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Participant Sourcebook

Environmental Compliance + Environmentally Sound Design & Management (ESDM) in Project Implementation

A Training Workshop for USAID/Kenya and East Africa Staff & Partners

Naivasha, Kenya ▪ 20–24 June 2016

This document was produced for review by the United States Agency for International Development. It was prepared by The Cadmus Group, Inc.

Participants' Sourcebook:

Life-of-Project Environmental Compliance and Environmentally Sound Design and Management

A Training Workshop for USAID/Kenya and East Africa Staff and Partners

Naivasha, Kenya
20–24 June 2016

Host & Sponsor
USAID/KEA

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DISCLAIMER
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AGENDA

(Version date: 20 May 2016)

USAID/Kenya & East Africa
Environmental Compliance +
Environmentally Sound Design & Management
in Project Implementation Workshop

Simba Lodge—Lake Naivasha, Kenya
20 – 24 June 2016

Training Objective:

The overall goal of the workshop is to strengthen environmentally sound design and management of USAID-funded activities in Kenya and throughout East Africa by assuring that participants have the motivation, knowledge, and skills necessary to: (1) achieve environmental compliance in project implementation; and (2) otherwise integrate environmental considerations in activity design and management to improve overall project acceptance and sustainability.

Key Activities:

Day 1 Overview of Environmentally Sound Design and Management (ESDM) and skill-building in Environmental Impact Assessment (EIA).

Day 2 Explain and practice USAID Environmental Procedures and discuss mitigation and monitoring of project activities.

Day 3 Prepare for and complete site visits.

Day 4 Small-group collaboration for preparation of mitigation and monitoring plans; present field work results; address Additional Special Topics in ESDM.

Day 5 Synthesize workshop proceedings and skill-building and consider professional and organizational next steps.

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
Day 1	**Overview of ESDM and skill-building in EIA**		
8:00 – 8:30	Participant Sign-In		
8:30 – 8:45	Welcome and Opening Statements	Highlight training objectives, workshop content, and expected results.	USAID/Kenya & East Africa
8:45 – 9:30	**Session 1:** Workshop Objectives and Logistics; Participant Introduction and Expectations	Establish workshop objectives; brief the agenda and learning approach. Review logistics. Introduce participants; articulate expectations.	GEMS Lead Trainer
9:30 – 10:30	**Session 2a:** Environmentally Sound Design & Management (ESDM) as a Foundation for Environmental Compliance *Presentation and dialogue*	Motivate the need to systematically address environmental considerations in development activities. Understand linkage between ESDM and project success; view this process in the context of environmental compliance.	GEMS Facilitator
10:30 – 10:45	Break		

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
10:45 – 11:15	**Session 2b**: Environmentally Sound Design & Management (ESDM) in the Kenyan Context *Technical presentation and dialogue*	Review and discuss socio-cultural aspects of ESDM in Kenya; consider real-world examples of ESDM successes and failures.	GEMS Facilitator
11:15 – 12:30	**Session 3**: Fundamental Skills of Environmental Impact Assessment (EIA) *Technical presentation and dialogue*	Define key terms—baseline, impact, activity—and learn essential classroom theory for baseline characterization, impact identification & mitigation design and how they apply in the EIA framework; the EIA framework is the basis for USAID Environmental Procedures.	GEMS Facilitator
12:30 – 13:30	Lunch		
13:30 – 14:00	**Session 4a:** EIA Skill-Building Exercise *Briefing*	Receive instruction on the methodology and objectives of the EIA skill-building exercise. Divide into small groups for the field-based exercise.	GEMS Facilitator
14:00 – 16:30 *(includes return)*	**Session 4b:** EIA Skill-Building Exercise *Field visit*	Practice observation and assessment skills needed to characterize the baseline situation and identify impacts/issues of concern.	Small-group Exercise
from 16:30	Break		
16:30 – 17:00	**Session 4c:** EIA Skill-Building Exercise *Group work and dialogue*	Begin to synthesize field observations and prioritize impacts/issues of concern. Discuss possible approaches for limiting adverse effects on the environment.	Small-group Exercise
Day 2	**USAID Environmental Procedures and mitigation and monitoring of project activities**		
8:30 – 9:30	**Session 4c, continued:** EIA Skill-Building Exercise *Group work and dialogue, continued*	See preceding description.	Small-group Exercise
9:30 – 10:30	**Session 4d:** EIA Skill-Building Exercise *Presentation and discussion*	Small groups present and discuss findings and recommendations based on field visit.	Small-group Exercise
10:30 – 10:45	Break		
10:45 – 12:15	**Session 5**: Environmental Impact Assessment and "USAID Environmental Procedures": the Initial Environmental Examination (IEE) and Beyond *Technical presentation and dialogue*	Review USAID's implementation of the EIA process and the preparation of project environmental compliance documents; understand how these documents establish environmental management criteria for USAID-funded activities.	GEMS Facilitator
12:15 – 13:15	Lunch		
13:15 – 14:15	**Session 6:** Principles of Environmental Monitoring *Technical presentation and dialogue*	Review key aspects of monitoring to ensure that project environmental compliance requirements are met and potential adverse impacts effectively mitigated; highlight the selection of clear and cost-effective monitoring indicators.	GEMS Facilitator

