titles to resettles.

11. *Housing, infrastructure, and social services.* Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services);[4] plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

12. *Environmental protection and management.* A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

13. *Community participation.* Involvement of resettlers and host communities,[5] including
(a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;
(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement framework;
(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of preexisting communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property
(e.g. places of worship, pilgrimage centers, cemeteries);[6]and
(d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

14. *Integration with host populations.* Measures to mitigate the impact of resettlement on any host communities, including:
(a) consultations with host communities and local governments;
(b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;
(c) arrangements for addressing any conflict that may arise between resettlers and host communities; and
(d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.

15. *Grievance procedures.* Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

16. *Organizational responsibilities.* The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

17. *Implementation schedule.* An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

18. *Costs and budget*. Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

19. *Monitoring and evaluation*. Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

7.6 Annex 6: Chance Find Procedures

Contracts for civil works involving excavations should normally incorporate procedures for dealing with situations in which buried physical cultural resources (PCR) are unexpectedly encountered, as is often the case in West Bank and Gaza. The final form of these procedures will depend upon the local regulatory environment, including any chance find procedures already incorporated in legislation dealing with antiquities or archaeology. For ICUD-defined projects, chance finds procedures contain the following elements:

1. PCR Definition

In some cases the chance finds procedure is confined to archaeological finds; more commonly it covers all types of PCR. In the absence of any other definition from the local cultural authorities, the following definition could be used: "movable or immovable objects, sites, structures or groups of structures having archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance".

2. Ownership

The identity of the owner of the artifacts found should be ascertained if possible. Depending on the circumstances, the owner could typically be, for example, the state, the government, a religious institution, the landowner, or could be left for later determination by the concerned authorities.

3. Recognition

As noted above, in PCR-sensitive areas, recognition and confirmation of the specific PCR may require the contractor to be accompanied by a specialist. A clause on chance finds should be included in every contractor's specifications.

4. Procedure upon Discovery

Suspension of Work

If a PCR comes to light during the execution of the works, the contractor shall stop the works. Depending on the magnitude of the PCR, the contractor should check with the Ministry of Tourism and Antiquities (MoTA) for advice on whether *all works* should be stopped, or only the works immediately involved in the discovery, or, in some cases where large buried structures may be expected, all works may be stopped within a specified distance (for example, 50meters) of the discovery. MoTA's decision should be informed by a qualified archaeologist.

After stopping work, the contractor must immediately report the discovery to the Resident Engineer. The contractor may not be entitled to claim compensation for work suspension during this period. The Resident Engineer may be entitled to suspend work and to request from the contractor some excavations at the contractor's expense if he thinks that a discovery was made and not reported.

Demarcation of the Discovery Site

With the approval of the Resident Engineer, the contractor is then required to temporarily demarcate, and limit access to, the site.

Non-Suspension of Work

The procedure may empower the Resident Engineer to decide whether the PCR can be removed and for the work to continue, for example in cases where the find is one coin.

Chance Find Report

The contractor should then, at the request of the Resident Engineer, and within a specified time period, make a *Chance Find Report*, recording:

- Date and time of discovery;
- Location of the discovery;

- Description of the PCR;
- Estimated weight and dimensions of the PCR;
- Temporary protection implemented.

The *Chance Find Report* should be submitted to the Resident Engineer, and other concerned parties as agreed with the cultural authority, and in accordance with Palestinian national legislation. The Resident Engineer, or other party as agreed, is required to inform the cultural authority accordingly.

Arrival and Actions of Cultural Authority

The cultural authority undertakes to ensure that a representative will arrive at the discovery site within an agreed time such as 24 hours, and determine the action to be taken. Such actions may include, but not be limited to:

- Removal of PCR deemed to be of significance;
- Execution of further excavation within a specified distance of the discovery point;
- Extension or reduction of the area demarcated by the contractor.

These actions should be taken within a specified period, for example, 7 days. The contractor may or may not be entitled to claim compensation for work suspension during this period.

If the cultural authority fails to arrive within the stipulated period (for example, 24 hours), the Resident Engineer may have the authority to extend the period by a further stipulated time. If the cultural authority fails to arrive after the extension period, the Resident Engineer may have the authority to instruct the contractor to remove the PCR or undertake other mitigating measures and resume work. Such additional works can be charged to the contract. However, the contractor may not be entitled to claim compensation for work suspension during this period.

