

From: [Jaimes Kolantharaj](#)
To: [Wilfredo R. Agliam](#)
Cc: [Rayhalda D. Susulan](#)
Subject: RE: Monitoring of ineligible complaints forwarded to the operations departments - Sri Lanka: Green Power Development and Energy Efficiency Improvement Investment Program – Tranche 1
Date: Thursday, March 25, 2021 11:25:06 AM
Attachments: [Responses to Mr. De Silva.docx](#)

Dear Warren ,

This issue was happened a long time back and it has been already settled. Owners of Aqua Dunhinda visited PMU (CEB and consultants) and discussed all the matters. The complainant informed CEB that they were not that much familiar with the local mechanism and thus they wrote directly to ADB. CEB had submitted a special report for the complaint and clarified all their concerns , they have no further queries and was satisfied with the response and clarifications providing by PMU regarding the same.

Attached is the last report submitted to Owners of Aqua Dunhinda after their meeting with PMU and providing necessary clarifications.

Thank You,

Regards

Jaimes

Jaimes Kolantharaj

Senior Energy Specialist

Energy Division

SOUTH ASIA DEPARTMENT

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Email: jkolantharaj@adb.org



From: Wilfredo R. Agliam <wragliam@adb.org>

Sent: Thursday, March 25, 2021 10:22 AM

To: Jaimes Kolantharaj <jkolantharaj@adb.org>

Cc: Rayhalda D. Susulan <rsusulan@adb.org>

Subject: FW: Monitoring of ineligible complaints forwarded to the operations departments - Sri Lanka: Green Power Development and Energy Efficiency Improvement Investment Program – Tranche 1

Dear Jaimes,

We are keen to close the record of this complaint from our end and would appreciate your feedback. If you have a PCT closing record of this complaint, that would suffice.

Thank you.

Regards,

Willie

Wilfredo R. Agliam
Associate Facilitation Coordinator
Office of the Special Project Facilitator (OSPF)
Accountability Mechanism
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Tel (632) 8632-4326
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From: Wilfredo R. Agliam
Sent: Thursday, March 11, 2021 12:13 PM
To: Jaimes Kolantharaj <jkolantharaj@adb.org>
Cc: Warren Evans <wevans@adb.org>; Mary Jane V. David <mj david@adb.org>; Ricardo Carlos V. Barba <rbarba@adb.org>
Subject: Monitoring of ineligible complaints forwarded to the operations departments - Sri Lanka: Green Power Development and Energy Efficiency Improvement Investment Program – Tranche 1

Sent on behalf of Mr. Warren Evans, Special Project Facilitator, Office of the Special Project Facilitator

Dear Jaimes,

The Office of the Special Project Facilitator would like to follow-up status of the problem-solving process of the subject complaint forwarded to SARD and SLRM on 23 February 2017. Please note that the last input we had on the status of the resolution of the complaint was on 30 November 2017 as per attached email.

The complaint was about the proposed Moragolla Reservoir Dam Project and its immediate downstream impact because of (i) material reduction in the water flow due to power generation and its resulting impact on marine and ecological environment in the immediate downstream where Aqua Dunhinda is located, and (ii) sediment flushing through the bottom outlet. The ADB project team agreed to implement the following measures to address the issues raised by the complainants: (i) ensure that grievance redress mechanism for the project is known to the communities, organize public consultations to raise awareness and explain how the GRM works, and include complainants as a part of stakeholder consultations in the future, and (ii) OD may consider using the project complaint tracking system in tracking this complaint and documenting their problem solving milestones.

SPF- Sri Lanka: Green Power
2017- Development and
01-01- Energy Efficiency
0058 Improvement
Investment Program

- Environmental and sociological impacts
- Impact on people, livelihood and business

- Complaint received, 31 Jan 2017
- Complaint acknowledged and registered, 1 Feb 2017
- Eligibility (not eligible), 23 February 2017

Sri Lanka: Green Power
Development and
Energy Efficiency
Improvement
Investment Program -
Tranche 1

The 2012 ADB Accountability Mechanism stipulates:

- Para. 137 (vi) - track the ineligible complaints that were forwarded to the operations departments because of the complainants' lack of prior good faith efforts to solve the problems and issues with the operations departments; and
- Para 196 - at the end of the process of addressing the ineligible complaints forwarded to the operations departments by the OSPF or CRP, the operations department will produce a report summarizing the complaint, issues, actions taken to address the problems or issues, decisions or agreements by parties concerned, results, and lessons.

We are updating our record and appreciate if you can provide us the latest status of the case resolution process and outcomes. Appreciate your feedback by 18 March 2021.

Thank you.

Regards,

Warren

Warren Evans
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From: Ricardo Carlos V. Barba
Sent: Tuesday, December 12, 2017 1:53 PM
To: Sushma Kotagiri <skotagiri@adb.org>
Subject: FW: Updates on OSPF Ineligible Complaints

Sushma:

I owe you this. Is there any other project I have not reported on?

Thanks,

Ricky

From: Ranishka Yasanga Wimalasena
Sent: Thursday, November 30, 2017 9:29 PM
To: Ricardo Carlos V. Barba <rbarba@adb.org>
Cc: Aiming Zhou <azhou@adb.org>; Manjula Amerasinghe <nmamerasinghe@adb.org>
Subject: RE: Updates on OSPF Ineligible Complaints

Dear Ricky,

Sorry for my delayed response and thanks for reminding.

