

The 6th Regional Stakeholder Forum

Second Regional Information Sharing on Pak Lay Prior Consultation Process

17 January 2019

Luang Prabang, Lao PDR



Overall Approach

for the Preparation of the 2nd draft of the Technical Review Report (TRR) of Pak Lay Hydropower Project

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- Introduction and Purpose
- Approach
- Submitted documents
- Contents of technical review report
- Comments on the 1st draft TRR submitted by LNMC



I. INTRODUCTION AND PURPOSE

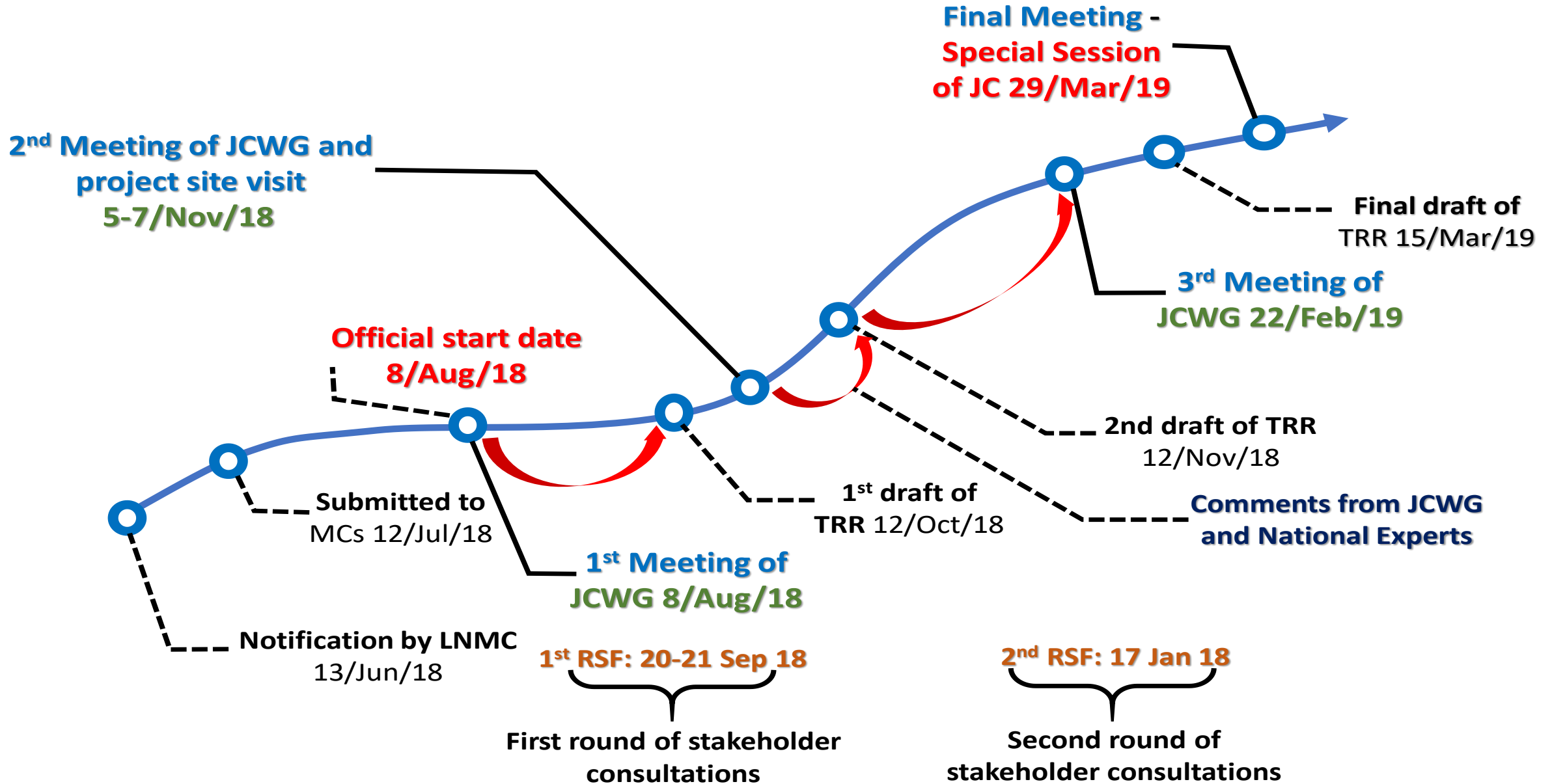
- 13 JUNE 2018: Lao Gov notified for PNPCA PC for Pak Lay HPP
- 4th proposed use following PC for Xayabouri in 2010-2011; Don Sahong in 2014-2015 & Pak Beng in 2016-2017
- *Overview of the Documentation - summarized on the MRC website*
- Scoping Assessment Report prepared by MRCS specialists
- Issues & gaps of submitted docs
- Approach to prepare **Technical Review Report (TRR)**
- Bases on MRC Preliminary Design Guidance (PDG)
- TRR aims to provide an equitable basis for MRC JC to **CONSIDER ALL Viable** and **reasonable measures** to **avoid, minimise** or **mitigate** potential Tb impacts of the proposed project



