

81.4 MW Banie3 Wind Farm in Poland

ENVIRONMENTAL AND SOCIAL ACTION PLAN

Version – 18 January 2021

No.	Action	Requirement (Legislative, EBRD PRs, Best Practice)	Resources, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation
0.1	Report to Lenders the results of Project environmental, social, health and safety monitoring and performance, including the implementation status of each of the ESAP elements below. Publish summary of Performance and KPIs.	EBRD Environmental and Social Policy (2019) EP IV	Responsibility: Energix Group supplemented with relevant independent experts, where applicable. Energix to demonstrate it has qualified expert to do the monitoring OR to engage external consultant for such monitoring for the lenders. During construction, Lender Engineer to supervise EHS issues as part of technical monitoring and ESAP implementation.	<ul style="list-style-type: none"> ■ bi-annually during construction, by end of Q2 and Q4 ■ annually during operation, by end of Q1 for previous year 	<ul style="list-style-type: none"> ■ Environmental and Social Reports on implementation status of each ESAP requirement below.
0.2	Develop capacities with respect to corporate ESG reporting policies and procedure for disclosure and disclosure information on ESG on the Project and all operations. Develop a Corporate-level overarching Environmental and Social Policy and cascade it to each development project. Incorporate environmental and social principles and commitments made in this Policy into contractual arrangements with contractors	EU legislation EU Taxonomy	Own resources Responsibility: Energix Group	<ul style="list-style-type: none"> ■ ESG reporting policy and disclosure procedure – by Q2, 2021 ■ ESG reporting annually starting to 2021 for preparation and 2022 for disclosure 	<ul style="list-style-type: none"> ■ ESG reporting policy ■ ESG disclosure procedure ■ ESG Report
PR1	Performance Requirement 1: Assessment and Management of Environmental and Social Impacts and Issues				
1.1	Develop and implement a Corporate-level ESMS at Energix Polska level, with the objective to ensure a coordinated process of implementing environmental and social requirements for each development project, embedding the developer's main operational activities at the same time. Develop and implement a Corporate-level overarching Environmental and Social Policy. Incorporate environmental and social principles and commitments made in this Policy into contractual arrangements with contractors in Poland. As part of the ESMS to be developed, design and implement a procedure for assessing environmental and social risks associated with contracted works and services. Develop a procurement procedure to include clear selection criteria for contractors, including past performance with regard to labour and health & safety as well as key requirements which selected contractors will have to meet in terms of EHSS. Develop a Contractor Management Plan as part of the Corporate-level ESMS, which should include the established mechanisms, such as internal inspections and audits, to verify compliance and progress towards the desired project outcome	EBRD PR1, IFC PS1 Polish regulation, Best practice EP IV	Own resources Responsibility: Energix Group	<ul style="list-style-type: none"> ■ Environmental, social and H&S management procedures and Environmental and Social Policy in place by the end of 2021. ■ Management systems implementation throughout Project life cycle. 	<ul style="list-style-type: none"> ■ Environmental and Social Policy ■ Environmental, social and H&S management procedures ■ ISO 14001, OHSAS 18001/ ISO 45001) accreditation attained (recommended, however not mandatory)
1.2	Establish, maintain and strengthen, as necessary, an organisational structure that defines roles, responsibilities and authority to implement the ESMS to ensure ongoing compliance with relevant national regulatory requirements and the PRs. Designate specific personnel, including management representative(s), with clear lines of responsibility and authority to monitor, maintain and assure implementation of the defined ESMS.	EBRD PR1, IFC PS1 Best practice EP IV	Own resources Responsibility: Energix Group directly or by delegating the EHS responsibilities to its contractors	<ul style="list-style-type: none"> ■ In place within 1 month after the financial close ■ Implementation during construction, operation and decommissioning 	<ul style="list-style-type: none"> ■ Job decisions to appoint the people for the positions (Environmental H&S, PR, HR, CLO, etc.) – of Energix Polska OR its Contractors. ■ In case these roles are let with contractors, Contract between Energix and Contractors with clear and detailed clauses on taking

