



*Second Regional Information Sharing for Luang Prabang
Hydropower Project Prior Consultation Process
&
Preparation of the Basin Development Strategy 2021-2030*

FORUM REPORT

March 2020

Prepared by
The Mekong River Commission Secretariat

This report is a record of the proceedings of the 9th Regional Stakeholder Forum organised by the MRC Secretariat (RCS) on 5-6 February 2020 in Luang Prabang, Lao PDR.



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I. Background

The RSF serves as a platform for the Member Countries and other relevant stakeholders to share information, and discuss, provide and exchange views and develop recommendations on the reasonable and equitable use of water and related resources and the sustainable development and management in the lower Mekong Basin.

Following the [8th Regional Stakeholder Forum](#) held on 5-6 November 2019, the 9th Regional Stakeholder Forum continued the discussion on 02 topics that meet public's interest: (1) Prior Consultation process for the proposed Luang Prabang Hydropower Project (LPHPP) and (2) Basin Development Strategy (BDS) 2021-2030 and Strategic Plan (SP) 2021-2025.

The Prior Consultation process for the proposed Luang Prabang Hydropower Project

On 31 July 2019, Lao PDR submitted documentations of the Luang Prabang Hydropower Project (LPHPP) for prior consultation under the MRC's Procedures for Notification, Prior Consultation and Agreement (PNPCA). On 3 September 2019, the MRCS officially sent letter and transmitted the submitted LPHPP documents to the Joint Committee Members of the notified countries. The six-month prior consultation (PC) process was agreed at the 1st PNPCA Joint Committee Working Group Meeting for 08 October 2019 - 7 April 2020.

The PC process allows the notified Member Countries evaluate potential transboundary impacts of the proposed water use, and with the support of the MRCS, to discuss these through the MRC Joint Committee. The process aims at an agreement on the proposed use and a decision on measures to avoid, minimise and mitigate possible harmful effects on the environment and people downstream and upstream.

Taking into account lessons learnt during implementation of the PNPCA, the stakeholder involvement should, therefore, aimed to inform, consult and involve potentially affected, interested stakeholders and the public in the prior consultation process. During the 6-month process, different meetings, dialogues and consultations have being conducted to highlight and confirm MRC's role, PC process and its implications, share and clarify technical issues as well as concerns and interests by different stakeholder groups. Relevant information is available on MRC website¹²³ ahead of any public consultation meetings in order to timely obtain their feedback on issues of their interest.

During the Prior Consultation process for the Luang Prabang Hydropower Project, there are two regional information sharing & consultation meetings, together with a series of national consultation meetings. The first regional information sharing & consultation was held on 6 November 2019 as [day 2 of the 8th MRC Regional Stakeholder Forum](#), to share information regarding the project and to gain comments and suggestions on approach and methodology for the MRCS Technical Review Report.

¹ Luang Prabang Hydropower Project page <http://www.mrcmekong.org/topics/pnpca-prior-consultation/luang-prabang-hydropower-project/>

² The 8th MRC Regional Stakeholder Forum <http://www.mrcmekong.org/news-and-events/events/the-8th-mrc-regional-stakeholder-forum/>

³ The 9th MRC Regional Stakeholder Forum <http://www.mrcmekong.org/news-and-events/events/the-9th-mrc-regional-stakeholder-forum/>

Preparation of Basin Development Strategy 2021-2030 and MRC Strategic Plan 2021-2025

The Mekong River Commission (MRC) Integrated Water Resources Management (IWRM)-based Basin Development Strategy (BDS) was firstly developed in 2011 with a five-year planning cycle for 2011-2015, followed by the updated BDS 2016-2020.

The BDS is a statement of the Lower Mekong Basin (LMB) countries setting out how they will utilize, manage and conserve the water and related resources of the Mekong River in line with the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin (the 1995 Mekong Agreement). It provides regional perspectives for development opportunities and management of the basin. It also responds to the goals, objectives and underlying principles of the 1995 Mekong Agreement. The BDS is an instrument for basin planning and cooperation.

For the next planning cycle 2021-2030, the update of the BDS will adopt the approach of shared vision planning which includes the development of long-term vision toward 2040 to reflect the recommendations of the Mekong State of Basin Report 2018 and other assessments including the MRC Council Study entitled “Study on Sustainable Management and Development of the Mekong River including Impacts of Mainstream Hydropower Projects”. With the 20-year vision, the BDS will identify the strategic priorities and outcomes for the development and management of the basin for the duration of 10 years (2020-2030) to guide the actions of MRC (through the MRC Strategic Plan 2021-2025) and other actors (through their strategies and action plans), which would be coordinated, promoted and monitored by the MRC for the next five years.

The new BDS aims to tackle issues identified in the MRC State of Basin Report 2018 and will then be monitored whether the state of basin will be improved after the implementation of the BDS. The BDS and MRC SP will also be linked to achieve related targets in the SDGs.

On [day 1 of the 8th Regional Stakeholder Forum](#) on 5 November 2019, the forum participants exchanged overall framework, approach, outcomes, and timeframe for the new Basin Development Strategy, as well as jointly reviewed opportunities to promote sustainable development and strengthen management and increase regional and national benefits.

II. Approach of the forum

Forum objectives

This 2-day forum has two-fold objectives:

Day 1, the 2nd Regional Information Sharing Consultation on Prior Consultation process for the proposed Luang Prabang Hydropower Project is to

- update and follow-up on previous discussion
- present key findings of the Technical Review Report
- solicit further recommendations for the MRC Joint Committee (JC)
- discuss the way forward for the Luang Prabang PNP/PCA Prior Consultation process and any post-consultation engagement plans.

Day 2, progress on the preparation of the BDS 2021-2030 and the emerging SP 2021-2025, is to:

- discuss the draft BDS 2021-2030 and emerging MRC SP 2021-2025 including strategic priorities and outcomes toward 2030, and outputs toward 2025 as well as cooperation mechanisms and processes
- exchange with other actors/stakeholders on how they can contribute to and will be integrated in the implementation of the new BDS 2021-2030.

Stakeholder engagement process has been emphasized on spirit of good faith with constructive discussion and recommendations. The forum was opened to all stakeholders including those who had opposite position about hydropower development in the Mekong basin, aimed at sharing accurate information, minimizing misunderstanding and misperceptions of powers and functions by any parties, enabling environment to deliver key messages to decision-making process, for MRC's transparency and credibility.

