

Special Topic (“Upstream” bloc). (0:30)

IEE/EA Conditions and Environmental Compliance

Best Practice for “Tricky Activities”

Objective

Appreciate why categorical exclusions often do not apply to activities like Policy development; Trade; SME Support; and Private Sector Credit Support, and the principles that inform the conditions that should be applied to these activities.

Format

Presentation and Q&A

Summary

While Reg. 216 enumerates classes of activities eligible for categorical exclusions, it also states that categorical exclusions do not apply if “at any time in the design, review or approval of the activity. . . it is determined that [it]. . . is subject to the control of USAID and may have a significant effect on the environment.” (22CFR216.2(c)(3)).

For this reason, a number of typical USAID-funded activities are NOT eligible for categorical exclusions—even though they fall within a general class of activities that are eligible.

In these and other typical activities, USAID’s “knowledge and control” may be less than complete. What does this mean for the development and implementation of appropriate IEE conditions?

This session explores these questions via a set of brief case studies and participatory discussion.

When is a training or policy activity NOT a categorical exclusion?

In essence, the answer to this question depends on what is being planned or taught or encouraged, and whether adverse environmental impacts may result when trainees carry through on their training, or a policy is implemented. If adverse impacts may result, the training/technical assistance (policy strengthening) activity in question would not necessarily be categorically excluded.

For example, training in better recordkeeping will result in records being kept in improved ways. This has no foreseeable significant adverse environmental impact. But training for an immunization or HIV testing program is intended to influence how health care workers implement an activity that will generate significant quantities of hazardous medical waste (used needles and blood samples.) Therefore, this type of health sector training would not be considered a categorical exclusion; it would rather receive a negative determination with conditions; the key condition would be that the training must address appropriate handling and disposal of used needles and blood samples.

This question often comes up in relation to training in pesticide use and policy strengthening in sustainable natural resources management. Consider this: USAID is asked to plan for or train Ministry of Agriculture staff on the use of DDT or to assist Ministry of Natural Resources staff to write natural resources management policy which includes harvesting rainforest resources. Would we be able to say that since we were not actually applying DDT or we were not actually harvesting the forest, what the staff did after we taught them or how the policy was applied after we wrote it was not our concern and therefore that our actions did not result in adverse environmental impacts? No, we can not. Therefore a categorical exclusion is not appropriate.