

NATIONAL CONSULTATION REPORT

On implementation of the Prior Consultation on the proposed Don Sahong Hydropower Project on the Mekong Mainstream



VIETNAM NATIONAL MEKONG COMMITTEE
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Unofficial translated version

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1. Introduction

To implement the Resolution of the 20th Council Meeting of the Mekong River Commission (June 2014 in Bangkok, Thailand), the **Prior Consultation Process** as regulated in the Procedures for Notification, Prior Consultation and Agreement (PNPCA) of the Mekong River Commission was officially launched for Don Sahong hydropower project on 25 July 2014. This is the second hydropower project on the Mekong mainstream proposed by Lao PDR.

To prepare official opinion of Vietnam for the Lao PDR proposed project construction Don Sahong, the Viet Nam National Mekong Committee has conducted a series of national consultations in the period from August 2014 to January 2015.

2. Objectives of the Consultation

- To provide updated information on Don Sahong hydropower project to concerned stakeholders;
- To seek for views, comments, suggestions, and recommendations from concerned stakeholders on project technical documents and environmental impact report provided by the Government of Lao PDR and the Developer, the Technical Review Report prepared by the MRC Secretariat on the project impacts and its proposed mitigation measures;
- To raise awareness of concerned stakeholders on the MRC Procedures for Notification, Prior Consultation and Agreement; Agreement for Sustainable Development of the Mekong River Basin, and other Mekong cooperations.

3. Consultation Scope and targeted participants

Consultation targets are divided into different groups, including:

- Ministries and Line Agencies;
- Management agencies and technical agencies at central level;
- Provincial departments, agencies, technical institutes and universities in 13 provinces and city in the Mekong Delta;
- Non-governmental organizations located in 13 provinces and city in the Mekong Delta; and
- Local communities in the Mekong Delta.

4. Documents for Consultation

* Documents provided by the Lao PDR and the Developer

- Project Feasibility Report
- Project Design Document
- Environmental Impact Assessment Report
- Social Impact Assessment Report
- Resettlement Report

- * Technical Review Report done by the MRC Secretariat
- * Technical reports and documents from regional international organizations, non-governmental organizations.

5. Consultation activities

a) National Consultation Workshops:

- Consultation Workshop organized in Can Tho on 25 September 2014

In the workshop on 25 September 2014, there are nearly 70 delegates from the Southwest Steering Committee, concerned provincial departments and agencies from all 13 provinces and city in the Mekong Delta, some local universities and research institutes, non-governmental organizations, and a lot of media and press agencies.

- Consultation Workshop organized in Hanoi on 22 December 2014

In the Workshop on 22 December 2014: there are about 50 representatives from concerned ministries and agencies located in Hanoi, some Hanoi based NGOs, media and press agencies.

- Consultation Workshop organized in Can Tho on 23 December 2014

In the Workshop on 23 December 2014 in Can Tho City, there are around 50 participants from relevant provincial departments of all 13 Mekong Delta provinces and city, Ho Chi Minh City based technical institutes and agencies specialized in water resources, agriculture, fisheries and environment disciplines, media and press agencies, a number of non-governmental organizations located in the Mekong Delta.

- Public Consultation Forum in Can Tho on 24 December 2014

In the Can Tho Forum on 24 December 2014, there are around 40 representatives of public organizations and unions such as the Women's Union, Farmers' Union, Youth Union, people communities from all 13 Mekong Delta provinces and city, the media and press agencies.

b) Surveys and interviews with people living in the Mekong Delta

During the prior consultation process, the Viet Nam National Mekong Committee (VNMC) has been active and positive in collaboration with NGOs to conduct surveys and interviews with people communities. The VNMC also nominates representatives to attend and make presentation at the forum organized by the NGOs in the prior consultation process for the Don Sahong hydropower project. Documents and information sources from the VNMC have been used in the public consultation process conducted by NGOs.

From 13 November 2014 to 20 December 2014, there are 16 direct surveys jointly conducted by non-governmental organizations with about 1,000 interviewees giving opinion on the Don Sahong hydropower project and its impacts could be happened in the Mekong Delta.

c) Expert group

A group of expertise and experienced experts specialized in the impact assessment fields including hydrological flow regime, sediment, fisheries, water quality, biodiversity, social economics has been up. Experts have studied and reviewed documents prepared by the Investor and provided by the Government of Lao PDR as well as the Technical Review Report done by the MRC Secretariat. Their comments, assessments and judgments will be basis for the VNMC to consider and prepare its official country opinion.

d) Study by Viet Nam on flow distribution in Si Phan Don region

The study on flow distribution in the Don Sahong region is to verify the contents of the technical documents on Don Sahong hydropower project provided by the Government of Lao PDR including flow regimes in Khone Phapheng area, power generation, sediment transport, and the hydropower project impacts toward the area behind the project outlet.