Participants

The forum was open and free of charge. A total of 105 participants represented developers and hydropower-related companies, NGOs, research institutions, civil society, media, as well as MRC MCs and MRC Development Partners and MRC Dialogue Partners. In order to support fuller participation of the under-represented groups, MRCS offered travel support for local NGO and community representatives. (see Annex 1: List of participants).

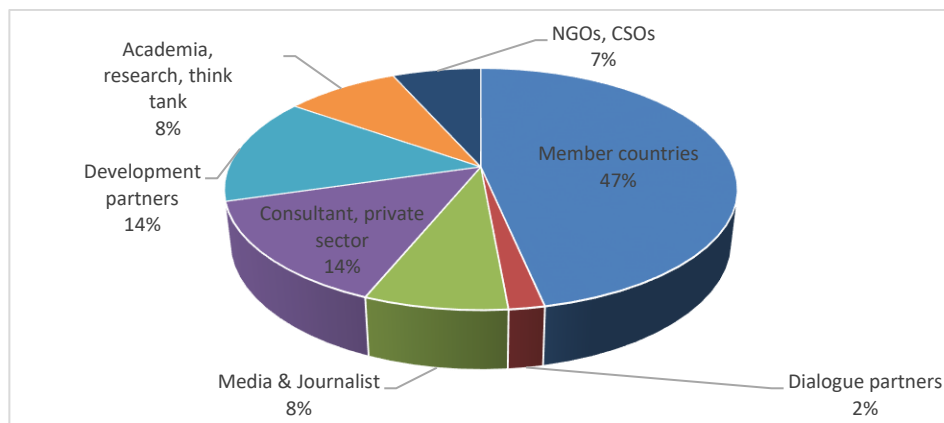


Figure 1. Overview of participants at the 9th RSF

Forum proceedings

To facilitate timely information sharing and transparency for an effective consultation and discussion, information had been made available on the MRC's website and maintained as source of reference <http://www.mrcmekong.org/news-and-events/events/the-9th-mrc-regional-stakeholder-forum/>

The MRCS had also made efforts to communicate and promote engagement including through media releases, opinion pieces in regional newspapers, and social media (Facebook). The forums were broadcasted live to enable those who could not attend directly but still can follow to get update and be able to provide comments and suggestions. An [online stakeholder](#)

[comment box](#) has been opened to collect comments from stakeholders, identified or anonymous, and staying active throughout this 6 month consultation process.

The Lao Vice Minister of Natural Resources and Environment and Alternative Council Member for Lao PDR opened the forum.

The plenary session was designed with concise and short presentations to provide information, progress and key messages supporting the discussion. It was then followed by parallel group discussions with appropriate time given for in-depth discussions on (1) key findings from the technical reviews that potentially impact the livelihood in the Mekong basin, (2) influencing factors and priorities need to form the Basin Development Strategy 2021-2030.

Regarding the prior consultation for Luang Prabang hydropower project, this 2nd regional forum provided opportunity for member countries to update participants on progress and outcomes of their national consultation meetings that organized in each country.

The forum experienced active participation by senior officials from the Lao National Mekong Committee and Ministry of Energy and Mines, together with developer and engineering team, they actively engaged and provided constructive responses during Q&A and discussion sessions. Before closing the regional discussion on the Luang Prabang Hydropower project, relevant shareholders of the project including Lao PDR and project engineering representatives, together with the MRC Secretariat as technical and administration supporting body, have acknowledged and shortly addressed concerns and suggestions raised by participants through their reflection.

With regards to the Basin Development Strategy 2021-2030, a panel discussion was also held with active participation of external stakeholders (civil society, community, private sector and researcher) on day 2 to share their views on needs and priorities for the next 10 years, to reflect on how all stakeholders can jointly cooperate to deliver the identified outcomes for sustainable development of the Mekong basin.

An online forum satisfaction survey has been conducted, when being asked for their satisfaction, the indications are:



Figure 2. Form satisfaction survey

Questions, comments, suggestions, responses, and follow-up actions have been recorded and presented in the following section.

III. Summary of forums' outcomes

1. The 2nd public information sharing and consultation on the Prior Consultation process for the Luang Prabang Hydropower Project

The forum was structured into 4 parts:

- i. Recap of key comments and suggestions raised for the Luang Prabang Hydropower Project, updated progress and next steps of the 6-month prior consultation process
- ii. Update by member countries on outcomes of national consultation meetings
- iii. Key findings and recommendations by the MRC Secretariat after reviewing the submitted documents and discussion with developer and project engineering team.
- iv. Discussion on technical review findings and measures to minimize the impacts.

The Regional stakeholder consultations on the Luang Prabang Hydropower Prior Consultation Process, were a platform for regional multi-stakeholders to engage with MRC as an institution in discussion of specific hydropower development project. The process of engaging with multi-stakeholders supported enabling environment to deliver key messages to decision-making process. This has enhanced MRC's transparency and brought about an improved perception of the hydropower development and its Prior Consultation process.

The first regional information sharing session focused on early information sharing, approach and methodology to be undertaken by the MRC for conducting the Technical Review of the proposed Luang Prabang Hydropower Project, while the second regional information sharing session enabled exchange of viewpoints, comments and recommendations on the technical aspects of the proposed Pak Lay Hydropower Projects based on preliminary technical review findings undertaken by the MRC Secretariat regarding the Engineering and Environment and Socioeconomic aspects.

In consideration of public's interest in cascade management and in supporting of the discussion, the MRCS in coordination with Government of Lao PDR and the Xaiyaburi Power Company Limited (XPCL) organized a site visit to Xaiyaburi HP plant for 50 participants including development partners, NGOs and media. The visit to Xayaburi provided better understanding the operations of Xayaburi hydropower dam, which is being technically designed and advised by the same engineering team for the Luang Prabang project. In addition, stakeholders can witness the run-of-river hydropower operation at Xayaburi, discussed further with the technical team on hydrology, hydraulics, sediment flashing, fisheries, navigation and dam safety.