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
14:15 – 15:30	**Session 7**: The Environmental Mitigation and Monitoring Plan (EMMP) *Technical presentation and dialogue*	Understand the EMMP concept and formats: who develops them. Their role in "operationalizing" key elements of USAID Environmental Procedures and establishing and maintaining project environmental compliance. Introduce key guidance: *EMMP Factsheet.*	GEMS Facilitator
15:30 – 15:45	Break		
15:45 – 16:00	**Session 8:** Introduction to the USAID *Sector Environmental Guidelines* + Similar Resources *Presentation*	Deepen familiarity with environmental resources and tools, particularly the *Sector Environmental Guidelines.*	GEMS Facilitator
16:00 – 17:00	**Session 9a:** EMMP Skill-Building Exercise *Briefing and classroom preparation* Technical Areas (to be confirmed): 1) Water supply/sanitation (WASH) 2) Natural resource mngt./conservation 3) Agricultural/livestock production Health care waste management	Orientation of the case study sites that will be visited in the field. Organize participants by small group and distribute technical resources. Discuss potential adverse impacts of the case study site activities. Review background and reference materials and discuss approach for EMMP development in small-group format.	GEMS Facilitators
Day 3	**Field-based EMMP exercise and small-group collaboration**		
8:00 – 13:00 *(includes return from field)*	**Session 9b**: EMMP Skill-Building Exercise *Field visit*	Build and apply the core EIA and environmental compliance skills briefed in Days 1 to 3 via a field visit and follow-up group work to: 1) synthesize field observations; and 2) develop specific mitigation and monitoring measures for the top two issues/impacts of concern at each site, with reference to the *SEG*s.	Group Participants
13:00 – 14:00	Lunch		
14:00 – 17:00 *(tea break taken at leisure)*	**Session 9c**: EMMP Skill-Building Exercise *Small group work*	Advance discussions and compilation of field visit results into an EMMP format and a group presentation.	Group Participants
Day 4	**Present EMMPs and address Special Topics**		
8:30 – 10:00	**Session 9d**: EMMP Skill-Building Exercise *Group presentations in plenary*	Articulate field visit findings, analysis, and EMMP development.	Group Participants
10:00 – 10:30	**Session 10:** Environmental Compliance Reporting *Technical presentation and dialogue*	Guidance on EMMP-related and other environmental compliance reporting, including integration with broader project M&E and other reporting requirements.	GEMS Facilitator
10:30 – 10:45	Break		
10:45 – 11:30	**Session 11**: Special Topic—WASH & Water Supply Activities *Technical presentation and dialogue*	Review the requirements and procedures involved with water quality assurance and the practical elements of water quality management in USAID-funded development programs.	GEMS Facilitator

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
11:30 – 12:30	**Session 12:** Special Topic— Pesticide Use in USAID Activities *Technical presentation and dialogue*	Brief the environmental, economic and human-health concerns related to pesticide use. Achieve a common understanding of the special environmental compliance requirements that apply to pesticide use and procurement. Review key elements of safer pesticide use, including Integrated Pest Management (IPM) and the use of Personal Protective Equipment (PPE).	GEMS Facilitator
12:30 – 13:30	Lunch		
13:30 – 14:15	**Session 13:** Special Topic—Environmental Compliance for sub-Projects and sub-Awards *Technical presentation and dialogue*	Understand practical approaches to ensuring environmental compliance and ESDM for smaller sub-project or sub-award activities.	GEMS Facilitator
14:15 – 14:45	**Session 14:** ESDM for Construction Activities *Technical presentation and dialogue*	Brief the compliance and ESDM challenges and best practices related to small-scale construction activities.	GEMS Facilitator
14:45 – 15:00	Break		
15:00 – 16:30	**Session 15:** Environmental Compliance/ESDM Knowledge game *Small-group competition*	Reinforce key "core session" content in a small-group competition.	GEMS Facilitators
16:30 – 17:00	**Session 16:** BEO/REA Informational Session *Brief presentation followed by Q&A session*	Engage with Washington, D.C.-based Bureau Environmental Officer(s). Understand perspectives from USAID headquarters and at the East Africa Regional level on environmental compliance and management issues of concern.	Bureau Environmental Officer (or Designee) and/or USAID/East Africa Regional Environmental Advisor
Day 5	**Way Forward**		
8:30 – 9:00	**Session 17:** Roles, Responsibilities & Resources *Technical presentation and dialogue*	Summarize the various responsibilities of USAID staff and Implementing Partners (IPs); introduce additional key resources available to support environmental compliance and ESDM.	GEMS Facilitator & USAID/Kenya & East Africa
9:00 – 10:00	**Session 18**: Parking Lot Session *Plenary session*	Address unresolved questions or issues and summarize information presented throughout the training.	GEMS Facilitator
10:00 – 10:15	Break		
10:15 – 11:30	**Session 19:** Bringing Curricula to Reality *Group discussions followed by individual action planning*	With the technical training now complete, participants will share perspectives on environmental priorities and challenges for USAID activities in Kenya and throughout East Africa. These and other insights will be used to frame lessons-learned and identify practical actions that can be operationalized as part of project implementation.	GEMS Facilitators
11:30 – 11:45	Workshop Final Evaluations	Participants complete evaluation form	
11:45 – 12:00	Closing Ceremony	Conclude workshop and distribute certificates	USAID/Kenya & East Africa
12:00 – 13:00	Lunch		