This is in relation to the complaint on Sri: Green Power Development and Energy Efficiency Improvement Investment Program – Tranche 1

Our latest communication with the complainant is on 18 September as a response to his email of 12 September. The response is attached. **The complaint is not yet closed.**

We have informed him that CEB is currently working on the detailed engineering design for the inclusion of bottom outlet and the designs would be completed by mid December. We also informed him that CEB is working on additional data collection and the EIA will be adjusted/ revised accordingly. Before we proceed, ADB will review all designs and reports. We also agreed to share additional information once they are available. We also agreed to inform him when there is any new development.

Best regards,
Ranishka

<< Message: Re: FW: Complaint on Loan 3146, 3147, and 8290-SRI: Green Power Development and Energy Efficiency Improvement Investment Program -Tranche 1 >>

1. E-Flow. Based on my observation the planned 1.5m³/s is inadequate and based on my estimates it should be a minimum of 3m³/s.

Context:

- Based on my previous conversations i had recommended you visit the site. This would help explain my concern given the topography and why i firmly believe the down stream will require at least 3m³/s specially during the dry season.
- Correspondence dated Sep 14th from H D C jayaratne Project Director - The letter indicates that the planned E-flow released numbers were approved by all authorise including Mahaweli Authority
- Question regarding this to the ADB as the funding authority given the significant environmentally sensitive matter:
- Have you obtained confirmation the 1.5m³/s was specially approved by the Mahaweli author and the Central environmental authority?
- Can you please provide a copy of the letter that says they have approved this given the significant environmental sensitivity to the immediate downstream. I would have expected a separate approval for this item.

Response:

CEB has received all necessary clearances from the governments. The e-flow has been calculated based on 42 years of historic monthly flow data. The purpose of considering a longer period is to cover the drought seasons in the calculation. The following method, widely used world-wide, was used to ascertain the E-flow requirement of MHP. The formula used was developed for Minimum Flow for Ecological Requirements by the Agriculture and Environmental Research Institute, Antony, France (2006) CEMAGREF. The formula is:

$$Q = [(0.651Q_{mm} + 2)/100]Q_{am}$$

where Q_{mm} = mean minimum monthly flow

Q_{am} = annual mean discharge of the river at the dam site

Q = Environmental flow¹

The average minimum monthly flow (Q_{mm}) is 6.8 m³/s and the average monthly flow (Q_{am}) is 22.4 m³/s estimated based on 42 years of data². If these figures are incorporated into the CEMAGREF formula, the required flow for ecological requirements is calculated at 1.44 m³/s.

On top of that, the e-flow is further supplemented by an additional discharge of 0.4 m³/s from the fish ladder and the total discharge below the MHP will be 1.9 m³/s, adequate to maintain river ecology downstream of the dam till the tailrace.

2. Commencement of On-going development efforts

- I have attached photos of the on-going development efforts. Wanted to check if these efforts are been carried out in adherence to strict environment standards? For example based on my limited understand and give the sensitiveness of the downstream, would have expected settlement ponds/Treatment as part of the construction of the bridge.

¹ ThakNullah HPP, Shagharthong HPP- Pakistan, Patrind Hydropower Project - Pakistan

² Revised Feasibility Study Report, Moragolla Hydropower Project, Volume 2 Appendix - 2

Response:

Following measures have been already taken at the said site.

- Contractor is not allowed to discharge any of water coming from the construction site directly to the river;
- Several sedimentation ponds have been arranged to facilitate sedimentation of contaminant solids from the discharged water coming from the construction site;
- Cofferdams have been constructed around the main construction and all the construction activities are carried out in completely dry ambient isolating the river 100%;
- Monitoring water quality of the river before and after the construction site regularly to make comparisons and assurance of effectiveness of mitigation measures.

3. Having the right Environmental specialist with biological knowledge

- Understand the previously appointed Environmental specialist has resigned in Sept 2018. Has a replacement been appointed to date and does the person have the required **biological expertise and independence** to meet the ADB environmental standards?

- What are the ADB standards on running an ADB funded project without an Environmental specialist?

Response:

To comply with ADB's Safeguards Policy Statement 2009, CEB must adhere to the safeguard plans which is to be regularly monitored by ADB through quarterly monitoring reports. These reports will need to be made publicly available by CEB as well as published on the ADB website. The report findings will also be validated by an external environmental monitor. ADB safeguard staff will also be closely supervising and monitoring the safeguard plans' implementation.

CEB's intention to have Environmental Specialists is beyond the requirement and was only to support the project implementation unit. Therefore, there is no specific requirement on the expertise of the specialist as it is additional support to the construction supervision consultants. All Environmental Specialists in the supervision consultants team are actively working on the safeguards aspects of the project.

4. De-forestation of the downstream

- All mature trees were cut in Q3 and Q4 relating the location and surrounding areas where the power plant and road expansions are expected to take place. What is the timeline and plan to replant and resort the land?

Response:

As per stipulated guidelines in the EMP for MHP, CEB will replant 78,000 trees around the catchment area. The afforestation program is currently ahead of the target quantities for each year. As of now, around 20,000 plants are maintained at CEB's central plant nursery and all of those are to be planted before the end of 2nd quarter of 2019. All the afforestation sites will be surveyed and demarcated for clear identification.