The forum discussion focused on five technical aspects: hydrology & hydraulics, sediment transport, environment & fisheries, navigation, dam safety, and social economic issues. Like other mainstream projects, the interests and concerns focused on potential transboundary and cumulative environmental impacts, related social consequences, and better sharing of data and information for comprehensive baseline and impact assessments. Climate change impact was also considered as influencing factor to dam operation and livelihood activities. Cascade dam operation and joint monitoring intervention attracted public's concerns in consideration of recent low flows and water fluctuation level as well as the needs to determine minimum environmental flow. People are experiencing losses therefore it needs to have appropriate measures to cope with these environmental and livelihood losses. Effectiveness of fish pass operation needs to be proven to ensure conservation of fish species, habitats and connectivity.

Three notified countries (Cambodia, Thailand, Vietnam) and notifying country (Lao PDR) shared the initial outcomes of their national consultation meetings: 2 meetings in Cambodia

(21 October 2019 and 9 January 2020), 2 meetings in Thailand (24 December 2019 and 28 January 2020), 1 meeting in Viet Nam (4 November 2019), 1 meeting in Lao PDR (31 January 2020). Following the roadmap, by the end of 6-month prior consultation process, 3 national consultation meetings will be conducted in each country. In general, the documented concerns of the publics from the national consultation are quite similar, focusing on better data and information sharing, mechanism for risk management and compensation of people livelihood losses, more comprehensive impact assessments, especially cumulative transboundary impacts to downstream.

In reflecting comments and suggestions made, representatives from Lao PDR, Poyry and MRCS acknowledged and addressed views and concerns with following key points:

- Transboundary impacts need to be considered in connection with impacts from other sectors, not only dams. This should be addressed clearly in the MRC's Basin Development Strategy and State of the Basin Report
- Operating rules for cascade operation are important and the GoL and the MRC should cooperate in the development of cascade operating rules
- Dam safety emergency plan needs to be developed during the implementation of the project including the construction period in accordance with WB and PDG requirements
- Baseline study will continue to be carried out from time to time as required by GoL and MRC
- The LPHPP will not be operated with hydropeaking as classical run of river dam impact is very limit
- MRC Secretariat considers stakeholder consultation seriously, the comments and feedback does influence the finalization of the TRR.

Below are some comments and recommendations highlighted at the LPHPP forum:

- Need to have more informative and inclusive national consultations, noting the efforts of the national Mekong committees to reach out to national stakeholders and the efforts of the Lao government to participate in key national meetings when invited
- Results from the consultations should be well-understood among stakeholders, more specifically, the impact mitigations should be feasible and acceptable for the local communities and riparian stakeholders, a mechanism for risk management and compensation
- Assessment of impacts to the downstream, to Mekong delta, needs more comprehensive consideration, minimum flow, environmental flow should be determined or elaborated
- Require additional information, including in the riparian languages, for better understanding and technical review of the project
- Suggested to conduct an optimization study for joint cascade operations and management (Pak Beng, Luang Prabang, Xayaburi, and Pak Lay), noting that the Lao Government would share the latest study by CNR in this regard
- A cumulative trans-boundary fisheries risk and impact assessment, especially migratory main channel resident guilds and migratory main channel spawning guilds
- Immediate flow abruption should be considered, including further studies on potential impact to natural water cycle rather than drought by run-of-river cascade dam
- Explore more on management opportunities, particularly on tributaries for better planning and coordination.

- Emerging information on the operation of fish passage of the Xayaburi HPP should be provided to solve concerns on conservation of fish species, habitats and connectivity.
- Implementation of joint monitoring, joint action and adaptive management. The JEM of the MRC is a good start.
- Baseline data of sediment transport, water quality and aquatic ecology
- Most up-to-date social and economic data for downstream to have better assessment on possible transboundary impacts on livelihoods and people's wellbeing.
- Updated assessment of the economic value of the project with respect to the eventual demand for electricity as well as consideration of alternatives for generation.

Comments from stakeholders as well as initial responses and follow-up actions have been documented and presented in this Forum Report published on the MRC Website. During the technical review and finalizing of the Technical Review Report, the MRCS specialists and experts have taken into account suggestions and recommendation provided by the stakeholders and discussed them among other points with developer and engineering team.

2. The 2nd public consultation on preparation of Basin Development Strategy 2021-2030 and Strategic Plan 2021-2025

The forum was structured into 3 parts:

- i. Presentations on overview of the draft BDS 2021-2030, basin vision to 2040 and results chain to 2030
- ii. Parallel discussions on strategic priorities and outcomes through in-depth discussion on 5 dimensions: environment, climate change, social, economic, and cooperation
- iii. Reflection panel of stakeholders on what need and how to deliver these outcomes in joint efforts

Following the first regional stakeholder discussion held in November 2019, this 2nd regional stakeholder consultation focused on strategic priorities and outcomes toward 2030, and outputs toward 2025 as well as cooperation mechanism and processes, many good comments and suggestions have been exchanged, including but not limited to:

- The importance of enhancing decision support system including data collection and management to provide better support for planning, assessments, studies, etc ...
- Climate change adaptation is cross-cutting topic
- Enhancing cooperation with Myanmar and China through joint researches.
- Strengthening communication and information sharing on the Lang Cang - Mekong flow regime, regulated by upstream dam to ensure integrity of downstream users.
- Private sector should play more active and important roles in regard to water use and its impacts including but not limit to navigation, mining, commercial factory, hydropower, etc ...
- More engagement with researchers and academics
- More integration of local and national interests as well as regional perspectives in the BDS
- Information and data interpretation should be clear and represent the facts, especially referring to social impacts
- Regional cooperation and integration should reflect a well balance of MRC cooperation with long history of cooperation with all partners in the region

- The strategy should always consider triangle trade-off of socio-economic-environment dimension
- The strategy should consider determining quantified relationships between development, natural resources, and people.
- The strategy should provide suggestions how to cope with an increasing need in water use in the pathway towards urbanization
- The strategy should mention in more details how to cope with drought.
- Flood and drought should always be addressed together
- To strengthen transboundary water cooperation in the Mekong region, there should be a minimum flow standard provision and water right that are endorsed by member countries to make sure water distribution from upstream to downstream.