The Pak Lay Hydropower Project

- Run-of-river project
- 241 km upstream of Vientiane
- 4th cascade of dam projects in LMB
- Installed capacity: 770 MW
- Turbines: 14*55 MW
- Construction date: ~2022
- Operation date: ~2029
- Mainly for export & local consumption

Implementation Roadmap – key event and products

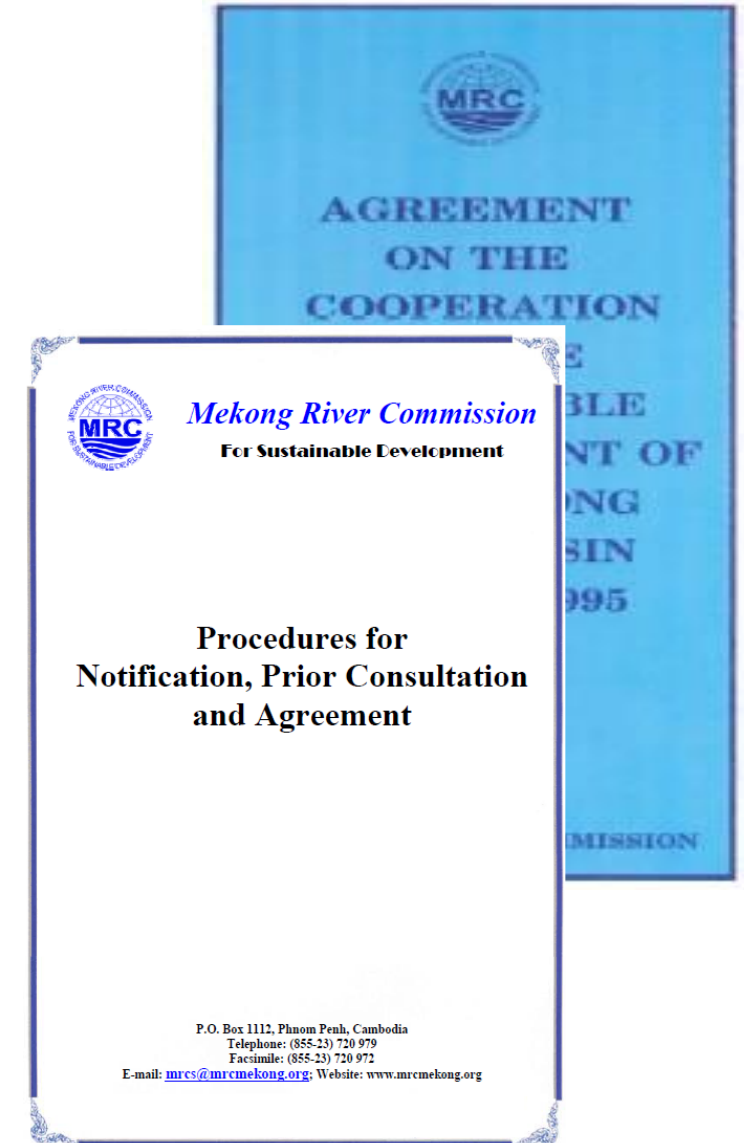


II. APPROACH

- **The MRC Framework for Prior Consultation**

Aims to provide scientifically based and fair due diligence to support discussions towards:

- Reasonable and equitable use (Article 5 of 1995 MA, and MRC Procedures);
- Proposed measures to avoid, minimise & mitigate impacts (Article 7 of 1995 MA and Article 5.4.3 of PNPCA) ; and
- Opportunities for increasing joint benefits & cooperation (Article 1 of 1995 MA)



II. APPROACH

- **The MRC PDG 2009**

- Provide overall guidance on performance targets, design & operating principles for mitigation measures, monitoring & adaptive management

- Cross-checked:

1. Fisheries/fish passage
2. Sediment & morphology
3. Water quality, aquatic ecosystem health & environment,
4. Navigation
5. Dam safety

Hydrology and Hydraulic aspects / disciplines appear as cross cutting in all



Mekong River Commission

Preliminary Design Guidance
for Proposed Mainstream Dams
in the Lower Mekong Basin

Final Version

31 August, 2009

II. APPROACH

- **Other Supporting Documents/Reports**

- MRC BDS 2016-2020

- MRC Council Study 2017

[Study on Sustainable Management & Dev't of the Mekong River including Impacts of Mainstream Hydropower Projects]

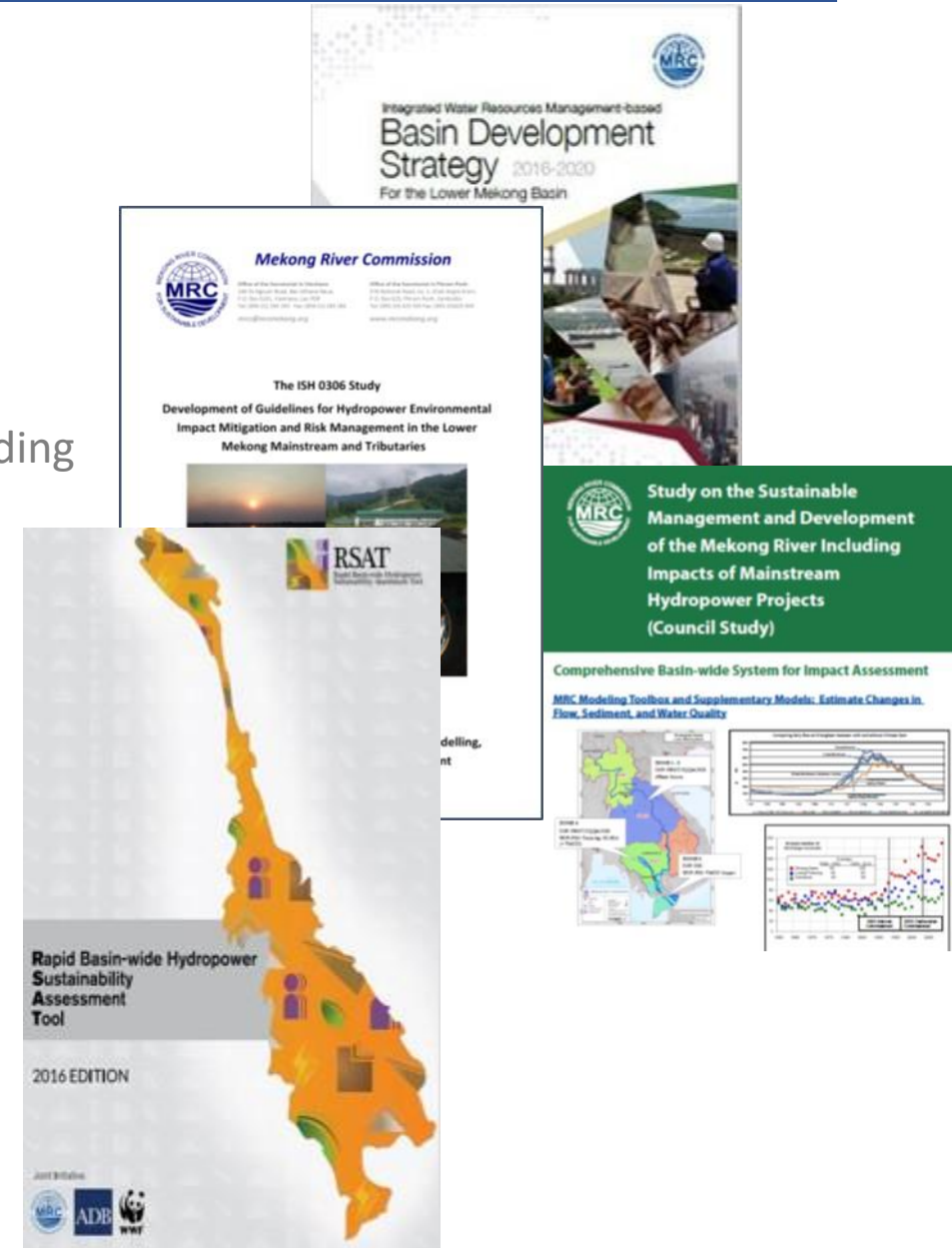
- MRC Mitigation Guidelines (ISH 0306)