Mike21C model will be used in the Study to calculate flow regimes, sediment transport, its operation include:

- Flow distribution on tributaries before and after the project
- Environmental flows when the hydropower plant operates at designed capacity
- Power production when environmental flows are secured
- Hydraulic regimes behind the hydropower plant

6. Consultation Outputs

Main comments and remarks derived from Consultation Workshops are as following:

a) Fisheries:

- In the Report, the investor does not describe and explain detailed methods for monitoring of fishery resources that results in a poor scientific and unconvincing study. Specifically, study assessed impacts of the dam to fishery resources showed that only one fish species could pass the Hou Sahong channel, while many fisheries researches indicate that only Hou Sahong channel at the Khone Falls area could allow the year round fish migration. Dr. Ian G. Baird (2011) findings reaffirmed the importance of the Hou Sahong channel for the Mekong fish species migration.

- In the Report, the Developer do not assess the various proportions of each fish species in the study area by time. The report only refers to daily catch data of fishermen. It is therefore not eligible to conclude the dam impacts to the fisheries resources because one of major dam impacts to fisheries resources is the changed proportion on fish species in the river basin.

- Developer's conclusions are not convincing when they consider simply to rehabilitate the channel (such as dredging the entrance, expanding entrance section, blasting some bed-rocks) to change its hydraulic features and to increase water flows into two Hou Sadam and Hou Xang Pheuak channels to attract fish in order to be fish pass replaced for the Hou Sahong channel. It is lack of much information and data on biological characteristics, its diversity, species proportion, migration behavior in order to assess whether these two alternative channels could be suitable.

- The Developer have not provided evidence on fish-friendly turbines to ensure that it could secure 95% of fish migrating downstream via Hou Sahong channel in safe. The Developer so far have not provided any evidence as well as the appropriate solutions to support downstream migrating fish through turbines.

- In the report, Developer are still lack of information about possible impacts on indigenous fish species in the area, especially when altered flow regimes may lead to the habitat changes for indigenous fish.

- Cross-border fish migration from the Great Lake and the Mekong Delta up to the Si Phan Don region has not been fully assessed due to the insufficient information on transboundary migratory species affected by the project.

b) Water flows

- Mechanisms to maintain flow discharge are not clear when the project operates and the Developer do not design flow regulation schemes. Solutions for maintaining flows, especially to maintain the flow discharge - the environment flow at 800 m³/s through the Khone Falls are not convincing enough.

- Transboundary impact assessments due to downstream flow changes are not fully complete, especially for Cambodia. Some statements mention the impact is not

significant that is extremely unconvincing meanwhile the project work is just 3 km away from Cambodian border.

c) Sediments

- Impact assessments on sediment and its transport mechanisms, possible impacts to its morphology are not sufficiently reliable even when the Developer have provided additional information on using model simulation of sediment transport due to lack of data, no additional sediment data survey in the project area.

- on the transboundary impact: in the report, the Developer do not assess its potential bank erosion, river bed changes in the downstream area of Cambodian territory.

d) Biodiversity

- Impact assessment on biodiversity is still sketchy and lack of additional information and data.

- Biodiversity impact assessment only focuses on project area, lack of transboundary assessment in the downstream areas, especially for biodiversity hot-spots in Cambodia and freshwater dolphin Irrawaddy, one of species is classified as critically endangered in the Mekong River.

e) Livelihoods

- Impact assessment on the local people livelihoods is also very limited and only focuses on a few villages and communes in the project area. It also focuses on household fishing catchment.

- There is no transboundary impact assessment in downstream communities, especially Cambodian people.

f) Some other assessments:

* Study by Viet Nam

- Velocity of downstream flows to Hou Xang Pheuak channel is very high (increase 1,5 - 2 times), that will affect migratory species through this area.