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	<p>Required EHS personnel is estimated to include, as a minimum:</p> <ul style="list-style-type: none"> ■ an Environmental (and Social) Manager ■ an OHS Manager (a dedicated Occupational Health and Safety Manager needs to be employed to manage OHS aspects in relation to the project implementation). <p>Energix Polska could delegate these roles and responsibilities directly to its contractors in charge with construction and operation of the Project. Such delegation will be clearly establish through the contracts between Energix and the Contractors. Energix will assure regular (at minimum quarterly during construction and biannual during operation) monitoring of implementation of the EHS local regulations and international standards /good practices. If needed, as a results of the audits, Energix will impose to the contractors corrective measures.</p> <p>Once defined, the key environmental and social responsibilities will be communicated to the relevant personnel. Energix will ensure that employees/ contractors employees with direct responsibility for activities relevant to the Project's environmental and social performance are suitably qualified and trained</p>				<p>over these roles by contrsactors, with Energix regular monitoring events to check the compliance.</p> <ul style="list-style-type: none"> ■ Job descriptions or Energix / Energix contractors ■ Company's organigram with responsibilities for all Energix Polska's Project / Energix's contractors company's organogram showing EHS roles and responsibilities ■ Quarterly audit reports by Energix on EHS performances of contractors during construction and biannual audit reports during operation.
1.3	<p>Develop a set of topic-specific Management Plans / Framework Plans- MPs (either as standalone MPs or few MPs combining several topics) to document how Project-related impacts will be managed during construction and, subsequently, during operation:</p> <ul style="list-style-type: none"> ■ Waste and hazardous materials Management Plan ■ Environmental and Social Monitoring MP ■ Emergency Preparedness and Response MP ■ Community Health, Safety and Security MP ■ Occupational H&S FMP, Resource Efficiency and Pollution Prevention and Control ■ Hazardous Materials MP ■ Workforce MP (including Worker Code of Conduct, Worker Grievance Mechanism, Workers accommodation etc), ■ Alien Invasive Species screening and, if applicable, management plan ■ Cultural Heritage Chance Finds Procedure ■ Contractor Management MP ■ Traffic MP ■ Decommissioning MP <p>The Occupational Health and Safety Management Plan is to also address measure to ensure prevention and protection of both direct and contracted workers against COVID-19.</p> <p>Energix Polska could delegate preparation and implementation of these management plans directly to its contractors in charge with construction and operation of the Project. Such delegation will be clearly establish through the contracts between Energix and the Contractors. Energix will assure regular (at minimum quarterly during construction and biannual during operation) monitoring of implementation of the management plans. If needed, as a results of the audits, Energix will impose to the contractors corrective measures.</p> <p>In case of delegation of EHS responsibilities to the contractors, the checks under points 1.2 and 1.3 could be performed by Energix under the same audit events.</p>	EBRD PR1, IFC PS1 Best practice EP IV	Own resources Responsibility: Energix Group directly or by delegating the preparation and implementation of the Management plans to its contractors	<ul style="list-style-type: none"> ■ Preparation of the draft management plans within 1 month after the financial close ■ Implementation during construction , operation and decommissioning 	<ul style="list-style-type: none"> ■ Topic specific management plans developed and under implementation ■ In case preparation and implementation is delegated to Contractors, Regular (quarterly during construction and biannual during operation) monitoring audits reports by Energix
PR2	Performance Requirement 2: Labour and Working Conditions				
2.1	Developed a grievance program for workers. Disclose and implement the grievance program to the own employees as well as to subcontractors employees in charge with construction and maintenance works during operation.	EBRD PR2, IFC PS2, EP IV	Own resources Responsibility: Energix Group	■ before financial close	Grievance procedure in place for workers and subcontractors workers Grievance log for employees and contractors workers Amendment of the contracts with main contractors in charge with construction and maintenance to add the grievance program provisions
2.2	Define a Human Resources Policy which establishes the company's approach to managing its direct and indirect workforce, which is to include: working relationships, work organization, working hours, absence and late arrivals, vacation periods, business travel and use of company vehicles, employee	EBRD PR2, IFC PS2, EP IV	Own resources Responsibility: Energix Group	■ before financial close	Energix Polska HR Policy