[Guidelines for Hydropower Environmental Impact Mitigation & Risk Management in the Lower Mekong Mainstream & Tributary]

- Rapid basin-wide Hydropower Sustainability Assessment Tool (RSAT)

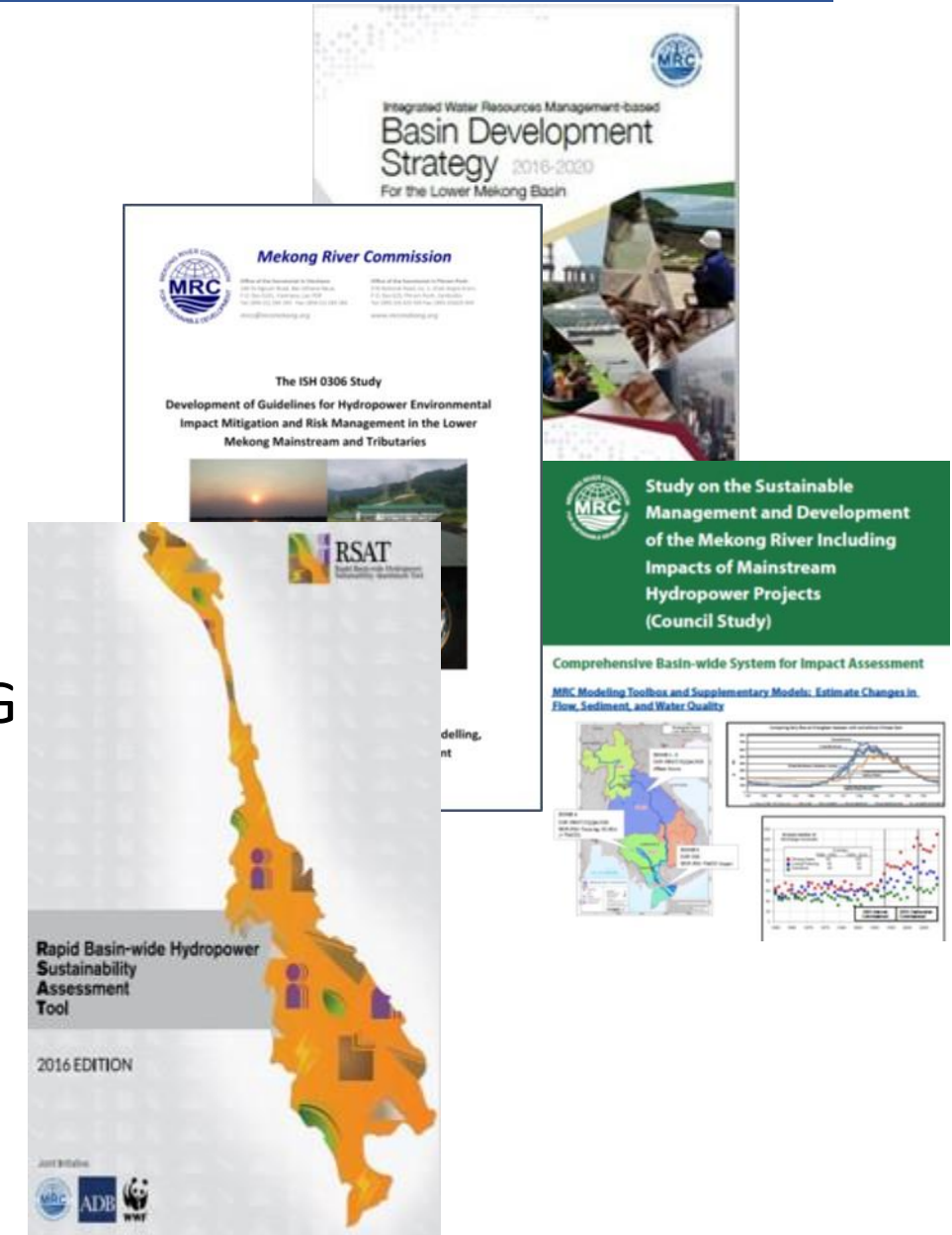