Further Suspension of Work

During this 7-day period, the Cultural authority may be entitled to request the temporary suspension of the work at or in the vicinity of the discovery site for an additional period of up to, for example, 30 days. The contractor may, or may not be, entitled to claim compensation for work suspension during this period. However, the contractor will be entitled to establish an agreement with the cultural authority for additional services or resources during this further period under a separate contract with the cultural authority.

7.7 Annex 7: Sample Environmental Requirements for Contractors

Contractor(s) hired for civil works would be required to incorporate applicable environmental mitigation measures. In addition and as applicable, contractors will also adhere to the following requirements that are legally obligated:

General:
These general environmental guidelines apply to any work to be prepared as part of the ICUD project. For certain work sites entailing specific environmental and/or social issues, a specific Environmental Management Plan (ESMP), has been prepared to address the above-mentioned specific issues in addition to these general environmental guidelines. In addition to these general Environmental Guidelines, the Contractor shall therefore comply with any specific ESMP for the works he is responsible for. The Client about such an ESMP shall inform the Contractor for certain work sites, and prepare his work strategy and plan to fully take into account relevant provisions of that ESMP. If the Contractor fails to implement the approved ESMP after written instruction by the works supervisor to fulfill his obligation within the requested time, the Client reserves the right to arrange for execution of the missing action by a third party on account of the Contractor.

Notwithstanding the Contractor's obligation under the above clause, the Contractor shall implement all measures necessary to avoid undesirable adverse environmental and social impacts wherever possible, restore work sites to acceptable standards, and abide by any environmental performance requirements specified in an ESMP where such an ESMP applies.

These Environmental Guidelines, as well as any specific ESMP, apply to the Contractor. They also apply to any sub-contractors present on Project work sites at the request of the Contractor with permission from the Client.

General Environmental Protection Measures
In general, environmental protection measures to be taken at any work site shall include but not be limited to:
(a) Minimize the effect of dust on the environment resulting from earth mixing sites; vibrating equipment, construction related traffic on temporary or existing access roads, etc. to ensure safety, health and the protection of workers and communities living approximately work sites and access roads.
(b) Ensure that noise levels emanating from machinery, vehicles and noisy construction activities (e.g. excavation, blasting) comply with Palestinian standards and are generally kept at a minimum for the safety, health and protection of workers within the vicinity of high noise levels and nearby communities.
(c) Ensure that existing water flow regimes in rivers, streams and other natural or irrigation channels are maintained and/or re-established where they are disrupted due to works being carried out.
(d) Prevent any construction-generated substance, including bitumen, oils, lubricants and wastewater used or produced during the execution of works, from entering into rivers, streams, irrigation channels and other natural water bodies/reservoirs.
(e) Avoid or minimize the occurrence of standing water in holes, trenches, borrow areas, etc.
(f) Prevent and minimize the impacts of quarrying, earth borrowing, piling and building of temporary construction camps and access roads on the biophysical environment including protected areas and arable lands; local communities and their settlements. Restore and rehabilitate all sites.
(g) Upon discovery of graves, cemeteries, cultural sites of any kind, including ancient heritage, relics or anything that might or believed to be of archeological or historical importance during the execution of works, immediately report such findings to the Client (PIA and MoF) so that the Ministry in charge of Culture (Ministry of Tourism and Antiquities (MoTA)) may be expeditiously contacted for fulfillment of the measures aimed at protecting such historical or archaeological resources.
(h) Prohibit construction workers from engaging in the exploitation of natural resources such as hunting, fishing, and collection of forest products or any other activity that might have a negative impact on the social and economic welfare of the local communities. Prohibit explicitly the transport of any bush meat in Contractor's vehicles.

(i) Prohibit the transport of firearms in Project-related vehicles.
(j) Prohibit the transport of third parties in Project-related vehicles.
(k) Implement soil erosion control measures in order to avoid surface run off and prevent siltation, etc.
(l) Ensure that garbage, sanitation and drinking water facilities are provided in construction workers camps.
(m) Ensure that, in as much as possible, local materials are used to avoid importation of foreign material and long distance transportation.
(n) Ensure public safety, and meet Palestinian traffic safety requirements for the operation of work to avoid accidents.
(o) Ensure that any trench, pit, excavation, hole or other hazardous feature is appropriately demarcated and signposted to prevent third-party intrusion and any safety hazard to third parties.
(p) Comply with Palestinian speed limits, and for any traffic related with construction at F4J sites, comply with the following speed limits unless Palestinian speed limits are lower:

- Inhabited areas: 50 km/h
- Open road: 90 km/h.