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	development, health and safety responsibilities, remuneration terms and conditions, employee order responsibilities. Additionally, explicit language around prohibition of child and forced labour, non-discrimination, equal opportunity and fair treatment. A procedure documenting how the company ensures its approach to managing workforce is cascaded to its contractors should complement the Policy				
PR3	Performance Requirement 3: Resource Efficiency and Pollution Prevention and Control				
3.1	Establish and implement a Noise monitoring programme in line with Polish legislation and international standards (during operation). Based on the results develop an action plan if needed to ensure compliance with international standards and Polish legislation. Include the noise monitoring results and any noise related complaints (if applicable) in the Reports to Lenders under point 0.1.	EBRD PR3, IFC PS3, Equator Principal IV Best practice Polish Law	Responsibility: Energix Group External certified laboratories/ consultants for noise sampling	■ Noise monitoring program- during operation	■ Noise monitoring program for operation - approved by Lenders ■ Noise monitoring results included in the Reports to Lenders under point 0.1.of the ESAP ■ Action Plan to ensure compliance with Polish and Lenders requirements (in case of exceedances, only)
PR4	Performance Requirement 4: Health and Safety				
4.1	Perform the shadow flicker assessment by mapping all the receptors within the area of influence (i.e. ten times the rotor diameter) to provide more robustness to the study and to the final assessment. Overlay the modelling results with receptors layers identified using updated satellite imagery in order to confirm no receptors are located within impacted areas. Receptor layer will also take into consideration the urban expansion occurred in the area, if any. As shadow flickering is something that can be confirmed only once in operation, monitor the Grievance Mechanism to follow up on potential grievances on shadow flicker. Develop an action plan to reduce the impact if necessary.	EBRD PR4, IFC PS4, EP IV Best practice EBRD PR10	Own resources Responsibilities: Energix Polska	■ Within 1 st year of operation	■ Comprehensive analysis on each of the sensitive receptors. Action plan to reduce the impact if necessary. ■ External Grievance mechanism in place
4.2	The blade and ice throw are considered as a potential impact on humans, which can be generated by the operating wind farm. In order to mitigate the potential impacts: <ul style="list-style-type: none"> ■ Ensure that warning signs are located at the entrance to the WF's area, are all the time in place at the entrance to each WTG; ■ Perform weekly checks of each WTG location with focus on safety and warning signs condition; ■ Ensure appropriate public communication and ongoing engagement with local Authorities as well as local inhabitants in order to be able to respond to any issues related to ice and blade throw risk immediately. 	EBRD PR4, IFC PS4, EP IV Best practice	Own resources. Responsibilities: Energix Polska	■ Ongoing throughout the project	■ Internal notes; photos; copies of communication with public and authorities.
PR5	Performance Requirement 5: Land Acquisition, Involuntary Resettlement and Economic Displacement				
5.1	For the turbines, land has been acquired based on individual commercial contracts. Potential issues may arise during construction or future maintenance with the temporary use of land, which may result in crop or other damages etc. Therefore engage with the local communities and start identifying vulnerable groups who may be impacted by each project and determine if additional mitigation measures are required.	EBRD PR5 Best practice IFC PS 5 EP IV	Own resources Responsibilities: Energix Polska	■ During construction and ongoing throughout the Project lifetime	■ Minutes of engagement meetings ■ External Grievance mechanism in place
5.2	Develop and implement an Annual Community Investment Plan for Banie III using a participatory approach (involving the local affected communities). This Plan will define the domains in which Energix Polska will invest to support the development of the affected communities, e.g. education, local infrastructure and the annual budget.	EBRD PR5 Best practice	Own resources Responsibilities: Energix Polska	■ During Operations, with annual revision, prior end Q4 for the following year	■ Community Investment Plan for Banie III
5.3	Develop a Compensation Procedure at corporate level to ensure transparent and consistent compensation through implementation of standards across all company projects. Since the land acquisition was performed, this procedure will refer to:	EBRD PR5 Best practice IFC PS 5 EP IV	Own resources Responsibilities: Energix Polska	■ Prior to financial close	■ Compensation Procedure