- PDG 2009

- Technical and scientific basis for the DG2018



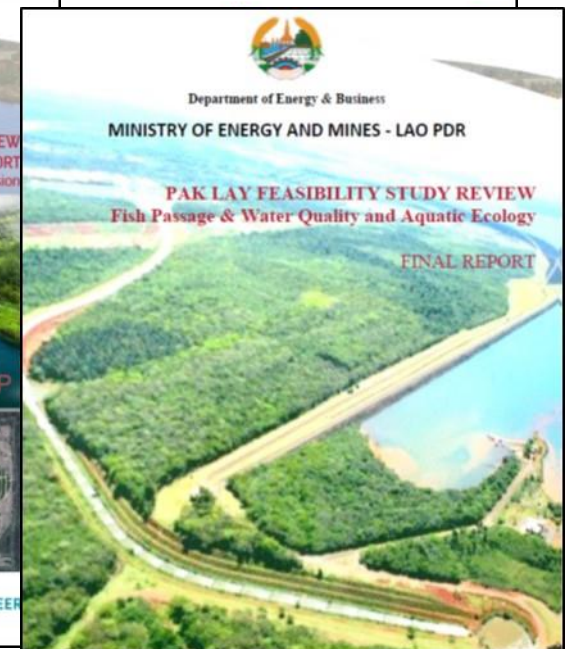
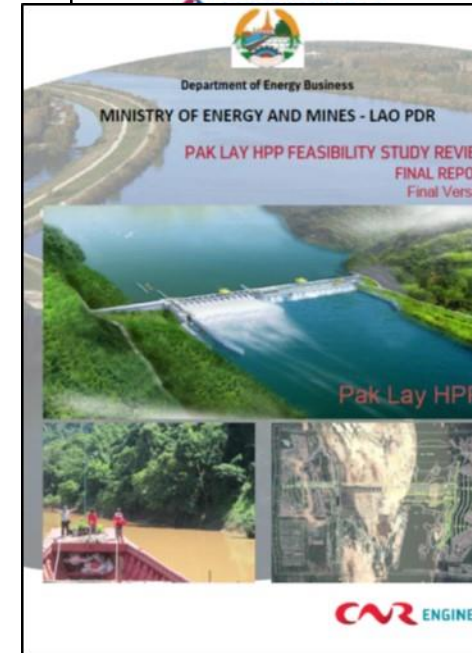
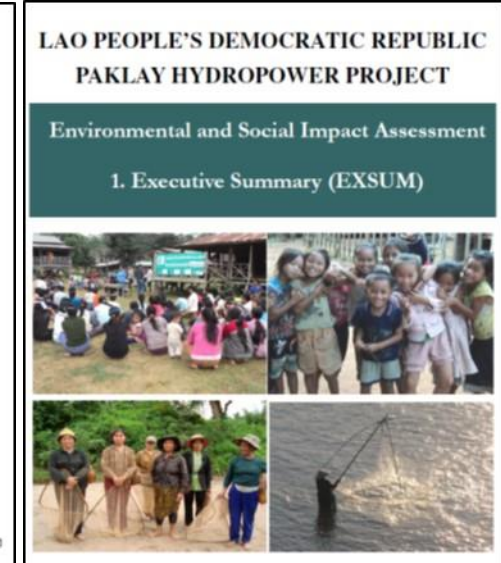
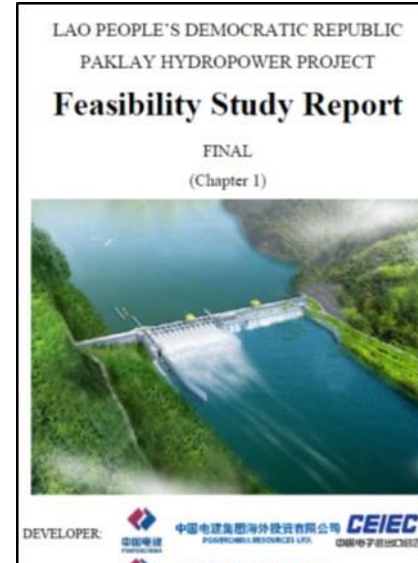
II. APPROACH