The panel reflection with constructive participation of representatives from civil society, think tank organization, private sector and MRC development partner has share their powerful and meaning messages for effectively joint future cooperation to deliver the identified outcomes for sustainable development of the Mekong basin:

- Engagement of multi-stakeholder in preparing BDS is very important and local community can provide practical needs and solutions
- Multi-stakeholders work together can address all challenges in the Mekong
- For better results, there is a need to enable an open environment and create ownership to get full participation of the public.
- CSOs are willing to work with MRC to contribute their efforts towards achieving national priorities, especially in social, economic and environmental areas
- Government can be more transparent through sharing information related to development of hydropower projects and better consultation with community and villagers.
- MRC needs have more proactive action on climate change and its trade-off.
- MRC should provide added value to reduce negative impacts amongst different sectors
- There are lots of actions needed in water resources management and MRC has a specific mandate to maintain and promote cooperation and sustainability in the region. The outcomes and outputs should be designed based on achievable sustainable use of water resources in the Mekong basin.

3. Comment matrix for the LPHPP at the 9th MRC Regional Stakeholder Forum

Details of questions, comments, suggestions, and follow-up actions regarding the Technical Review of the LPHPP made at the forum are recorded in the table below. The 3rd column of the matrix reflected MRCS actions to further address those comments and suggestions during preparation of the draft TRR.

Issues	Comments	Responses and Consideration in Final Draft TRR
General		
1	Is a 6-month PNPCA process sufficient for the Member Countries to provide detailed technical comments and recommendations?	The 6-month process is viable to provide feedback on the Feasibility Level design. However, it should be followed up by a post prior consultation process that provides opportunities for all the MC to contribute to the ongoing design and operations of the HPP
2	Roles and responsibilities of MRC, Lao government and developers should be clearly explained for stakeholders to understand	This is addressed in Chapter 1, but efforts will be made to clarify these aspects.
3	<p>The studies that are underway. How will the timing align with the PNPCA process? How will other countries have the opportunity to review these studies?</p> <p>Response of MRCS: for the PNPCA it is written that it is a 6-month process. But it depends on the JC and council to decide to extend the process if there is a need..</p> <p>The second solution is, if the process finishes in 6 months, then there will be a joint statement that will provide recommendations that the 4 members agreed to have together. Then base on this the JAP will be prepared. Then the actions to be carried out in different phases of the project will be listed out. This can help address the lack of information during the PNPCA timeline.</p>	The intention is to have a post prior consultation process that will provide for ongoing support and discussion to improve the design and operating rules. This will be given greater emphasis in the final draft of the TRR
4	What happened to the Joint Action Plan (JAP) of Pak Beng HPP? What can we expect?	This is not addressed in the LPHPP TRR. But the MRC is taking up the matter through other processes.

	Response of MRCS: the JAP will indicate the role of the different parties. The MRCS is also the facilitator. It will depend on the willingness of all parties to implement. Currently, PBHPP and PLHPP are redesigning and doing additional studies, and information should be shared in the future according to JAP.	
5	GOL has is establishing the coordination monitoring center, how this center link to the operation coordination network for upper cascade dams as one of the recommendations by MRC; What are the roles of the developer in the above initiative?	The developer cannot outline operating rules for the other HPP in the cascade. However, the TRR will emphasize that the GoL and the MRC should cooperate in the development of cascade operating rules.
6	If information is not sufficient, how can MRC engage and obtain more information from developer?	The MRC can only request the GoL to ask the developer to provide more information as part of the post prior consultation process.
7	If the data/information are not enough for the consultation process, would the project delays/ extends the process?	The PNPCA do provide for the extension of the prior consultation process. However, this would generally only be considered if the MC or MRC needed more time to analyze the existing data and not to collect further data. This is why a post prior consultation process is recommended.
8	The recommendations provided by Member Countries, who will take up those recommendations for further consideration and implementation?	The MRC JC may issue a Statement at the end of the prior consultation process calling on the GoL to require the developer to make every effort to take up the recommendations made in the TRR.
Hydrology		
9	About the backwater effect of Xayaburi HPP and need for revision of the rating curve at Suphanouvong bridge, what happened to the Luang Prabang station in regard to the effect of backwater? Are there any recommendations to rectify the rating curves at Luang Prabang station as this station is one of the longest time series? We cannot lose this. Response of MRCS: we keep Luang Prabang station, but we cannot use the discharge with the rating curve developed. The water level at Luang Prabang station is constant in line with the	The TRR addresses this issue in section 4.3.2, for instance where it is recommended to correct the rating curves for backwater using the two-step method. Furthermore, as part of JEM, a new MRC station will be installed further upstream of Luang Prabang to serve this purpose as well as mentioned here. It is indeed recommended to maintain a record of water levels and discharges in the vicinity of Luang Prabang (as recommended in JEM as well). The combined use of multiple stations allows to correct for backwater.

	Xayaburi dam operations. We will not move upstream Luang Prabang station, but we are considering a new station upstream of Nam Ou. For JEM we will have a manual station downstream of Nam Ou upstream of Luang Prabang to monitor the backwater effect.	
10	The situation at existing stations for example Luang Prabang station under backwater effect, not useful anymore. How to link additional data and information with the developer?	This specific topic has been addressed in the JEM project as well. It was found that despite the willingness of developers to share the data, there should also be a formal agreement with GOL. At this moment it is still difficult to establish a new network based on data sharing between MRC and dam operators, and among the dam operators themselves. See point above for proposed stations in JEM.
11	Suggest that data gap from tributaries should also be addressed	The monitoring requirements for operation of LPHPP will be integrated in Xayaburi automated hydrological monitoring system, which includes substations in relevant tributaries and catchments. This information has been shared by the developer during the site visit and technical meetings. In the TRR the developer is requested to share the data from these stations (TRR Annex Hydrology 2.2.1).
12	We need firm baseline data. The river is no more natural, so there is a need to consider effects from Lancang when calculating hydrology.	The effect of Lancang has been included in the future predictions of the Mekong discharges, based on a water-balance model for the upper catchment. The pros and cons of the chosen approach for the developer's future hydrology is summarized in section 2.2.2 of the Hydrology Annex.
13	Run of river dam is not fully understood. Would it be possible for Lao PDR/Developer to prepare real physical model to demonstrate and presents differences between run of river dam and reservoir dam operation? Retention time to get normal water levels before releasing water downstream could be up to 10 days. If so, what are the impacts of downstream ecology?	The run-of-river operations can indeed be interpreted in various ways. The developer suggests that at LPHPP this operation means that all flow arriving at the dam, is released through the dam (in = out). However, it will be different when it means that outflow at the dam equals inflow at the top-end (upstream) of the reservoir. The reservoir will then create temporary storages, as the inflow-signal will need to travel through the long reservoir, which may take hours. Nevertheless, the effect of such delayed releases on the