(q) Ensure that, where unskilled daily-hired workforce is necessary, such workers are hired from neighboring communities.
(r) Generally comply with any requirements of Palestinian law and regulations.
Besides the regular inspection of the sites by the supervisor appointed by the Client for adherence to the Contract conditions and specifications, the Client may appoint an environmental inspector to oversee the compliance with these environmental conditions and any proposed mitigation measures. National or district EQA Officers may carry out similar inspection duties. In all cases, as directed by the Client's supervisor, the Contractor shall comply with directives from such inspectors.

Drilling
The Contractor will make sure that any drilling fluid, drilling mud, mud additives, and any other chemicals used for drilling at any F4J construction site complies with Palestinian health and safety requirements. In general, only bio-degradable materials will be used. The Contractor may be required to provide the detailed description of the materials he intends to use for review and approval by the Client. Where chemicals are used, further review of these chemicals with respect to the World Bank's safeguard policy OP 4.09 "Pest Management" should be reviewed, and corrective measures implemented.

Drilling fluids will be recycled or disposed of in compliance with Palestinian regulations in an authorized disposal site. If drilling fluids cannot be disposed of in a practical manner, and if land is available near the drilling site that is free of any usage rights, the Contractor may be authorized to dispose of drilling fluids near the drilling site. In this occurrence, the Contractor will be required to provide to the Client due evidence of their total absence of potential environmental impacts, such as leachate tests certified by an agreed laboratory. In this case, drilling fluids will be dried at site, mixed with earth and spread at site.

Any site affected by drilling work will be restored to its initial condition. This applies to drilling pads, access roads, staging areas, etc. Topsoil will be stripped ahead of any earthmoving, stored near the construction site, and replaced in its original location after the recontouring of the area affected by the works.

Where successive aquifers are intersected by the drilling works and upon order by the work supervisor, the Contractor may be required to take measures to isolate aquifers from contamination by each other.

The Contractor will take all measures to avoid bacteriological or chemical contamination of the intersected aquifers by the drilling equipment. Similarly, the Contractor will take all measures to avoid bacteriological or chemical contamination of the intersected aquifers from the surface by providing an adequately sealed wellhead.

When greasing drilling equipment, the Contractor will avoid any soil contamination. In the event of a limited hydrocarbon spill, the Contractor will recover spilled hydrocarbons and contaminated soils in sealed drums and dispose of them in an authorized waste management facility.

Unless duly requested by the Contractor and authorized by the supervisor, no servicing of drilling equipment or vehicles is permitted at the drilling site.

Pipelines

No trench shall be left open for more than 7 days, unless duly authorized by the supervisor upon Contractor's request. Trenches and other excavation works shall be demarcated and/or signposted to avoid third party intrusion.

General conditions related with topsoil stripping, storage and restoration apply.

The Contractor will take measures to dispose of water used for pressure tests in a manner that does not affect neighboring settlements.

Waste Management

All drums, containers, bags, etc. containing oil/fuel/surfacing materials and other hazardous chemicals shall be stored at construction sites on a sealed and/or bonded area in order to contain potential spillage. All waste containers, litter and any other waste generated during the construction shall be collected and disposed of at designated disposal sites in line with applicable Palestinian government waste management laws/regulations. In this aspect, it is not to allow the use on any asbestos containing material, which shall be clearly stated in the specifications, bidding documents and the contract.

All drainage and effluent from storage areas, workshops, housing quarters and generally from campsites shall be captured and treated before being discharged into the drainage system in line with applicable government water pollution control regulations.

Used oil from maintenance shall be collected, properly stored in sealed containers, and either disposed of appropriately at designated sites or be re-cycled.

Entry of runoff into construction sites, staging areas, campsites, shall be restricted by constructing diversion channels or holding structures such as berms, drains, dams, etc. to reduce the potential of soil erosion and water pollution.

Construction waste shall not be left in stockpiles along the road, but removed and reused or disposed of on a daily basis.

Where temporary dump sites for clean excavated material are necessary, they shall be located in areas, approved by the Client's supervisor, where they will not result in supplemental erosion. Any compensation related with the use of such sites shall be settled prior to their use.

The supervisor and appropriate local and/or relevant national or local authorities before the commencement of work shall approve areas for temporary storage of hazardous materials such as contaminated liquid and solid materials. Disposal of such waste shall be in existing, approved sites.

Quarries and Borrow Areas

The Contractor shall obtain appropriate licenses/permits from relevant authorities to operate quarries or borrow areas. The location of quarries and borrow areas shall be subject to review and approval by relevant local and national authorities.