- **Other Supporting Documents/Reports (continued)**
 - MRCS technical reports
 - MRC TRR of the past three PNPCA PCs
 - Review Report of Xayaburi design changes
 - Don Sahong HPP monitoring programme by developer
 - Agreed Statement of Pak Beng HPP by MRC JCWG
 - Joint Action Plan (JAP) for Pak Beng HPP



III. SUBMITTED DOCUMENTS

- ❑ Feasibility Study Report (**1,298 pages**)
- ❑ Environmental and Social Impact Assessment (ESIA) Report (**~1,553 pages**)
- ❑ Review Reports of CNR (Compagnie Nationale du Rhone) & Fishing Engineering of Brazil (**244 pages**)
- ❑ Comments on the 1st draft TRR



CONTENTS of Technical Review Report

1. Background

2. Pak Lay HPP Prior Consultation Process

3. Proposed Pak Lay HPP

4. Technical Review

4.1 Hydrology and hydraulics 

4.2 Sediment transport 

4.3 Water quality and aquatic ecosystem health 

4.4 Fish passage and fisheries ecology 

4.5 Dam safety 

4.6 Navigation 

4.7 Potential transboundary socio-economic impacts 

5. Transboundary and cumulative impacts

6. Comments, recommendations and way forward

Comments on the 1st draft TRR submitted by LNMC

The LNMC provided extensive comments on the first draft of the TRR. These include:

- Suggestion to remove most of the recommendations.
 - **MRCs Response:** The recommendations have been adjusted where new evidence or justification has been provided, but the recommendations have retained with a notation of the alternate suggestion from LNMC in a bracket [...]
- Indication that further studies and information will be undertaken and provided.
 - **MRCs Response:** The TRR must be based on reports of studies provided by the LNMC, and recommendations cannot be removed on the promise of works.

Comments on the 1st draft TRR submitted by LNMC

- Noting that the CNR review suggests that the fishpass design is adequate.
→ **MRCs Response:** The MRCs team does not concur and stands by the first assessment.
- Providing some justifications for the approaches used.
→ **MRCs Response:** These supplementary notes have been summarised into the 2nd draft TRR.

Thank you