Acronyms

ADS	(USAID) Automated Directives System
AFR	USAID Bureau for Africa
AFR/SD	USAID Bureau for Africa, Office of Sustainable Development
AOR	Agreement Officer's Representative
AOTR	Agreement Officer's Technical Representative (now superseded by AOR)
Asia/ME	USAID Bureaus for Asia and the Middle East
BEO	Bureau Environmental Officer
BFS	USAID Bureau for Food Security
BPR	Environmental Procedures Best Practices Review
CFR	Code of (US) Federal Regulations
COP	Chief-of-Party
COR	Contracting Officer's Representative
COTR	Contracting Officer's Technical Representative (now superseded by COR)
DCHA	USAID Bureau for Democracy, Conflict and Humanitarian Assistance
DO	Development Objective
EA	Environmental Assessment; Eastern Africa
ECL	Environmental Compliance: Language for Solicitation and Awards (ADS 204 Help Document)
ECSR	Environmental Compliance Status Report
EGSSAA	(USAID/AFR's) *Environmental Guidelines for Small-Scale Activities in Africa*
EIA	Environmental Impact Assessment
EMMP	Environmental Mitigation & Monitoring Plan
EMPR	Environmental Management Plan & Report
ENCAP	Environmentally Sound Design and Management Capacity-Building Support for Africa (GEMS predecessor program supporting Africa Region under the EPIQ II IQC.)
ERF	Environmental Review Form
ERR	Environmental Review Report
ESDM	Environmentally Sound Design & Management
FAA	(US) Foreign Assistance Act
FO	Functional Objective (under the Foreign Assistance Programming Framework)
FTF	Feed the Future (President's Feed the Future Global Health and Food Security Initiative)
GCC	Global Climate Change
GHG	Greenhouse gas
IEE	Initial Environmental Examination
IQC	Indefinite Quantity Contract
IRS	(Anti-malarial) Indoor Residual Spraying
ITN	Insecticide-Treated (bed) Net
IP	USAID Implementing Partner
LOE	Level of Effort
LOP	Life-of-Project
M&E	Monitoring & Evaluation
M&M	(Environmental) Mitigation and Monitoring
MCC	Millennium Challenge Corporation
ME	USAID Bureau for the Middle East
MEO	Mission Environmental Officer
NGO	Non-Governmental Organization (see also PVO)
NRM	Natural Resources Management-
OIG	Office of the (USAID) Inspector General
OMEP	USAID Office of Middle East Programs
PEA	Programmatic Environmental Assessment
PEPFAR	President's Emergency Plan for AIDS Relief
PERSUAP	Pesticide Evaluation Report and Safer Use Action Plan
PMP	Performance Monitoring Plan
PMI	Presidential Malaria Initiative
POC	Point of Contact
ppb	parts per billion
PVO	Private Voluntary Organization
RCE	Request for Categorical Exclusion
REA	Regional Environmental Advisor
RUP	Restricted Use Pesticide
Reg. 216	22 CFR 216
SO	Strategic Objective
Title II	Title II of US Public Law 480 (Agricultural Trade Development and Assistance Act of 1954); "Food for Peace" program.
USAID	United States Agency for International Development
USG	United States Government

Session 1.
Workshop Objectives and Logistics; Participant Introductions and Expectations

Summary

This session briefs the workshop and its agenda, introduces us to each other, and establishes expectations. Specific elements of the session are:

- Overview of training objectives, learning approach, agenda and materials
- Participant and facilitator introductions
- Solicit expectations
- Address logistical considerations
- Create a "Parking Lot"

This workshop will provide intensive training in: (1) compliance with USAID's environmental procedures in project implementation, and (2) in the objectives of these procedures: environmentally sound design and management (ESDM) of USAID-funded activities.

Overall Goal: The overall goal of the workshop is to strengthen environmentally sound design and management of USAID-funded activities in Kenya and East Africa by assuring that participants have the *motivation, knowledge and skills necessary to* (1) achieve environmental compliance in project implementation, and (2) otherwise integrate environmental considerations in activity design and management to improve overall project acceptance and sustainability.

Approach to Learning: The workshop is intended to be highly participatory and field-based:

- Skills and processes briefed in the presentations will be built and practiced in hands-on exercises conducted in small working groups.
- The key, integrative exercises in environmental impact assessment (EIA) skill-building and environmental mitigation and monitoring are built around two field visits: an afternoon exercise to practice fundamental skills of EIA, and a half-day site exercise culminating in preparation of an Environmental Mitigation and Monitoring Plan (EMMP).
- *Even presentation-centered sessions are intended to be interactive*. Please ask questions and—as importantly—share and discuss your own experiences and perspectives relevant to the topic at hand.

> ***Everyone's active participation is encouraged and needed to make this workshop a success!***

Teamwork Principles: Working groups are where we will practice and apply the key skills and ideas of the workshop. Working groups provide the opportunity for detailed discussions, and for learning from experiences and views of fellow development professionals. Working groups are also emphasized because environmental compliance and environmentally sound design and management are intrinsically team efforts.