		downstream reach are considered relatively minor, within bounds of natural variation.
14	Run-of-river is always considered no impact, but it depends on the operation. It may affect the ecosystem.	It has been requested in the TRR and the comments on the TRR that the developer provides evidence and motivation to this issue. The developer has mentioned several times that their operation does not cause any fluctuation, but has not provided written guarantees that specific fill, closure or switching does not generate (occasional) fast flow variations. This will require accurate and specific decisions, timing and rules for operating the combined outflows from turbines and gates. The remaining variations maybe small and not harmful for the ecosystem, but as long as there is no evidence from simulations to support this statement, this impact cannot just be waived.
15	Suggest adding or monitoring the impact of retention time on the ecosystem in the JEM TORs.	Noted
Sediment		
16	Concerns about decreasing sediment in the Mekong as some areas were observed with poor water quality by local people, for example at the river confluence	The development of the LPHPP will increase sediment trapping in northern Lao PDR. The developer acknowledges that sediment will be trapped but does not intend to implement sediment flushing as this needs to be done in a coordinated manor with the other HPPs and managed by the GoL. Sediment trapping in all of the HPPs in Lao PDR is a major transboundary issue and is discussed at great length in the Sediment Annex and the TRR.
17	Sediment transport from Nam Ou to the Mekong is already decreased due to Nam Ou cascade dams, causing even less sediment transport at the downstream of the Mekong	The potential interaction between the operation of the LPHPP and the Nam Ou cascade is discussed in the TRR with respect to local impacts (in the headwaters of the Xayaburi impoundment) and transboundary impacts (increased sediment trapping).
18	Due to the effect of the backwater, the sediment transport from Luang Prabang to downstream is less.	Sediment trapping at Luang Prabang in the Xayaburi backwater is outside of the direct consideration of the LPHPP developers. However, the cumulative trapping of sediment in the cascade, and the complex interaction between the operation of the Nam Ou cascade, the LPHPP and the Xayaburi HPP is discussed in detail

		in the sediment modelling and transboundary impact sections of the Sediment Annex and the TRR
Dam Safety		
19	<p>After the dam incident in 2018 the GoL with support of some DPs has conducted a dam Safety Review. What is the status of the review?</p> <p>Response of Lao Ministry of Energy and Mine: after Xe Pian Xe Nam Noi dam collapse, 50 dams have already been reviewed with support of independent experts from Development Partners. The DEB has published some information on their website. More information will be available in the next few months. There also have been completed dam safety guidelines that apply for construction of all dams on the tributaries.</p>	<p>The Emergency Dam Safety review covered dams under construction and in operation.</p> <p>The revised LEPTS and associated Dam Safety Guidelines were completed in 2018 and have been used as a reference document in the TRR.</p>
20	<p>Recommended to have panel of experts for dam safety in the feasibility study stage to review the study reports</p>	<p>The TRR recommends that a DSRP should now be appointed. This is a GOL responsibility. The Developer has agreed to discuss this matter with GOL.</p>
21	<p>Emergency response for dam break of the Nam Ou Not mentioned in the submitted document but Lao PDR is setting up CMC (coordination monitoring center) CMC is only in the FS stage</p> <p>For the dam break analysis, the Nam Ou comes in downstream of the dam. Was there any analysis on the effects of a dam break of Nam Ou 1 would mean hydrologically to the LPB dam.</p> <p>Response of MRCS: in the submitted documents this is not shown. Not considered. This can be a suggestion to be included into the TRR in case this may be of relevance. This may be beyond the responsibility of the developer. Perhaps the GoL should consider this. It reflects the importance of the coordination needs.</p>	<p>The Nam Ou enters the Mekong downstream of the project.</p> <p>Downstream inundation analysis and potential back water effects on the Luang Prabang project is the responsibility of the Nam Ou PC.</p>

	Developer: Government of Lao PDR mentioned this morning that the Lao government is setting up this coordination center.	
Navigation		
22	<p>Recommendations in the TRR: The downstream channel is separated from the spillway by a short separation wall which ties into the downstream island (Figure 4.11). The up- and downstream approach channels could potentially be improved by adopting a new alignment for the entire ship lock. The actual ship lock is 90° to the axis of the barrage. Decreasing this angle to 85° or 80°^[1] could possibly improve the layout of both access channels and substantially reduce the earthworks in the upstream section, thereby improving the visibility inside the channel (Figure 4-12). The current design is likely to be confusing for downstream-bound navigation as the entrance will only be visible from relatively short distance upstream. If shipping misses the channel entrance to the right of the island, vessels may be pushed towards the spillway.</p> <p>Comments of Developer: If we decrease the angle to 85° or 80° the upstream approach channel will then be closer to the spillway. But a slide of the spillway current in operation showed clearly that the current was not hindered by the rotated ship lock.</p>	<p>The drawing in attachment shows the effect of the modified approach axis up- and downstream. There are softer bends (greater bend radii) and slightly shorter itinerary. It increases the length of the downstream channel separation with the spillway channel to roughly 500 meters and the upstream approach channel length (straight section) to 350 meters (>250m). However, some increase in the amount of excavation can be expected in the downstream approach but maybe compensated with savings in the upstream channel. More research is needed to quantify. Bend radii of 330m seems to be appropriate for the Chinese navigation standards, although a previous MRC study accepted 430 meters (which also would be comfortable for self-propelled barges of 2,000t in Mekong River conditions) and in the modified axis of the ship lock perfectly possible. Visibility conditions will also benefit from reduced bend angles and the conditions are now favourable to fully eliminate the island in the upstream channel, providing safety visibility for oncoming vessels not to get trapped or sucked into the spillway during high water conditions.</p>
23	<p>Double culverts will guarantee a more equal filling pattern, avoiding transversal waves in the lock chamber and increase the guarantee of operation.</p> <p>During the forum the developer mentioned that the Computational fluid dynamics (CFD) modelling was used to</p>	<p>Computed fluid dynamics modelling might be acceptable for the hydraulic conditions inside the lock chamber during filling, but it stands without saying that by providing two culverts each with their filling openings will even provide better and smoother filling</p>

^[1] Offsetting the alignment of the navigation locks from the dam structure has been applied elsewhere.

