

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

## Form/Format for Reply to Prior Consultation

1. **Replying State(s):**  
Cambodia
2. **Date of reply:**  
02 April, 2020
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. Kol Vathana  
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:**  
Luang Prabang Hydropower Project (LPHPP)
6. **Location of the proposed use:**  
In Luang Prabang District, Luang Prabang Province, Northern part of Lao PDR
7. **Nature of proposed use**  
The Intra-basin water use on the mainstream during wet and dry seasons
8. **Date of receipt of the document:**  
8 October, 2019
9. **Reply to proposed use:**

The Mekong River Commission (MRC) Secretariat officially submitted the documents of the proposed LPHPP of Lao PDR on the Mekong Mainstream on 3 September 2019 to the MRC Member Countries for Prior Consultation under the MRC Procedures on Notification, Prior Consultation and Agreement (PNPCA). Based on the agreed roadmap for the PNPCA Prior Consultation Process for the LPHPP,



Cambodia through the Cambodia National Mekong Committee (CNMC) had consulted with the key line Ministries and organized a series of national consultation Meetings that were facilitated by Inter-Ministerial Working Group (IMWG) with assistance from National Experts and participated by various multi-stakeholders including from the 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 (MRC-JC) via the MRC Secretariat. Our comments and recommendations that are required the highly proper and effective attentions and actions are summarized below:

**In general, we found that it is needed for** further identification of the transboundary environmental impacts considering for the greater assessment and proper and effective mitigation plans and measures. These need be included the assessment of transboundary and cumulative impacts in cascade dams, both existing, under construction and planned. The assessments and analysis need to refer to relevant MRC's tools, procedures and guidelines. In addition, there need to be for the effective implementation and operation of the Joint Action Plan (JAP) and Joint Environmental Monitoring Program (JEM) for the existing hydropower Projects on the Mekong Mainstream.

#### **For Specific Recommendations:**

**For Hydrology Issues**, there is a need to mention manually recorded /observed rainfall data in the project area and Long-term monitoring of water-level and discharge at the dam site and provide Information on the QA/QC of data collected. The analysis needs to outline conjunctive operation between HPPs in the cascade, especially during dry season and possible rapid fluctuations in water levels downstream of the dam and be assured that other uses of water at downstream for future development and be considered the Climate Change in the use of hydrological data for the design and environmental flow at downstream and upstream of the project.

**For Sediment and Water Quality Issues**, it is required to describe clearly the sediment management strategies and mitigation measures to address the impact of sediment transport through the proper and effective technical sediment management plan, implementation and monitoring program and the need for a high level of effective coordination and appropriate operation to minimise negative and cumulative transboundary impacts. In all LPHPP's project documents, statement related to sediment should be consistent with PDG. Water quality, hydraulic and sediment transport should be regularly monitored in all stages of the project, before construction, during construction and operation.

**For Fisheries and Aquatic Ecosystem Issues**, it is needed and necessary to study on fish/aquatic habitats along the Mekong River's tributaries and mainstream in the four MRC Member Countries for developing JAP to protect and conserve the habitats, preventing the loss due to the impact from the Mekong River Cascade dams, particularly for key fish species that require flowing water for migration. It needs to be ensured the specific environmental flows from LPHPP to overcome the potential harmful impacts on the spawning grounds and habitats of key fish species at the immediate downstream area of the proposed dam and cumulative and negative impacts to downstream, including Cambodia. In addition, it needs more detail study on cumulative impacts on fisheries and biodiversity by the Mekong mainstream's HPPs, including



projects under construction and operation and the proposed projects of Lao PDR. Fish pass design should be technically accommodated with fish biology and ecology and consistent with other fish passages for its efficiency along the cascade for the key fish species for effective migration connectivity from one dam to other dams. There is a need to define interlink measures within Environmental Management and Monitoring Plans (EMMPs) of the LPHPP and of the other Mekong Mainstream's HPPs of Lao PDR and their actions should be practically implemented to ensure the effective mitigations of negative cumulative impacts on fisheries, biodiversity and fish/aquatic habitats in both Mekong upstream and downstream, including the Tonle Sap Great Lake in Cambodia, with adequate budget for high responsibilities and effectiveness implementation.

**For Navigation Issues,** it is necessary to provide additional alternative design for future doubling of the ship locks or to consider the regional navigation expansion in the design of ship lock and it is needed the more information on operation rule curve for better understanding of the ship lock location and situation of navigation route. During the construction, the suspended time and additional cost to the waterborne transportation is minimized and it should be provided enough approach channels and waiting pier especially for future expansion. It should be assured emergency access to both sides of each lock complex in the event of flooding or the damage of the lock gates.

**For Dam Safety Issues,** need to be elaborated on reservoir scheduling for power generation and for floods (Operation Rule Curve). Construction supervision and quality assurance plan and the detailed Potential Failure Modes Assessment (PFMA) should be provided to identify credible failure modes for the dam and appurtenant structures. It should be clearly mentioned and elaborated on how to establish an independent panel of experts and responsibility for all cost associated with the implementation of the dam safety and emergency response aspects, including the provision of budgets, covering the design, implementation and operation stages. Furthermore, it should be described properly the Flood Forecasting and Warning System in order to provide operational warning for all people within the inundated areas identified by the flood modeling and mapping.

**For Socio-Economic Issues,** There is a need to provide up-to-date information of livelihoods and living conditions on downstream and upstream zones of Mekong River to quantify the predicted impacts drawn from relevant MRC studies particularly on the transboundary nature. Risk investment needs to be developed and the cost and benefit analysis for environment and society needs to be conducted and the practical joint monitoring and impact and risk mitigation need to be in place. It must be clearly defined the commitments in terms of budgetary, implementation, monitoring and adaptive management for cumulative impacts for both local and transboundary context and to ensure its effectiveness for implementation.

In addition to our comments and recommendations mentioned above, Cambodia fully supports the findings and recommendations in the MRC Technical Review Report (TRR) for LPHPP and the Notifying Country and Developer are requested to address fully and effectively.

With these, it is our firm hope and belief that all of our comments and recommendations and the findings and recommendations mentioned in the MRC TRR be carefully considered with highest attentions for effective actions by the Notifying Country and Developer and make every effort in their success to avoid, minimize and mitigate the potential negative transboundary and cumulative impacts.