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	<ul style="list-style-type: none"> ■ compensation in case accidental damages to private; ■ temporary use of private land during major maintenance/repair works. <p>For these cases, compensation is to be paid in line with Polish regulations and PR5 requirements (ideally before using the land).</p>				
PR6	Performance Requirement 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources				
6.1	<p>During construction retain a professional ecologist to undertake an assessment of flora and fauna of the area to limit the impact on any protected species.</p> <p>Several of the strictly protected Annex IV may breed and/or rest in even very small isolated localities.</p> <p>As a minimum, all areas of new land take, including road widening and temporary laydown areas, will be surveyed prior to construction starting. If Annex IV species are present alternative translocation sites will be identified within the project footprint. Immediately prior to any construction starting in that area the ecologist will collect as many individuals as practicable and remove to the translocation site. In temporary land take ponds will be reinstated.</p>	National and EU Lenders	Own resources with internal / external ecologists	<ul style="list-style-type: none"> ■ Contracted for the construction period ■ Internal document – biodiversity management plan ■ During construction Ecologist on site 	<ul style="list-style-type: none"> ■ Report on any protected species and action plans if needed to limit impacts (movement of vulnerable species etc).
6.2	<p>Appoint an Independent Ornithological and Chiropterologist (birds and bats) expert (IOCE) to undertake monitoring of the Project during commissioning then subsequently during operation of the wind farm. The IOCE will be appointed on 3 year contract and this will continue through the operation of the wind farm.</p> <p>The IOCE will produce annual reports to be submitted to the Lenders on the impacts.</p> <p>The IOCE should work on all Banie windfarms to ensure cumulative assessment and ensure that the focus is on highest risk areas. After 3 years the scope of the IOCE will be refined to concentrate on areas that are seen as high risk. This will include any further expansion of the wind farm.</p>	EBRD PR6, IFC PS6, EP IV Best practice	Own resources External consultants Independent Ornithological and Chiropterologist	<ul style="list-style-type: none"> ■ Appointed prior financial close, with initial contract for 3 years and further prologue as needed 	<ul style="list-style-type: none"> ■ Contract with IOCE in place ■ Annual biodiversity reports prepared by IOCE
6.3	<p>Begin VP based surveys in February 2021 and develop an additional Collision Risk Modelling (CRM) using the accepted Band model developed by SNH. Undertake assessment of potential displacement of SPA qualifying features through winter geese surveys of habitat use within the wind farm.</p> <p>Flight altitudes for White Tailed Eagle should be surveyed in a combination of assessment (trained observers) and measurement (technical).</p> <p>The CRM should consider cumulative impacts with the adjacent Banie I and II wind farms.</p> <p>A biodiversity related ESAP identifying mitigation options and the limits of acceptable change that trigger intervention should be developed by the IOCE. Based on the impact assessment outcomes, define required mitigation measures, and ensure these are adequately transposed into a Biodiversity Management Plan (BMP).</p>	EBRD PR6, IFC PS6, EP IV Best practice	Own resources External consultants	<ul style="list-style-type: none"> ■ VP's One year, starting February 2021 ■ Winter geese survey February -April 2021 ■ Interim findings presented after spring migration 2021 ■ ESAP – June 2021 	<ul style="list-style-type: none"> ■ Monitoring programme developed and monitoring reports; ■ Biodiversity management Plan ■ ESAP
6.4	<p>Applicable in case of significant bird impact:</p> <p>Specific survey work using VP studies and CRM mentioned above under 6.3 together with further desk study and consultation, will assist with identifying whether automated approaches such as DTbird would be suitable, and if so how best to configure them. Such studies will also assist in refining and understanding peak risk periods, when shut down procedures may be most effective.</p> <p>Based on the results, develop a shut down on demand procedure to be used by the IOCE to shut down individual turbines if needed due to risk of collision notably with the endangered birds – notably the white tailed eagle.</p> <p>Once in place, all shut down incidents will be reported annually to Lenders.</p> <p>Test the shut down protocol with the IOCE each year.</p>	EBRD PR6, IFC PS6, EP IV Best practice	Own resources External consultants Independent Ornithological and Chiropterologist	<ul style="list-style-type: none"> ■ Shut down on demand procedure prepared before commissioning and further implemented continuously during operation ■ Annual Report by end Q1 for previous year of operation 	<ul style="list-style-type: none"> ■ Shut down on demand procedure ■ Shut down report
6.5	Develop a post-construction bird and bat monitoring programme in line with best international practices, Polish guidelines and the requirements of the Environmental Decision.	EBRD PR6, IFC PS6, EP IV	Own resources External consultants	<ul style="list-style-type: none"> ■ Yearly during the first 5 years of operation 	<ul style="list-style-type: none"> ■ Production of carcass monitoring plan ■ Post-construction biodiversity monitoring reports