Successful working groups require effective teamwork. Here are teamwork principles to consider:

Twelve Essentials of Teamwork

<table>
<tr><td>VALUING DIVERSITY</td><td>COMFORTABLE ATMOSPHERE</td><td>ACTIVE PARTICIPATION OF ALL MEMBERS</td><td>SHARED GOALS AND OBJECTIVES</td></tr>
<tr><td>BALANCED APPROACH TO PROCESS AND CONTENT</td><td colspan="2" rowspan="2">WHAT EFFECTIVE TEAMS NEED</td><td>EFFECTIVE COMMUNICATION</td></tr>
<tr><td>SHARED LEADERSHIP</td><td>CONSTRUCTIVE CONFLICT MANAGEMENT</td></tr>
<tr><td>ACTION ACCOUNTABILITY RESPONSIBILITY</td><td>MUTUAL TRUST</td><td>CRITICAL ANALYSIS AND PROBLEM-SOLVING</td><td>A PREFERENCE FOR CONSENSUS</td></tr>
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(Adapted from Rees, "How to lead work teams in facilitation skills")

Sessions 2a & 2b.
Environmentally Sound Design & Management (ESDM) as a Foundation for Environmental Compliance

Technical presentation and dialogue

Summary

This session will explain ESDM and illustrate its vital role in achieving and maintaining environmental compliance in project implementation. In order to establish this important relationship, we will:

- Develop a common understanding of the term "environment"
- Highlight some of the "big picture" environmental trends affecting human health and livelihoods in East Africa, including Global Climate Change, and show that much of USAID's portfolio in Kenya and East Africa is a direct response to—or directly affected by—these trends
- By example, demonstrate that "environment" and "development" are concepts further linked by the need to be:
    - AWARE of the potential adverse impacts of development activities on ecosystems, environmental resources and environmental quality; and the need to
    - PROACTIVELY seek to limit these adverse impacts, particularly where they affect health and livelihoods

      This is **Environmentally Sound Design & Management (ESDM)!**
- Consider specific examples from Kenya and East Africa of the linkage between ESDM and successful project outcomes

This session will also highlight the most common root causes of ESDM failures or lapses and set out the basic rules or principles for achieving ESDM.

While the session will introduce the concept and practice of environmental compliance, specific USAID regulations and requirements will be addressed in finer detail in Session 5.

Objectives

- Achieve a common understanding of "environment"
- Understand Environmentally Sound Design & Management as a necessary and explicit objective for effective development
- Establish the basic principles for achieving ESDM
- Consider real-world examples of ESDM successes and failures in Kenya and East Africa

Environmentally Sound Design & Management: A Foundation for Environmental Compliance

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

ENVIRONMENT – THE BIG PICTURE
WHAT IS ENVIRONMENT?

- Webster's defines it as "The *totality of circumstances* surrounding an organism or group of organisms, especially:
  - The complex of **physical, chemical, and biotic factors** (e.g. climate, soil, and living things) that affect and influence the growth, development, and survival of an organism or an ecological community
  - The complex of **social and cultural conditions** affecting the nature of an individual or community".

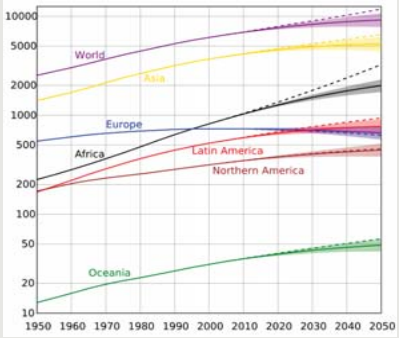
❖ USAID's environmental procedures are concerned with the "natural and physical environment," but in practice, social and cultural issues are often not separable

What are some "big-picture" environmental trends affecting human health and livelihoods in East Africa? Are they important in Kenya?

1. POPULATION GROWTH

UN Population estimates:*

	2015	2050	% change
World**	7.35 bn	9.67 bn	+32%
Africa**	1.17 bn	2.44 bn	+109%
E. Africa**	395 mn	863 mn	+118%
Kenya	46.1 mn	94 mn	+104%
Less-Developed Regions**	6.03 bn	7.99 bn	+32.5%
LDCs	931 mn	1.73 bn	+86%



* All data: "medium variant" projection.
UN Population Division (http://esa.un.org/wpp/unpp/panel_population.htm)
**includes Kenya

Increasing Population in Kenya → LEADS TO → Increased demands for water, land, timber, energy, infrastructure & social services. Increased waste production.

2. URBANIZATION

UN Population estimates:*

	Urban pop as % of total		Average annual rate of change (2010- 2015)
	2015	2050	
World**	54%	66%	0.9%
Africa**	40%	56%	1.1%
Eastern Africa**	25%	44%	1.7%
Kenya**	25%	50%	0.4%
Less-Developed Regions**	48%	63%	1.2%
LDCs**	31%	49%	1.7%

* UN Population Division (http://esa.un.org/unpd/wup/highlights/wup2014-highlights/wup2014.pdf
**includes Kenya

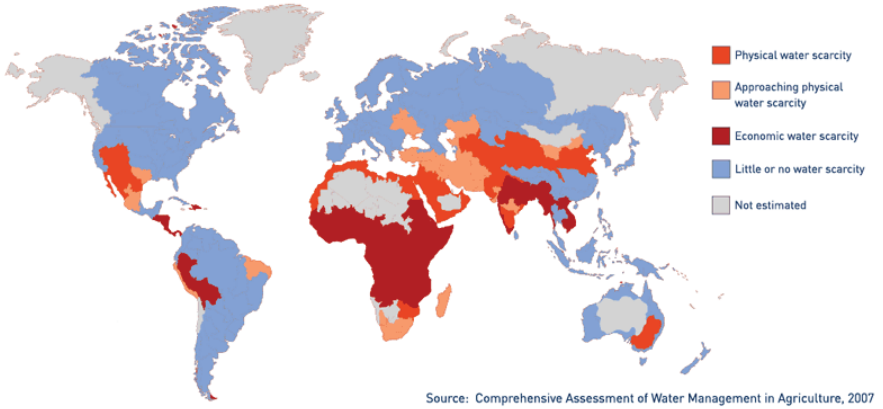
Urban population will grow more than 2X as fast as rural population for the foreseeable future

Most urban growth in the next 35 years in developing countries → LEADS TO → Increased urban environmental health hazards (given poor or no municipal sanitation & waste management capacity).