	<p>assess the hydraulic performance of the water feeding system and the result recommended single culvert The developer reconfirmed that the Xayaburi has single culvert.</p>	<p>patterns. Baffler beams over the bottom filling openings will highly reduce upsurges in the ship lock chamber.</p> <p>However, the most important benefit of two culverts is the high reliability in operation! Outage of one single gate will lead to the outage of the entire lock system. By sticking to one single culvert, there is no operational redundancy of critical equipment, in particular the culvert gates.</p>
24	<p>Recommended to put in place traffic safety rules and regulations for the captains and crew members</p>	<p>All ship locks are equipped with communication systems consisting of traffic lights, loudspeaker and intercom and radio communication, led light messages or announcements, TV-camera's etc. The safety rules are equal to road traffic safety rules and traffic lights. There cannot be a misinterpretation. Failing to stop when entering the ship lock will be prevented by the stoppage cables that can stop any vessel to hit the miter gates during entry. RIS will later be applied over the entire length of the Mekong cascade, providing all sorts of information needed to assure a fluent passage of vessels, barges, tourist boats etc.</p>
<p>Environment and Fisheries</p>		
25	<p>How reliable data from developer (fluctuation of water level...important for fisheries communities), how should MRC ensure the reliability of the disclosed data?</p>	<p>The draft TRR reviews the current information and monitoring programmes, which are considered inadequate for fisheries and aquatic biota. From WQ, AEH and Fisheries perspectives, the documentation is a feasibility study/scoping study and does not provide empirical data on which to understand any impact. Additional information is being collected by the developer but no indication of what, where and how is provided or how such information will be made available for scrutiny. The TRR makes recommendations for improving the baseline assessments, mainly through implementation of the methods outlined in the JEM.</p>
26	<p>Who is responsible for transboundary cumulative impacts on fisheries, livelihoods of the communities?</p>	<p>The TBIA and CIA are weak on transboundary and cumulative impacts and recommendations to improve this are made throughout the TRR.</p>

		TBIA will likely be joint operation between the developer and MRC.
Socioeconomics		
27	Role of developer in social economics issues, does developer has conducted any studies as part of their social cooperate responsibilities (CSR)? What are their commitments to promote CSR?	No studies or commitments have been described. While CSR measures would be welcome, they should not be seen as a replacement for mitigation of negative impacts.
28	Does impact of gender is included such as sex disaggregation data on different type of impacts?	There are some superficial references to gender; both in baseline data for local impacts and in the statement that there may be changes in gender roles.
29	Recommended developer to work with GOL to tackle the social and economic challenges of the communities	While this would be useful, the primary responsibility of the developer should be seen as mitigating and compensating negative impacts.

4. Comment matrix for preparation of Basin Development Strategy 2021-2030

Issues	How it has been considered
The acute challenges that the Mekong delta faces	Section 2.3 & follow-up sections on needs, risks, development opportunities and results chain
Development of the basin-wide sediment management plan with a focus on mitigation of bank erosion	Section 5.2 where the future extent of bank erosion will be mapped for alternative management options (related to watersheds, dams, and sand mining)
Regarding cooperation with MLC Water and other regional cooperation mechanisms	Section 2.4, in the results chain for Strategic Priority 5 in Section 8.6 have been expanded with more cooperation with ASEAN, GMS and other cooperation mechanisms, and the new Annex 1 is added on the potential contribution of MLC Water, ASEAN and GMS to BDS Outputs and Outcomes
The entire results chain and deliverables have been brought together in one practical table	Section 8.2 to 8.6
All facilitation of trade-off and benefit sharing discussions, including on hydropower and significant joint infrastructure projects are	Section 8.6

brought together under Outcome 5.1: Higher benefits and lower costs from the integrated management of the entire river system	
Environmental flow is now adequately addressed	Sections 2.4 and 4.3, and in the results chain under respectively Output 1.1.1: Water flow and quality in the mainstream managed in accordance with agreed guidelines, and Output 2.1.3: Risks to capture fisheries productivity and diversity minimised
Ecosystem services are addressed	Output 1.3.1: Limits of acceptable change for key river and connected wetland habitats identified and implemented, and under Output 3.2.4: Investment and associated measures in regional environmental strategies and programmes implemented in synergy
Groundwater is addressed	Section 2.2, 2.3, 5.1, 5.2 (sustainable development opportunities), and in the results chain under Outputs 1.3.2 (watersheds) and 3.2.1 (irrigated agriculture)
The investigation of impacts of hydropower, and the preparation and implementation of impact management plans, has been strengthened in the results chain	Output 1.1.2: Guidance and measures for sustainable hydropower implemented (Section 8.2) Output 3.2.2 Sustainable hydropower development strategy and related regional energy plans implemented in synergy (Section 8.4).
The economics of flood and drought mitigation measures will be assessed as part of the assessment of alternative basin-wide development scenarios	Section 8.4 and 8.5
Social trade-offs	Section 4.1

5. Conclusion and next steps⁴

Prior Consultation for the proposed Luang Prabang Hydropower Project

- Matrix of comments and responses for consideration in final draft TRR by 13 Feb
- Final draft TRR by 24 Feb
- Forum report by 28 Feb
- National information sharing in notified countries and national meeting in notifying country (Feb-Mar)
- The 3rd meeting of PNPCA JCWG on final draft TRR by 05 Mar
- Final TRR by 21 Mar
- Special JC Session: 07 Apr
 - Completed Reply Form from notified countries
 - Final TRR
 - Statement with a set of measures to **avoid, minimise** or **mitigate** potential Tb impacts
- Post PC Process: development and implementation of JAP from 08 Apr onward

Basin Development Strategy 2021-2030

- Matrix of comments and responses to be considered in the revised draft BDS 2021-2030 and a draft MRC SP 2021-2025 by 13 Feb
- A round of national consultation meetings with MCs on draft BDS 2021-2030 and BDS-SP results chain for 2021-2025 from 11 to 25 Feb
- Debriefing with MRC Development Partners on 28 Feb
- Meeting of Expert Group on Basin Planning (EGBP) and Expert Group on Strategy and Partnership (EGSP) to discuss 2nd draft BDS 2021-2030 and 1st draft MRC SP 2021-2025 on 10 Mar
- Final round of national consultation meetings with MCs on 2nd draft BDS and 1st draft MRC SP from 13 to 26 Mar
- Meeting of Expert Groups (EGBP&EGSP) to discuss final draft BDS 2021-2030 and final draft MRC SP 2021-2025 on 08 Apr
- Approval of BDS and SP by end of April 2020
- Promotion of BDS from May 2020 ONWARD

⁴ Note these plans are being revised based on the COVID-19 outbreak situation.

