

Session 19.

Environmental Priorities for USAID Activities in Kenya & East Africa + Bringing Curricula to Reality

Group discussion and individual action planning

Summary

The first approximately one-half of this session will be comprised of group discussion addressing environmental priorities and challenges for USAID/Kenya and East Africa and its partners.

Group discussion will be followed by an Action Planning exercise in which participants synthesize key elements of the technical instruction and skill building activities to identify specific ways in which they can advance environmental compliance objectives and the principles of ESDM.

Taking Stock: the State of Environmental Compliance in USAID Mission & Projects

This workshop has set out environmental compliance requirements, and how the responsibilities for fulfilling these requirements are allocated among USAID, including A/CORs, and IPs. In practice, significant compliance gaps and shortfalls exist. Many of these gaps and shortfalls are rooted in inadequate compliance *systems and processes*.

That is, for compliance to be achieved in practice, it is not enough that individual USAID and IP staff understand their roles and responsibilities and master key skills; internal mission/team and project processes must be in place that support (and require) the exercise of these responsibilities.

In this first part of the session, we will examine the *AFR Best Practice Standard* to better understand the mission processes and capacities required for environmental compliance in project implementation. (While developed by Africa Bureau, there is nothing about these standards that are region-specific.) This session will consist of discussions and individual planning on “ways forward” — i.e., how to strengthen mission/team and IP/project compliance processes and capacities to improve environmental compliance and better achieve ESDM.

Focus Groups and Individual Action Plans.

Having taken stock of where we are, we are ready to begin to discuss ways forward: how can we and our mission and projects strengthen mission and team compliance processes and capacities to improve environmental compliance and better achieve ESDM?

We will divide into two focus groups: (1) Mission Staff and (2) IPs. (*Note: depending on balance of participant numbers in these two groups, a different grouping may be decided.*) Each group will engage in a facilitated discussion.

Focus Group Questions:

- What elements of environmental compliance are well implemented by your team/project? Why?
- Have you/your team/the mission/your project implemented compliance strengthening measures you would like to share? Are they working well?
- Key environmental compliance gaps within your team/project? What are the causes of these gaps?

- Do you see feasible remedies? What are they?
- What do the USAID sector teams (and A/CORs specifically) need to do differently? Do they or the projects need additional resources, support or training to implement these changes?

Plenary “Way Forward” Discussion and Individual Action Plans.

Following the focus groups, we will reconvene in plenary:

- We will begin the plenary session with a short report-out from each group.
- Then, we will have a facilitated discussion to try to reach agreement, as a group, on the following questions:

Assuming that each of us have the opportunity to deliver post-workshop briefings to Mission Management /Sector Team leaders or COPs, what are the key points to convey to prioritize and strengthen environmental compliance? Key recommendations to make?

(Not all points will be applicable to all everyone, but we want to agree on a set of core messages.)

- The last portion of this session will be reserved for development of individual workshop follow-up plans, using the template on the following page. We will ask for volunteers to share some of their follow-up items.

Objective

Survey the Mission and Project processes and capacities required for environmental compliance. Identify key messages to communicate to mission management/sector team leaders (USAID staff) and COPs (IP staff) to prioritize and strengthen environmental compliance in project implementation.

Develop an individual plan for workshop follow-up to strengthen environmental compliance in your project, team, or mission/operating unit.

Key resources

- *USAID/AFR Environmental Compliance Best Practice Standard*
- Environmental Compliance Action Plan template (both provided on the following pages.)

USAID/AFR Environmental Compliance Best Practice Standard (draft—revised March 2015)

A. Directive environmental documents are in place and accessible to and utilized by Mission staff
1) Environmental Compliance Mission Order is in place and generally consistent with AFR good-practice model. ¹
2) Mission tracking system exists for Regulation 216 and host-country documentation status, and coverage at the contract/award level is accessible to all staff and utilized and contributed to by staff, including use by A/CORs to track EMMPs.
3) MEO, A/COR, and AM have copies of their current IEEs and host-country environmental documentation on file (electronic or hard copy, including Programmatic IEEs and central mechanisms).
4) Up-to-date ETOA or FAA 118/119 as part of the CDCS, prepared with MEO involvement or review.
5) Mission's Performance and Monitoring Plan (PMP) reflects attention to environmental compliance.
6) Current Regulation 216 documentation (RCEs, IEEs, and PERSUAPs) at the appropriate Mission or central level are: a) in place, covering all Mission-funded and –managed activities; and
7) A/CORs have EMMPs and quarterly or bi-annual reports on file for each project that includes activities that have a Negative Determination with Conditions
B. USAID staff environmental compliance responsibilities and reporting lines are formally established
1) MEO/dMEO Appointment Memo(s) are in place and generally consistent with the AFR good-practice model. ¹
2) A deputy or alternate MEO is appointed to assist when the MEO is unavailable.
3) In the execution of her/his MEO duties, MEO is directly accountable to the Senior Program Officer or senior Mission management.
4) MEO has limited or no duties as an A/COR on projects.
5) Environmental compliance responsibilities of A/CORs and Alternate A/CORs are specified in their Appointment Letters and position description, consistent with good-practice AFR environmental responsibilities and they understand and carry out their responsibilities.
6) Environmental compliance responsibilities of AMs are specified in their position description and they have discussed allocation of environmental compliance responsibilities with their A/COR.
7) Point of contact has been established for each office to facilitate interaction with the MEO and to assist other staff with environmental compliance questions.
C. Mission staff and implementing partners are trained in environmental compliance and ESDM
1) Mission staff have been trained and demonstrate competency in USAID and host-country environmental compliance and ESDM.
2) Refresher training opportunities are provided annually to staff and implementing partners.
3) MEO has received formal training in environmental management and/or environmental impact assessment well beyond the level of a one-week workshop and has a strong working knowledge of host-country environmental requirements and processes.
4) Implementing partners have been trained and demonstrate competency in environmental compliance and ESDM.
D. Environmental compliance is integrated in Mission processes, which includes not only Mission-funded projects but all grants, mechanisms, and transactions that the Mission is responsible for overseeing down to the activity level
Design and Award Processes
1) Per ADS 201.3.16.2d and 201.3.16.3b, concept notes and PADs include environmental analyses. The MEO is consulted during the development process including reviewing RFA/Ps, and participating in kick-off meetings.