Global change +
population growth = INCREASED WATER STRESS

Greatest impacts on poor, subsistence agriculture.

AREAS OF PHYSICAL AND ECONOMIC WATER SCARCITY



Source: Comprehensive Assessment of Water Management in Agriculture, 2007

ENVIRONMENT AND DEVELOPMENT ARE NOT SEPARABLE

- Much of USAID's portfolio in the region is already a direct response to or directly affected by these environmental trends
- But good development does not simply respond to external environmental challenges. Good development …
  - is **AWARE** of its **potential adverse impacts on ecosystems, environmental resources and environmental quality and**
  - **PROACTIVELY seeks to limit** these adverse impacts, particularly **where they affect health and livelihoods**

Why? To avoid MISTAKES…

WHY ARE "ENVIRONMENTAL MISTAKES" MADE?

- Sometimes obvious (previous examples)
- But often difficult to foresee, predict

Often rooted in a few common design problems

!

- Failure to plan for the effects of increased scale
- Designing for average conditions
- Ignoring economic-environmental linkages
- Failure to understand system complexity

COMMON ROOT CAUSES #1

Failure to plan for the effects of increased scale

Or, failure to plan for success!

- The environmental effects of a small-scale animal husbandry project may be minor
- BUT if the project is successful, and many more individuals begin to hold larger numbers of animals, serious problems may arise…
  - Health hazards from animal waste..
  - Fodder shortages (may lead to overgrazing and erosion and/or land conflicts)

COMMON ROOT CAUSES #2
Designing for average conditions, not expected variability

This schoolhouse is being rebuilt in makeshift fashion with plank walls and a split-bamboo roof.

Why?

Strong winds ripped the aluminum sheet roofing off the "permanent" structure and toppled the landcrete walls.

In this area, one or two storms every 5 years typically have winds of this strength.

Other "average conditions" to be careful of:
Rainfall, tides, water tables. . . What else?

COMMON ROOT CAUSES #3
Ignoring economic-environmental linkages

- Household consumption depends on income
- Success in raising income in a community may increase
  - demand for building materials (brick & timber)
  - the number of livestock
  - demand for water
  - generation of waste, including disposable packaging

All can have significant adverse environmental impacts!

Another failure to plan for success!

COMMON ROOT CAUSES #4
Failure to understand system complexity

Ponds excavated for fill to build-up ground level in villages for flood protection

↓

Ponds provided a source of organic carbon which settles to bottom of pond, seeps underground and is metabolized by microbes

↓

Creates chemical conditions that cause naturally occurring arsenic to dissolve out of the sediments and soils and move into groundwater

↓

Created conditions for mass arsenic poisoning when villages switched from surface water to "cleaner" tube wells.

Today ~3000 Bangladeshis die each year of As-induced cancer; 2 mn live with chronic As poisoning

HOW CAN WE AVOID THESE ENVIRONMENTAL MISTAKES (AND MAXIMIZE ENVIRONMENTAL BENEFITS)?

In short, how can we achieve . . .

Environmentally Sound Design & Management (ESDM)?

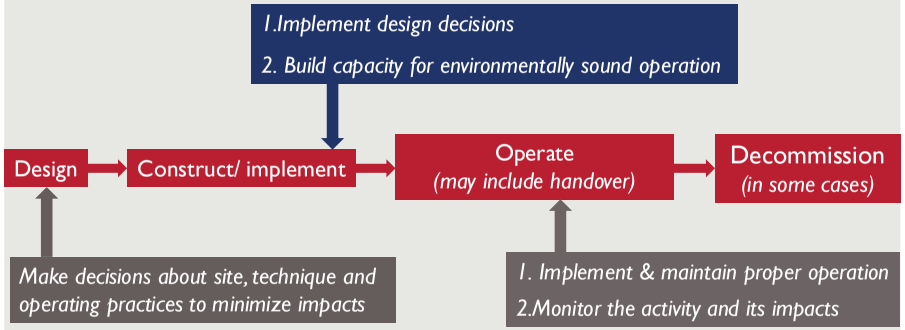
HOW DO WE ACHIEVE ESDM?

3 BASIC RULES:

1. Be prevention-oriented
2. Apply best development practices to environmental aspects of the activity
3. Be systematic

HOW DO WE ACHIEVE ESDM?
1. Be prevention-oriented

- Prevention occurs across the project lifecycle—but it starts with design!



ESDM IS PREVENTION-ORIENTED

- Prevention starts with DESIGN
- DESIGN starts with the choice of means
- Environmental impacts are 1 factor considered

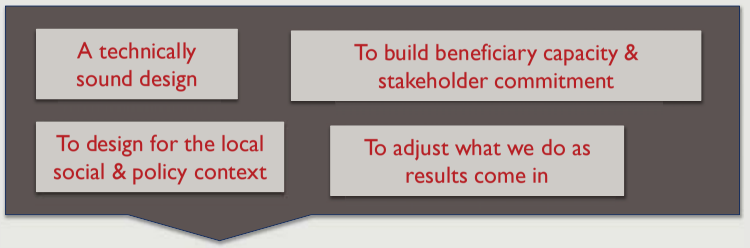
Objective: *Improve agricultural productivity*

Possible means:

How do we choose?