VI. Annexes

Annex 1: List of participants

		Name	Organization
1	Mr	Te Navuth	Cambodia
2	Mr	Kol Vathana	Cambodia
3	Mr	Huong Sunthan	Cambodia
4	Mr	Chea Sina	Cambodia
5	Mr	Chea Narin	Cambodia
6	Mr	Sin Samnang	Cambodia
7	Mr	Chheang Hong	Cambodia
8	Mr	Thay Piseth	Cambodia
9	Ms	Kaing Khim	Cambodia
10	Mr	Sok Bunheng	Cambodia
11	Mr	Saynakhone Inthavong	Lao PDR
12	Mr	Chanthanet Boualapha	Lao PDR
13	Mr	Phonepaseuth Phoulinbank	Lao PDR
14	Mr	Vithounlabandid Thoummabout	Lao PDR
15	Mr	Thavone Vongphosy	Lao PDR
16	Mr	Vinliam Bounlom	Lao PDR
17	Mr	Phonethip Phetsomphou	Lao PDR
18	Mr	Doungkham Sinhavong	Lao PDR
19	Mr	Souphanh Yabandith	Lao PDR
20	Ms	Viengsamay Phanvongsa	Lao PDR
21	Ms	Malaithong Keonhothi	Lao PDR
22	Ms	Sengphasouk Xayavong	Lao PDR
23	Mr	Keomany Luanglith	Lao PDR
24	Mr	Khamsone Philavong	Lao PDR
25	Mr	Chanthavixay Insixiangmai	Lao PDR
26	Ms	Luckdavone Valangkoun	Lao PDR
27	Ms	Ounphachanh Sengdavanh	Lao PDR
28	Mr	Thilaphone Phoumma	Lao PDR

29	Mr	Sakone Xayasone	Lao PDR
30	Mr	Pradab Kladkempetch	Thailand
31	Mr	Satit Phiromchai	Thailand
32	Ms	Bunthida Plengsaeng	Thailand
33	Ms	Warangkana Larbkich	Thailand
34	Ms	Wachiraporn Kumnerdpet	Thailand
35	Mr	Chaiyuth Sukhsri	Thailand
36	Mr	Tuantong Jutagate	Thailand
37	Mr	Gun Wong-art	Thailand
38	Mr	Laowthai NinNuan	Thailand
39	Mr	Terakom Ariyasoonthon	Thailand
40	Mr	Somkiat Apipattanavis	Thailand
41	Mr	Samran Chooduangngern	Thailand
42	Mr	Neville Powis	Eureka Films
43	Mr	Tom Fawthrop	Eureka Films
44	Mr	Phetsiam Promngoy	Radio Free Asia
45	Mr	Chau Van Thi	Radio Free Asia Vietnamese Service
46	Mr	Nathan Thompson	Freelance Journalist
47	Mr	Reaksmey Hul	VoA (Phnom Penh)
48	Ms	Sotheary Pech	Khmer Times (Phnom Penh)
49	Ms	Phan Thi Viet Anh	VNExpress (Hanoi)
50	Mr	Nguyen Thanh Liem	Tuoi Tre Newspaper (Ho Chi Minh)
51		Ha Thi Thanh Huong	Zing News (Ho Chi Minh)
52		Aidan JONES	AFP
53		Kay Johnson	Reuters
54		Panu Wongcha-um	Reuters
55	Mr	Pulak Yadav	Poyry Energy Ltd.
56	Mr	Cyrill Trottmann	Poyry Energy Ltd.
57	Mr	Knut Sierotzki	Poyry Energy Ltd.
58	Mr	Weerayot Chalermnon	CK Power
59	Mr	Athiwat Pimsarn	CK Power
60	Mr	Sakdiphan Na songkhla	CK Power

61	Mr	Wittaya Charoensuk	CK Power
62	Ms	Tuyet Nha Tran Nguyen	Luang Prabang Power Company Ltd.
63	Mr	Nattavit Thanakulvoraset	Luang Prabang Power Company Ltd.
64	Ms	Virawan Sombutsiri	Luang Prabang Power Company Ltd.
65	Mr	Thanasak Poomchaivej	Luang Prabang Power Company Ltd.
66	Mr	Supawit Supapa	Luang Prabang Power Company Ltd.
67	Mr	Prat Nantasen	Luang Prabang Power Company Ltd.
68	Mr	Bhak Rakbamrung	Luang Prabang Power Company Ltd.
69	Mr	Mathieu Chatenet	Entura Hydro Tasmania
70	Mr	Saknoi Leangtongplew	Charoen Energy and Water Asia Co., Ltd
71	Ms	Chitraphorn Intharanok	Charoen Energy and Water Asia
72	Mr	Sein Aung Min	Ministry of Natural Resources and Environmental Conservation, Myanmar
73	Mr	Min Maw	Ministry of Natural Resources and Environmental Conservation, Myanmar
74	Ms	Rhonda Mann	DFAT
75	Ms	Somsanith Mounphoxay	DFAT
76	Mr	Anders Imboden	USAID / U.S. Embassy Vientiane
77	Ms	Danielle Neighbour	Embassy Bangkok, U.S. Department of State
78	Ms	John Choi	U.S. Embassy Bangkok
79	Mr	Christopher Mohrman	US Department of State
80	Ms	Alicia Arrigoni	US Department of State
81	Ms	Nike Hestermann	GIZ
82	Mr	Bertrand Meinier	MRC-GIZ Cooperation Programme
83	Ms	Erinda Pubill Panen	MRC-GIZ Cooperation Programme
84	Ms	Nittana Southiseng	MRC-GIZ Cooperation Programme
85	Mr	Satoshi Hamano	Global Environment Dept., Japan International Cooperation Agency
86	Mr	Aod Douangprachanh	Green Community Alliance
87	Mr	Zaw Htun	Integrated Development Executive Association - IDEA
88	Mr	Nhan Quang nguyen	Centre for Promotion of Integrated Water Resources Management