¹ Example Mission Orders and MEO Appointment Memos can be found at: <http://www.usaidgems.org/rolesRespons.htm>.

2) IEE conditions are incorporated into solicitations RFA/Ps, PIO and G2G agreements, and transaction support applying the Environmental Compliance Language for Solicitations and Awards Help Document ² , or a process exists for ensuring activity-level IEE will be undertaken by the implementing partner (and included as a task in the
3) MEO is notified in advance when new awards, agreements, and/or contracts are being issued, or when ceilings are raised, and is requested to comment.
4) Mission checklists for new awards, agreements, and/or contracts include confirmation of current and relevant Regulation 216 documentation.
5) Implementing partners have copies of their IEEs and EMMPs and environmental compliance is part of award briefings.
Oversight of partners and sub-partners* *including project implementers operating under a central mechanism but within the Mission's area of jurisdiction
6) Process exists for ensuring Mission or implementing partner develops and implements an EMP/EMMP.
7) Mission field visit checklists include environmental compliance and incorporate an environmental site visit form in project M&E, where feasible, and processes exist to ensure regular monitoring.
8) Implementing partner project performance reporting (i.e., quarterly, semi-annual or annual reports) includes a section on environmental compliance based on EMMP implementation. If the Mission has standardized reporting templates, they include environmental compliance.
9) Process exists for incorporating IEE conditions into award documents and agreements; and including mitigation and monitoring costs in project budgets.
10) A/CORs review program activities annually with the implementing partner and the MEO to determine if activities have been changed or added and whether they are included in the existing IEE, or whether an amendment is necessary.
11) Compliance documents are reviewed one-year prior to project closeout to ensure partners focus on environmental sustainability of the project after termination.
Overall
12) MEO, A/CORs and AMs have process for collaborating on activities with potential environmental impacts (from design to closure).
13) Environmental compliance is integrated in Annual Portfolio Reviews.
14) Environmental compliance/ESDM "lessons learned" are integrated in closure reports, the Development Experience Clearinghouse (DEC), and Mission external communications (e.g., Web sites or social media), where
15) MEO reviews and considers host-country environmental standards for all USAID activities, including working through host-country permitting processes.
16) Process exists between the A/COR and AMs for centrally managed programs to track and report to USAID in Washington, D.C. on development of the EMMP, implementation of mitigation measures, and continued assessment of potential environmental impacts.
E. Internal environmental compliance resources are adequate
1) Adequate financial resources are available to support Mission environmental compliance, including training and analytical support.
2) The MEO function is adequately resourced, both in terms of LOE available for the MEO and support staff, as well as funding for the MEO to undertake field monitoring.
3) Funds are available, if needed, for independent monitoring of EMMP implementation for environmentally consequential/complex activities, or for difficult to access sites.

² <http://www.usaid.gov/sites/default/files/documents/1865/204sac.pdf>

F. Appropriate progress has been made on previous BPR Action Plans and OIG Audit concerns³

- 1) Mission has developed and implemented the Action Plan as an outcome of the previous BPR; best processes and practices are still in place.
- 2) If applicable, items proposed in the OIG Audit of July 2011 have been corrected and are still in place.

³ Audit of Selected USAID Missions' Efforts to Mitigation Environmental Impact in their Project Portfolios (No. 9-000-11-002-P).
<http://oig.usaid.gov/sites/default/files/audit-reports/9-000-11-002-p.pdf>



USAID
FROM THE AMERICAN PEOPLE

**Environmental Compliance +
Environmentally Sound Design & Management
in Project Implementation**
A Training Workshop for USAID/Kenya & East Africa Staff & Partners

INDIVIDUAL WORKSHOP FOLLOW-UP PLAN

With reference to previous discussions in this session, please identify 3-5 follow-up actions that you plan to take after this workshop to strengthen environmental compliance on your project, in your team, or in your mission/operating unit. For each, state a proposed timeline and immediate next step.

Example actions. Actions might include (but are not limited to):

***Mission Staff:** Brief mission management on key messages identified in this session ▪ Brief contracts team on ECL and inclusion of environmental responsibilities clauses in A/COR letters ▪ Require EMMPs for projects for which you are an A/COR ▪ Deliver a short Environmental Compliance Briefing for mission staff ▪ Work with M&E specialist to better assess env compliance in field visits.*

***IPs:** Brief your COP and M&E lead on key environmental compliance requirements as conveyed by the workshop ▪ Lead an environmental compliance session ion an upcoming staff training ▪ Developing a first-draft EMMP for internal review ▪ Developing a TOR for an external consultant or requesting TA from your home office to assist with EMMP development*

Action item	Proposed timeline	Immediate step
<i>Ex. Lead Environmental Compliance Session in upcoming staff training. (Develop short presentation using slides from this workshop.)</i>	<i>2nd week of August</i>	<i>Contact training coordinator.</i>
1.		
2.		
3.		
4.		