HOW DO WE ACHIEVE ESDM?
2. APPLY BEST PRACTICES

Apply general best development practices…



…to environmental aspects of the activity

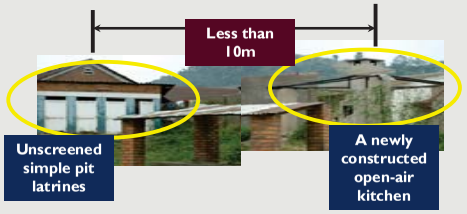
AND design for climate change

BP #1: TECHNICALLY SOUND DESIGN

- Environmental application:
  - The design must be appropriate for local environmental conditions (rainfall, temperature, soils, flood, drought and earthquake potential, the built environment) taking into account likely climate change.

…Rainfall, temperature, soils, flood, drought, and earthquake potential, the build environment…

For example: Appropriate choice of siting?



For example: Appropriate choice of crops or trees?

BP #2: DESIGN FOR THE POLICY AND SOCIAL CONTEXT

ENVIRONMENTAL APPLICATIONS:

Compliance
with national and local environmental laws and policies

Language, literacy
Environmental management measures must be matched to capabilities

NRM and land tenure
Activities utilizing land and other natural resources must be compatible with local NRM and land tenure

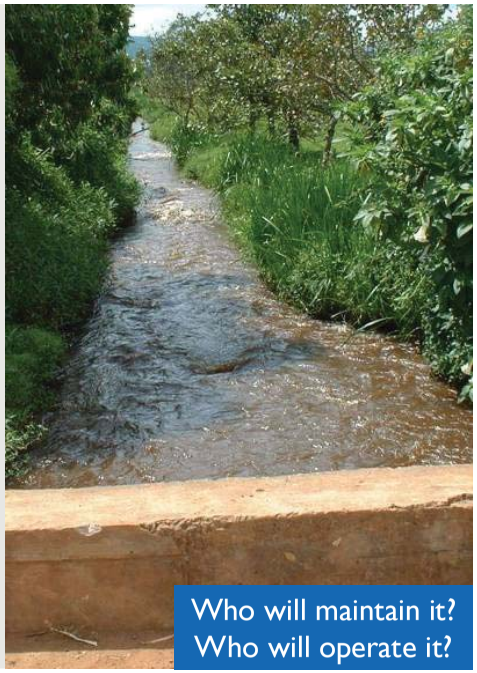
land and resource rights are often gender-specific

BP #3: BUILD STAKEHOLDER COMMITMENT & CAPACITY

Environmental application:

Proper maintenance and operation are critical to controlling environmental impacts

- Local beneficiaries need to be trained and committed to:
  - environmentally sound operation
  - maintain the equipment/ structure



Who will maintain it?
Who will operate it?

…AND INVOLVE THE LOCAL COMMUNITY

Ethics require it (environmental justice) → Local residents must live with the environmental impacts of activities!

LOCAL KNOWLEDGE is critical

- How often does the river flood?
- How often are crops rotated?
- Is there a land tenure problem?
- What do people value and need?

→ LISTEN to the community

TALK to both men and women

BP #4: ADJUST WHAT WE DO AS RESULTS COME IN

- Practice Adaptive management – adjusting implementation of our activity based on results from the field
- If our activity has unintended environmental consequences, we need to **DO SOMETHING ABOUT IT!**

Communities are often essential to monitoring results from the field

Adaptive environmental management requires:

- A project budget that funds environmental monitoring
- The flexibility to adapt the project in response to unanticipated adverse impacts
- Adjusting implementation of our project based on the experiences of others

BP #5: DESIGN FOR CLIMATE CHANGE

- As previously mentioned, climate change will affect future baseline conditions—projects must be designed to be ROBUST to these conditions
- While individual projects are rarely significant contributors to GCC, climate change is driven by the sum of many small actions
- Even small-scale projects should seek to reduce GHG emissions/increase sequestration and reduce climate vulnerability in the local area in a manner consistent with their development objectives - THIS IS USAID POLICY!

BEST PRACTICE: DESIGN FOR CLIMATE CHANGE

EXAMPLE ACTIONS IN SMALL-SCALE PROJECTS:

REDUCE GHG EMISSIONS

- Use alternative energy (PV, windmill water pumping, etc)
- Improve thermal performance in building design
- Buy carbon offsets for int'l travel.

REDUCE CLIMATE VULNERABILITY IN THE LOCAL AREA

- Prioritize water efficiency to reduce a project's contribution to the area's future water stress

INCREASE SEQUESTRATION

- Tree Planting
- Land management (sustainable grazing, cropping)

Soil carbon measurement by hand in Senegal

NOW, RULE 3 FOR ACHIEVING ESDM:

1. Be prevention-oriented
2. Apply best development practices to environmental aspects of the activity
3. BE SYSTEMATIC

HOW DO WE ACHIEVE ESDM?
3. BE SYSTEMATIC

- Take a systematic look at:
  - the possible adverse environmental impacts of an activity
  - ways to reduce these impacts

THE BEST WAY TO BE SYSTEMATIC:
ENVIRONMENTAL IMPACT ASSESSMENT (EIA)!

Session 2b PowerPoint Placeholder

Session 3.
Fundamental Skills of Environmental Impact Assessment (EIA)

Technical presentation and dialogue

Summary

This session will define Environmental Impact Assessment (EIA) as a formal process for identifying the *likely effects* of activities/projects on the environment, and on human health and welfare; and the *means and measures to effectively mitigate* these impacts.