New extraction sites:
a) Shall not be located less than 1km from settlement areas, archaeological areas, and cultural sites – including churches and cemeteries, wetlands or any other valued ecosystem component, or on high or steep ground.
b) Shall not be located in water bodies, or adjacent to them, as well as to springs, wells, well fields.
c) Shall not be located in or near forest reserves, natural habitats or national parks.
d) Shall be designed and operated in the perspective of an easy and effective rehabilitation. Areas with minimal vegetation cover such as flat and bare ground, or areas covered with grass only or covered with shrubs less than 1.5m in height, are preferred.
e) Shall have clearly demarcated and marked boundaries to minimize vegetation clearing and safety hazards for third parties.

The licensing/permitting for operating quarries, borrow areas, and new extraction sites shall comply with the World Bank Safeguard Policy OP/BP 4.12 and shall include the above provisions. Related environmental and social impacts of the licensing/permitting process are to be considered in the screening of the ICUD subprojects.

Vegetation clearing shall be restricted to the area required for safe operation of construction work. Vegetation clearing shall not be done more than two months in advance of operations.

Stockpile areas shall be located in areas where trees or other natural obstacles can act as buffers to prevent dust pollution, and generally at a distance from human settlements. Wind shall be taken into consideration when siting stockpile areas. Perimeter drains shall be built around stockpile areas.

The Contractor shall deposit any excess material in accordance with the principles of these guidelines, and any applicable ESMP, in areas approved by local authorities and/or the supervisor.

Rehabilitation of Work and Camp Sites

Topsoil shall be stripped, removed and stored for subsequent rehabilitation. Soils shall not be stripped when they are wet. Topsoil shall not be stored in large or high heaps. Low mounds of no more than 1 to 2m high are recommended.

Generally, rehabilitation of work and campsites shall follow the following principles:

- To the extent practicable, reinstate natural drainage patterns where they have been altered or impaired.
- Remove toxic materials and dispose of them in designated sites. Backfill excavated areas with soils or overburden that is free of foreign material that could pollute groundwater and soil.
- Ensure reshaped land is formed to be stable, adequately drained and suitable for the desired long-term land use, and allow natural regeneration of vegetation.
- Minimize erosion by wind and water both during and after the process of reinstatement.
- Compacted surfaces shall be deep ripped to relieve compaction unless subsurface conditions dictate otherwise.
-

Management of Water Needed for Construction Purposes

The Contractor shall at all costs avoid conflicting with water needs of local communities. To this effect, any temporary water abstraction for construction needs from either ground or surface water shall be submitted to the following community consultation process:

- Identification of water uses that may be affected by the planned water abstraction,
- Consultation with all identified groups of users about the planned water abstraction,
- In the event that a potential conflict is identified, report to the supervising authority.

This consultation process shall be documented by the Contractor (minutes of meeting) for review and eventual authorization of the water withdrawal by the Client's supervisor.

Abstraction of both surface and underground water shall only be done with the consultation of the local community as mentioned and after obtaining a permit from the relevant authority.

Abstraction of water from wetlands is prohibited.

Temporary damming of streams and rivers is submitted to approval by the supervisor. It shall be done in such a way as to avoid disrupting water supplies to communities downstream, and to maintain the ecological balance of the river system.

No construction water containing spoils or site effluent, especially cement and oil, shall be allowed to flow into natural water drainage courses. Similarly, wash water from washing out of equipment shall not be discharged into watercourses or road drains. Washing bays shall be sited accordingly. Unless site conditions are not favorable, it will generally be infiltrated through soak pits or similar.

Site spoils and temporary stockpiles shall be located away from the drainage system, and surface run off shall be directed away from stockpiles to prevent erosion.

Traffic Management and Community Safety

Location of temporary access roads shall be done in consultation with the local community and based on the screening results, especially in important or sensitive environments. Temporary access roads shall not traverse wetland areas or other ecologically sensitive areas. The construction of any access roads shall be submitted to a prior consultation process with potentially affected communities that will have to be documented (minutes of meetings) for supervisor's review and approval.

Upon the completion of civil works, all temporary access roads shall be ripped and rehabilitated.

Measures shall be taken to suppress dust emissions generated by Project traffic.