89	Ms	Elizabeth Thipphawong	CARE International
90	Mr	Sarorn Thoeun	Increase Food Security and Development
91	Mr	Khamstone Sysanhouth	Northern Uplands Development Programme
92	Mr	Kim DeRidder	The Asia Foundation
93	Ms	Natalia Derodofa	ASEAN Secetariat
94	Mr	Palikone Thalongsengchanh	National Agriculture and Forestry Research Institute(NAFRI)
95	Mr	Sok Serey	Royal University of Phnom Penh
96	Ms	Patchara Jaturakomol	
97	Ms	Leonie Pearson	Stockholm Environment Institute
98	Mr	John Lichtefeld	The Stimson Center
99	Mr	Lee Lai To	Asian Research Center for International Development, Mae Fah Luang University
100	Mr	Nattapat Rugwongwan	Kasetsart University
101	Mr	Keoduangchai Keokhamphui	Faculty of Water Resources, National University of Laos
102	Mr	Sisouvanh Kittavong	Faculty of engineering
103	Mr	Nguyen Le Dinh Quy	VNUK Institute for Research and Executive Education, the University of Danang

Annex 2: Agenda



AGENDA

The 9th MRC Regional Stakeholder Forum

5-6 February 2020, Luang Prabang, Lao PDR

DAY 1. 2ND REGIONAL INFORMATION SHARING & CONSULTATION ON LPHPP PC PROCESS

SESSION 1: INTRODUCTION

8:00	Registration	
8:30	Welcome remarks (10')	MRCs CEO
8:40	Opening remarks (10')	Vice Minister, MONRE, Government of Lao PDR
8:50	Forum introduction & objectives (5')	Chief Strategy and Partnership, OCEO
8:55	Recap of the 8th Regional Stakeholder Forum , documentation and response to key comments, and the specific inputs needed from this forum (10')	Stakeholder Engagement Specialist, OCEO
9:05	Overview and progress with the PNPCA Prior Consultation process for Luang Prabang hydropower project, including summary of key events so far and roadmap for future consultations and information sharing (10')	Director, PD
9:15	Report on National Information Sharing/Consultation Meeting by Notified Countries and Notifying Country, including national consultation process and outcomes (10' for each Member Country) Q&A (10')	MRC Member Countries
10:00	Coffee break	

SESSION 2: DRAFT TECHNICAL REVIEW REPORT

10:15	Overview and background of the draft Technical Review Report for the Luang Prabang project (10') Q&As (5')	Chief Basin Planner, PD
10:30	Hydrology and Hydraulics & Sediments and River Morphology (20')	TD
10:50	Environment & Fisheries (20')	ED

11:10	Dam safety & Navigation & Socioeconomics (30')	PD
11.40	Plenary discussion	All
12:00	Lunch	
13.00	Invited stakeholder's technical views on the proposed LPHPP (20')	

SESSION 3: RECOMMENDATIONS ON DRAFT TECHNICAL REVIEW REPORT

	Parallel discussions & recommendations (120') on preliminary technical review findings in two break-out groups:	
13:20	1) Hydrology & Hydraulics and Sediments & River Morphology Facilitator: Jane 2) Dam safety & Navigation Facilitator: Palakorn 3) Environment and Fisheries & Socioeconomics Facilitator: So Nam	Note taker: Saraan, Tuan, Mayvong Erinda, Yen Minh, Pagna, Nittana
		All
15:00	Coffee break	
15:30	Report back on key comments and recommendations (10' per group)	Stakeholder
16:00	Reflection on the feedbacks by Lao PDR/ developer (10'), by MRCS (10'), notified countries & Plenary discussion (10')	All, facilitated by Chief OCEO

SESSION 4: CONCLUSION AND NEXT STEPS

16:30	Recap of overall key points and next steps for prior consultation process for Luang Prabang Hydropower Project	Chief Basin Planner, PD
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DAY 2. PREPARATION OF BDS 2021-2030 AND SP 2021-2025

8:30	Registration	
8:35	Forum introduction & objectives (5')	Director, PD

SESSION 1. OVERALL APPROACH

8:40	Recap on the overall strategic planning, monitoring and reporting framework (10')	Chief Strategy & Partnership, OCEO
8:50	Lessons learned from the current BDS and approach to preparing the BDS 2021-2030 and SP 2021-2025, followed by Q&A (20')	Chief Basin Planner, PD
9:10	Overview of the draft BDS 2021-2030, followed by Q&A (20')	Chief Basin Planner, PD

10:00 Coffee break

SESSION 2. BASIN DEVELOPMENT STRATEGY RESULTS CHAIN

10.15	Presentations by other MRC related regional frameworks and organizations	
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10.30	Basin Vision to 2040 and results chain to 2030 (30')	M&E Specialist, OCEO
Parallel Discussion on Strategic Priority, Outcomes, Outputs (incl. key actors and impact pathway to achieve Outcomes) (90')		
11:00	1. Environment Dimension & Climate Change Dimension Facilitator: So Nam & Jane	Note taker: Sarann, Erinda
	2. Social Dimension & Economic Dimension Facilitator: Ly & Ton	Note taker: Minh, Pagna
	3. Cooperation Dimension Facilitator: Anoulak & Santi	Note taker: Nhu, Nittana
12:30	Lunch	
13.30	Report back and plenary discussion from each parallel session (10' for each group)	Stakeholder
14.30	Reflection panel of stakeholders on what need and how to deliver the Outcomes and Outputs in each of the 5 dimensions (45') Facilitator: OCEO	All, facilitated by Chief OCEO
15.15	Coffee break	
SESSION 4. IMPLEMENTATION ARRANGEMENTS		
15.45	Overview of BDS implementation arrangements, followed by a plenary discussion supported by a panel (60'), with a focus on:	
	- Implementation of development opportunities – roles of various actors and stakeholders	Chief Strategy & Partnership, OCEO
	- Implementation of the results chain – roles of various actors and stakeholders	
	- Stakeholder engagement in the development and management of the Mekong Basin – what further improvements can be made?	
- Funding of the implementation of the BDS and SP		
16.45	Summary of perspectives, inputs and next steps for the BDS 2021-2030 & SP 2021-2025 (15')	Chief Basin Planner, PD
17.00	Forum closure	MRCS CEO

END OF THE 9TH REGIONAL STAKEHOLDER FORUM



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