

**Mekong River Commission Procedures for
Notification, Prior Consultation and Agreement**

Form/Format for Reply to Prior Consultation

1. Replying State(s):

The Government of the Kingdom of Cambodia

2. Date of reply:

22 March 2019

3. Replying Ministry(ies)/Agency(ies) (Name, mail/e-mail address, telephone, fax):

Cambodia National Mekong Committee (CNMC)
#576, National Road No.2, Sangkat Chak Angre Krom, Khan Meanchey, Phnom
Penh, Cambodia, P.O. Box 2214, Phnom Penh 3.
E-mail:cnmcs@cnmc.gov.kh
Phone: +855 (0) 23 216 514
Fax: +855 (0) 23 218 506

4. Contact person/facilitator (Name, mail/e-mail address, telephone, fax):

H. E. Mr. Watt Botkosol
Deputy Secretary General of CNMC

Address: #576, National Road No 2, Sangkat Chak Angre Krom, Khan Meanchey, Phnom
Penh, Cambodia, P.O. Box 2214, Phnom Penh 3.
E-mail:cnmcs@cnmc.gov.kh
Phone: +855 (0) 23 216 514
Fax: +855 (0) 23 218 506

5. Name of the proposed use/project:

Pak Lay Hydropower Project

6. Location of the proposed use:

In Pak Lay District, Xayabury Province, Northern part of Lao PDR

7. Nature of proposed use

Intra-basin water use on the mainstream during wet and dry seasons

8. Date of receipt of the document:

8 August, 2018

9. Reply to proposed use:

CNMC hold a series of national consultation meetings that facilitated by Inter-Ministerial Working Group (IMWG) with assistance from national experts and participated by various

stakeholders including from National Line Agencies, Civil Society Organizations, Non-governmental Organizations, Research Institutes, Academia and provincial agencies and authorities.

The outcomes of these consultation meetings and comments from key line Ministries concerned have been taken into account and incorporated into this Reply Form for submission to the MRC Joint Committee via the MRCS. We strongly support the recommendations in the TRR of the MRCS and we provide additional recommendations as follows:

In general, we found that it is needed for further identification of the transboundary environmental impacts considering great assessment and proper mitigation plan and measures. There include the assessment of transboundary and cumulative impacts in cascade dams, existing, under construction and planned. The assessments and analysis should refer to relevant MRC's tools, procedures and guidelines such as PDG, SHDS, RSAT, SEA and TbEIA. In addition, there is required for operation of the Joint Action Plan and Joint Environmental Monitoring Program for all hydropower projects on the mainstream.

For specific recommendations:

For hydrology issues, there is need for the analysis of the impacts of upstream developments, the existing, under construction and planned schemes, both in the mainstream and tributaries and climate change impacts. The analysis should focus on the impact of downstream during dry season of driest year and during hydro-peak and data used for the model need to be shared and determined/elaborated minimum flow/environmental flow downstream of Pak Lay Hydropower Project (PLHPP).

For sediment issues, it is required for conducting a robust assessment of potential transboundary impacts associated with PLHPP by using the most updated sediment transport and geomorphic information. The impacts related to sediment's additional trapping have to be quantified with the existing and future developments in the LMB. The information on how downstream erosion and sediment delivery have to be monitored identified and addressed. Importantly, mitigation measurements on the impacts and changes of sediment transport have to be clearly identified and addressed to ensure the sediment trapping in the impounded reach applying with operating roles that allow flushing at lower flows.

For dam safety issues, it is necessary to follow international standards and have clear mitigation measures and emergency preparedness plan, and establishes joint mechanism for relief and/or compensation.

For navigation issues, the design of ship lock should be in compliance with PDG to ensure that navigation route can still be operated safely and efficiently and can applied also for additional fish passage during idle navigation time and assure enough space for the second ship lock when traffic become busier.



For Water Quality and Aquatic ecosystems issues, it is recommended that a comprehensive assessment on the potential water quality and aquatic ecosystem impacts of PLHPP should be carried out before dam construction. Water quality should be technically monitored during construction and operation and aligned with the MRC's Water Quality Monitoring Network. It is required the information and data on the fundamental and critical aquatic habitats, the lost biodiversity's aquatic productivity and the potential impacts on the LMB wider ecosystem. The Environmental Monitoring and Management Program (EMMP) included the monitoring of different aquatic habitats, ecological health and biological hotspot would be well operated and maintained.

For Fisheries and Fish Passage issues, it is recommended to use the most update MRC's baseline data and information for PLHPP and to undertake the cumulative and transboundary fisheries impact assessment. The design of fish-pass facilities should be compatible with all projects in the cascade to assure effective mitigation measures of fish migration and spawning. In addition, fish passage should be technically and regularly monitored and key fish habitats in both upstream and downstream should be well-protected.

For Socio-Economic issues, it is recommended that the most update baseline data and information on socio-economic used for PLHPP and to assess the degree of people dependent on water and river. In addition, transboundary benefit sharing plan, transboundary and cumulative impact assessment should be considered, including the mitigation measure for downstream zone 4 and zone 5, and provide consistent socio-economic assessment statement.

It is hoped that the Notifying Country and Developer will comply fully and make every effort to fulfill with all the recommendations from Cambodia and as expressed clearly in the MRCS Technical Review Report regarding the PLHPP.