Fundamental skills of the EIA process will also be introduced and explained, including:

1) characterizing the **baseline situation**;
2) identifying (and evaluating) the potential adverse **impacts** of planned development activities (issues of concern); and
3) developing a **mitigation** strategy to address these impacts.

The session will further illustrate how the EIA process aligns with ESDM and establish that this process is the internationally accepted standard framework for achieving ESDM in project-based development. The linkage between EIA and USAID environmental procedures will also be established.

Discussion of Fundamental EIA Skills

This session addresses the essential EIA skills of baseline characterization, impact identification and mitigation design. (A fourth "core" skill—monitoring—is addressed in a subsequent session). These skills will be put to practice in the workshop's field-based activities.

Baseline Characterization & Identifying Impacts of Concern

This portion of the session explains the basic, logical process behind baseline characterization and identifying impacts (or issues) of concern. An example from a real and typical small-scale irrigation project will illustrate why the fundamental EIA skills of baseline characterization and issue identification are directly relevant to effective mitigation and achieving ESDM.

Depending on the size, complexity and context of the activity, sophisticated environmental models and other tools *can* be required to evaluate impacts in the context of a comprehensive EIA study. But for most small-scale activities and preliminary assessments (or USAID-mandated IEEs), the simple, logical process described here—supported by good judgment and the information contained in the *Sector Environmental Guidelines* or similar resources—is sufficient.

Mitigation Design

The purpose of the EIA process is not simply to identify and assess potential environmental impacts, but to change project design and implementation so that these impacts are *mitigated*—that is, avoided, reduced or offset.

As such, mitigation is a critical part of ESDM and the EIA process. Monitoring (addressed in a subsequent session) is its essential complement, required to verify whether the mitigation measures are sufficient, effective—and actually implemented.

This portion of the session:

- Defines mitigation
- Provides examples of basic mitigation approaches
- Explains the principles behind good mitigation design and practice

Objectives

- Achieve a basic understanding of the EIA process and how it is implemented
- Become familiar with core EIA skills and the technical approach to EIA activities
- Promote the EIA framework as the internationally accepted standard process for achieving ESDM in project-based development
- Establish EIA as the basis of USAID Environmental Procedures

Key Resources

- The "Underlying EIA concepts and skills" page on the GEMS project Web site (available at: http://www.usaidgems.org/underlyingEIA.htm) provides additional background and context on the EIA process and includes links to other training and reference materials.
- The individual chapters of the *Sector Environmental Guidelines* are a key resource for: (1) identification of potential adverse environmental impacts; and (2) design of specific mitigation and monitoring measures.

Fundamental Skills of Environmental Impact Assessment (EIA)

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

SESSION OBJECTIVES:

- Define Environmental Impact Assessment (EIA)
- Explain the EIA process
- Develop fundamental EIA skills; learn basic approach
- Illustrate EIA framework as the internationally accepted standard process for achieving ESDM
- Establish EIA as the basis of USAID Environmental Procedures

EIA

ENVIRONMENTAL IMPACT ASSESSMENT IS

- A formal process for identifying:
  - likely effects of activities or projects on the environment, and on human health and welfare
  - means and measures to mitigate & monitor these impacts

A. SOURAV KARMAKAR

WHAT IS AN ACTIVITY?

THE EIA PROCESS EXAMINES THE IMPACTS OF **ACTIVITIES**.

An activity is:

- A desired accomplishment or output.
- A project or program may consist of many activities.

Accomplishing an activity requires a set of actions or interventions

ACTIVITY: increase rice production

ACTIONS:

- Provide inputs (seed, fertilizer, pesticides)
- Design and construct irrigation infrastructure
- Increased access to finance, lending
- Road rehabilitation
- Capacity building and technical assistance

WHAT ARE SOME OF YOUR ACTIVITIES?

THE EIA PROCESS

Phase I:
Initial inquiries

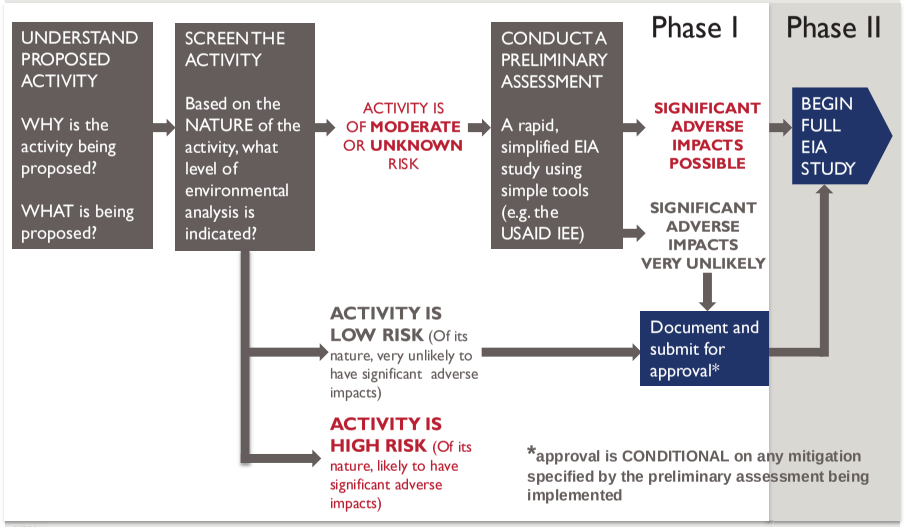
- Understand proposed activities
- Screen activities
- Conduct preliminary assessment (if needed)

Phase II:
Full EIA study (if needed)

- Scope
- Evaluate baseline situation
- Identify and choose alternatives
- Identify and characterize potential impacts of proposed activity and each alternative
- Develop mitigation and monitoring
- Communicate and document throughout

Most USAID activities do NOT proceed to a full EIA study

PHASE I OF THE EIA PROCESS



PHASE I: SCREEN THE ACTIVITY

SCREEN EACH ACTIVITY

Based on the NATURE of the activity, what level of environmental analysis is indicated?