- Natural flows on Hou Sahong channel in the dry season about 150 m³/s (as hydraulic model simulation) only account for 4,5 – 7,3% of the total dry season average yearly flows of the Mekong river (total dry season flow of the Mekong river in this region is about 2710 m³/s).

By calculations, with such flows, if the Don Sahong dam exists, it could only ensure the maximum annual average power of about 1000GwH (only reach ~ 51% of its design requirement at 1980GwH)

- When the upstream reservoir is extended, in the dry season, flows to the reservoir reach at approximately 1100 m³/s that account for 45-50% of the total dry season average flows of the Mekong river (total dry season flow of the Mekong River in this region is about 2710 m³/s).

According to calculations for average monthly flows in many years, flows through the Khone Falls area in the dry season are all higher than 800 m³/s, but when it is calculated for specific years, during the dry season, daily flows through Khone Falls area reduce with many days less than 800 m³/s (especially in March and April of calculation years of 1988-1989, 1991-1998, 2004, 2006-2008). If the conditions in the future repeat what happened with those years, 800 m³/s of flow through Khone Falls can not be achieved.

* Additionally, some other comments:

- Study on Don Sahong project impacts is not linked to 2 important studies namely Council Study and Vietnam Study, especially in considering its cumulative impacts with other 10 hydropower cascades on the Mekong mainstream and transboundary impacts.

- In the Technical Review Report, some statements about insignificant transboundary impacts seem subjective and premature as it still lack of much information and data, assessment methodology are still uncertain, and the assessment scope is narrow in the project area.

g) Public participation

- Should ensure the public participation in the prior consultation process, particularly people living in the downstream, ability accessible to additional information that Developer provide and technical assessment from the MRC Secretariat in order to have valid and proper opinion for the riparian governments to consolidate conclusions for the proposed project.

h) Comments from consultation workshops and forums

Apart from other agencies' comments on the impacts of the Don Sahong project, residents and communities who participate in the consultation workshops and forums have also shared following recommendations:

- The consultation should be extended so that concerned stakeholders may have further researches and provide additional information, verify and review the feasibility of proposed mitigation solutions;
- Concerns and opinions from directly affected people on their lives and livelihoods in the Mekong Delta need to be carefully considered in the project

decision-making process; Prior Consultation process should be continued so that all people could have opportunities to convey their points of views.

- Lao PDR should halt the Don Sahong hydropower project construction until more study findings on the hydropower project impacts on the Mekong mainstream could be available as a basis for its consideration and decision.
- The MRC member countries should promote the implementation of the agreements and commitments among the Mekong River Commission.
- Viet Nam should accelerate its Study on impacts of hydropower projects on the Mekong mainstream in terms of economics, society, environment for more scientific evidence on the impacts of hydropower projects in the main stream, that creates solid bases for decision making process for proposed projects on the Mekong mainstream in which includes the Don Sahong hydropower project.

7. Findings

- On information and data: information and data used to assess the Don Sahong project impacts and proposed solutions to minimize its impacts is still insufficient and unreliable enough, thus it could not provide convincing evidence on its impacts and mitigation methods.
- Consultation activities are very diversified, especially consultations with large communities of people in the Mekong Delta help convey timely information to people as well as having opinion and points of views from whom who are likely to be directly affected by hydropower development on the Mekong mainstream.
- Stakeholders from central to local levels in the Mekong Delta have very actively participated in the consultation process and provide various points of view and opinion that show up their great interests and concerns to the Don Sahong proposed hydropower project. Comments obtained from the consultation rounds are very useful and create important foundation for the VNMC to report to the Government and prepare official opinion of Vietnam on the Lao PDR proposed project.
- The MRC Secretariat has made great efforts in developing the Technical Review Report with detailed and thorough analysis, impact assessment and mitigation measures that Developer provide and responsive comments. However, it should reconsider on some assessments of the transboundary impacts that are assessed as “small or insignificant”. Such assessments seem subjective due to it lacks of much information and data.

- Stakeholders agree to have recommendations: the MRC should extend the consultation time for additional information and data, further studies and project mitigation solutions and from which new sufficiently reliable basis for making a final decision on the project could be available.

ANNEX

NATIONAL CONSULTATION
On Don Sahong Hydropower Power Project
Hanoi, 22 December 2014



NATIONAL CONSULTATION

On Don Sahong Hydropower Power Project Can Tho, 22 - 23 December 2014



NATIONAL CONSULTATIONS With local people in the Mekong Delta