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	The post-construction programme needs to include carcass surveys to identify bird and bat casualties and carcass persistence/ surveyor efficiency surveys to confirm removal rates by scavengers, or removal by any other reasons (e.g. ploughed into the soil during seasonal agricultural activities). Use best practice for instance being developed by the UN CMS Energy Task Force. Provide summary of results to Lenders as part of annual report, and regulators as required.	Best practice			
6.6	Develop a bat mitigation procedure that includes triggers for change based on the number of bats per turbine killed assessed against European averages for operational turbines and population levels. Protocols for curtailment procedures aimed at shutdown of turbines at night when wind speeds fall below 6 m/s to be developed. Use EuroBat guidance to develop this procedure with the IOCE within the first 2 years of operation of the wind farm. Results from the carcass monitoring in relation to time of year and location of casualties will be used to optimise any curtailment regime.	EBRD PR6, IFC PS6, EP IV Best practice	Own resources External consultants Independent Ornithological and Chiropterologist	■ Within the first 2 years of operation of the wind farm	■ Bat mitigation procedure
PR8	Performance Requirement 8: Cultural Heritage				
8.1	Prepare a map showing the turbines and all associated wind farm infrastructure and the nearest designated assets. Provincial Conservator of Monuments should be consulted to ascertain the presence and likely extent of buried archaeology – as well as the location and extent of any protected archaeological areas - within and close to the proposed windfarm development area. This information should be mapped along with all available spatial details of the windfarm development, including the alignment of access tracks, and supporting infrastructure such as electrical substations and control buildings.	EBRD PR8, IFC PS8, EP IV Best practice	Own resources, performed with external consultant Responsibilities: Energix Polska	■ Before start of construction	■ Cultural heritage map
8.2	Prepare and implement a Chance find procedure in line with Polish and international standards, to apply to Banie III	EBRD PR8, IFC PS8, EP IV Polish regulations Best practice	Own resources Responsibilities: Energix Polska	■ Before the financial close, available during construction phase	■ Chance find procedure in place
PR10	Performance Requirement 10: Information Disclosure and Stakeholder Engagement				
10.1	Implement the Stakeholder Engagement Plan (SEP) as "living document", updated regularly to reflect engagement conducted to date, potential new stakeholders identified and any changes required to adapt it to the project conditions and stakeholder expectations. In order to achieve this: <ul style="list-style-type: none"> ■ sharing information about the Project with the interested stakeholders, as early as possible, by all the accessible means of communication. ■ Annual report on ESG impacts to be shared with local community on the cumulative impacts of Banie wind farms ■ Summary ESG report covering Energix Poland sites disclosed on Company's website conduct meetings with the local communities to understand their opinion about the Project, Project status, future engagement strategy and start building the relation with these stakeholders. ■ consultation meetings will be planned and held with due consideration of the needs of any disadvantaged or vulnerable groups identified and will be free of external manipulation, interference, coercion or intimidation. ■ document the results of future consultation activities as annexes to the Project SEP. ■ disclose the SEP in local language to the local communities. 	EBRD PR10, IFC PS1, EP IV Best practice	Own resources	<ul style="list-style-type: none"> ■ Prior to financial close with regular engagement thereafter ■ Outreach to local community within a 5 km distance of the wind farm. 	<ul style="list-style-type: none"> ■ updated SEP on yearly basis ■ Provide evidence to lender by end of Q1 2021 on stakeholder engagement meeting and compunctions.
10.2	Implement the grievance mechanism / procedure for external stakeholders as defined in the SEP: <ul style="list-style-type: none"> ■ the grievance mechanism will be disseminated in the affected communities starting as early as possible, prior to construction; 	EBRD PR10, IFC PS1, EP IV Best practice	Own resources	■ Prior to financial close with regular engagement thereafter	Project-specific grievance mechanism / procedure for external stakeholders

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	<ul style="list-style-type: none"> ■ ensure Grievance Forms are constantly made available to the local communities and that people know where they can access these and how to use/submit them to the company; ■ ensure grievances received are managed in line with the management procedure presented in the Project SEP. ■ assess the efficiency of the grievance process periodically and adjust it as appropriate. 				
10.3	<p>Appoint an employee responsible for relations with the local communities (to be called Community Liaison Officer - CLO) and ensure she/he conducts regular engagement with the local communities during construction and operation, as needed.</p> <p>Ensure that contact details of the CLO are made available to all stakeholders (contractors, local communities and residents of the area) in order to ensure that any grievances including related to environmental, social and H&S aspects of the Project can be easily communicated to the SPV/ Energix Polska.</p> <p>The CLO will need to be acquainted with the stakeholders and stakeholder process as outlined in the SEP, and have a clear understanding of the project schedule and engagement milestones in order to inform stakeholders appropriately about the project progress.</p>	<p>EBRD PR10, IFC PS1, EP IV</p> <p>Best practice</p>	Own resources	<ul style="list-style-type: none"> ■ Prior to financial close 	Appointment of an employee responsible for relations with the local communities (to be called Community Liaison Officer - CLO)
10.4	<p>Develop an Annual Environmental and Social Report or ESG report on the environmental, social and health and safety performance of the Project and share it with the relevant stakeholders.</p> <p>This will also include reporting on a regular basis to the impacted communities about project progress status, and progress in the implementation of the ESAP. Reporting frequency could be bi-annual during construction and annual during operation. However, this could be refined depending to feedback received from the relevant stakeholders and, in this case, it should be reflected in the Project SEP.</p>	<p>EBRD PR10, IFC PS1, EP IV</p> <p>Best practice</p>	Own resources	<ul style="list-style-type: none"> ■ bi-annual during construction and annual during operation 	Project presentation; amended SEP