Maximum speed limits for any traffic related with construction at STDP sites shall be the following, unless Palestinian speed limits are locally lower:

- Inhabited areas: 50 km/h
- Open road: 90 km/h.
-

Salvaging and Disposal of Obsolete Components Found by Rehabilitation Works

40. Obsolete materials and construction elements such as electro-mechanical equipment, pipes, accessories and demolished structures shall be salvaged and disposed of in a manner approved by the supervisor. The Contractor has to agree with the supervisor that elements are to be surrendered to the Client's premises, which will be recycled or reused, and which will be disposed of at approved landfill sites.

41. Any asbestos cement material that might be uncovered when performing rehabilitation works will be considered as hazardous material and disposed of in a designated facility.

Damage to Property

However, in the event that the Contractor, deliberately or accidentally, damages property, he shall repair the property to the owner's satisfaction and at his own cost. For each repair, the Contractor shall obtain from the owner/user a certificate that the damage has been made good satisfactorily in order to indemnify the Client from subsequent claims.

Contractor's Health, Safety and Environment Management Plan (HSE-MP)
Within 6 weeks of signing the Contract, the Contractor shall prepare an HSE-MP to ensure the adequate management of the health, safety, environmental and social aspects of the works, including implementation of the requirements of these general conditions and any specific requirements of an ESMP for the works. The Contractor's EHS-MP will serve two main purposes:

The Contractor's HSE-MP shall provide at least:

- a description of procedures and methods for complying with these general environmental management conditions, and any specific conditions specified in an ESMP;
- a description of specific mitigation measures that will be implemented in order to minimize adverse impacts;
- a description of all planned monitoring activities and the reporting thereof; and
- the internal organizational, management and reporting mechanisms put in place for such.

The Contractor's HSE-MP will be reviewed and approved by the Client before start of the works. This review should demonstrate if the Contractor's HSE-MP covers all of the identified impacts, and has defined appropriate measures to counteract any potential impacts.

HSE Reporting
The Contractor shall prepare bi-monthly progress reports to the Client on compliance with these general conditions, the project ESMP if any, and his own HSE-MP. The Contractor's reports will include information on:

- HSE management actions/measures taken, including approvals sought from local or national authorities;
- Problems encountered in relation to HSE aspects (incidents, including delays, cost consequences, etc. as a result thereof);
- Non-compliance with contract requirements on the part of the Contractor;
- Changes of assumptions, conditions, measures, designs and actual works in relation to HSE aspects; and
- Observations, concerns raised and/or decisions taken with regard to HSE management during site meetings.

The reporting of any significant HSE incidents shall be done as soon as practicable. Such incident reporting shall therefore be done individually. The Contractor should keep his own records on health, safety and welfare of persons, and damage to property. It is advisable to include such records, as well as copies of incident reports, as appendixes to the bi-monthly reports. Details of HSE performance will be reported to the Client.

Training of Contractor's Personnel
The Contractor shall provide sufficient training to his own personnel to ensure that they are all aware of the relevant aspects of these general conditions, any project ESMP, and his own HSE-MP, and are able to fulfill their expected roles and functions. Specific training will be provided to those Employees that have particular responsibilities associated with the implementation of the HSE-MP. The Client will document training activities for potential review

Penalties Associated with Contractor Non-Compliance
The next page gives a template for how to record and inform the project contractor of HSE-MP related non-compliance issues, as well as a suggested penalty program to be included in bidding documents and contracts.

Environmental and Social Note No ( )	
Municipality	Date
Project Name	
Site Location	
Contractor	
The Environmental Note	
Municipality Supervisor /Engineer	
Local Technical Consultant	
Contractor Representative on time of note	
Submitted to Contractor Representative	
Submitted to MDLF on	
Hour	
Date	

ESMF Compliance Penalty [7]		
no	**Environmental and Social Note**	**Penalty**
1	1	Stop/Alert
2	2	Stop /Deduct 0.05% for each mitigation measure[8] according to the project. and minimum 20 Euro
3	3	Stop /Deduct 0.05% for each mitigation measure according to the project. and minimum 20 Euro
4	4	Stop /Deduct 0.1% for each mitigation measure according to the project. and minimum 40 Euro
5	4+1	Each 3 notes + deduction: For example: Stop /Deduct 0.1%+0.5(0.1%) for each mitigation measure according to the project. and minimum 60Euro
		If Penalties Rate approach 3% of Contract cost its recommended to stop work, and send official request to MDLF of the proposed action according to bidding documents and procurement manual.

[7]For Social issues only item number 1 is applied.

[8] Detailed mitigation measures noncompliance cost is to be depicted in the Bidding Documents based on the project sector and upon screening and review.