Answering these questions does NOT:

- require analysis
- require detailed knowledge of the proposed sites, techniques or methods

SCREENING asks a very basic set of questions about the activity.

EXAMPLE SCREENING QUESTIONS:

- Does the activity involve:
- Penetration road building?
- Large-scale irrigation?
- Introduction of non-native crop or agroforestry species?
- Resettlement?

PHASE I: PRELIMINARY ASSESSMENT

CONDUCT A PRELIMINARY ASSESSMENT

A rapid, simplified EIA study using simple tools (such as USAID's Initial Environmental Examination [IEE])

SCREENING DETERMINES WHETHER THE PRELIMINARY ASSESSMENT IS NECESSARY

Purpose is to provide documentation and analysis that:

- Allow the preparer to determine whether or not significant adverse impacts are likely
- Allows the reviewer to agree or disagree with these determinations
- Sets out mitigation and monitoring for adverse impacts

PHASE I: PRELIMINARY ASSESSMENT

TYPICAL PRELIMINARY ASSESSMENT OUTLINE:

1. Background (Development objective, list of activities)
2. Description of the baseline situation
3. Evaluation of potential environmental impacts
4. MITIGATION & MONITORING
5. RECOMMENDED FINDINGS

FOR EACH ACTIVITY IT COVERS, A PRELIMINARY ASSESSMENT HAS 3 POSSIBLE FINDINGS:

THE ACTIVITY IS. . .

- very unlikely to have significant adverse impacts.
- unlikely to have significant adverse impacts with specified mitigation and monitoring,
- likely to have significant adverse impacts (full EIA study is required)

WHEN TO PROCEED

We only proceed to Phase II of the EIA process

IF

Phase I indicates that a FULL EIA STUDY is required

PHASE II: FULL EIA STUDY

The full EIA study has very similar objectives and structure to a preliminary assessment.

HOWEVER, THE FULL EIA STUDY DIFFERS IN IMPORTANT WAYS:

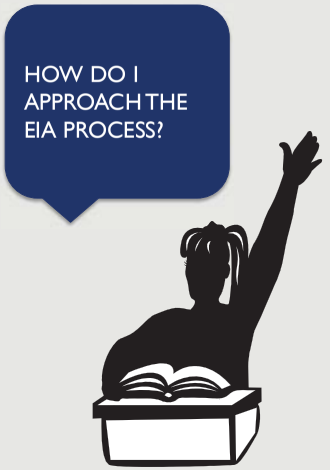
- A formal SCOPING PROCESS precedes the study to IDENTIFY ISSUES TO BE ADDRESSED
- ANALYSIS of environmental impacts is much MORE DETAILED
- ALTERNATIVES* must be formally defined. THE IMPACTS OF EACH ALTERNATIVE MUST BE IDENTIFIED & EVALUATED, AND THE RESULTS COMPARED
- PUBLIC PARTICIPATION is required
- A PROFESSIONAL EIA TEAM is usually required

**includes the project as proposed, the no-action alternative, and at least one other real alternative*

FUNDAMENTAL EIA SKILLS

There are "core" skills that are central to environmental impact assessment:

- Baseline characterization
- The identification of potential adverse impacts (or impacts of concern)
- Developing a mitigation strategy



FUNDAMENTAL EIA SKILLS

BASELINE CHARACTERIZATION	IDENTIFYING IMPACTS OF CONCERN	MITIGATION STRATEGY*
Used to prepare preliminary assessment—but also critical to making mitigation responsive to local environmental conditions		Key skill for avoiding adverse impacts and achieving ESDM

* Monitoring is the essential complement to mitigation; it is required to verify whether the mitigation measures are sufficient, effective—and actually implemented. Monitoring is addressed in a subsequent session.

CHARACTERIZING THE BASELINE SITUATION. . .

- The **environmental components** of interest are those:
  - likely to be affected by your activity
  - upon which your activity depends for its success

Water?	*Quantity, quality, reliability, accessibility*
Soils?	*Erosion, crop productivity, fallow periods, salinity, nutrient concentrations*
Fauna?	*Populations, habitat*
Env Health?	*Disease vectors, pathogens*
Flora?	*Composition and density of natural vegetation, productivity, key species*
Special ecosystems?	*Key species*

WHERE DO I OBTAIN INFORMATION ON THE BASELINE SITUATION?

1. YOUR ORGANIZATION:
   - TALK to staff who know the project, and know the sites.
   - OBTAIN project documents and information
2. DIRECT OBSERVATION:
   - Go to the site(s)! Look up publicly available satellite imagery before you go.
3. UTILIZE OTHER LOCAL TALENT & KNOWLEDGE:
   - communities, government, counterparts

AREN'T WE FORGETTING SOMETHING?

What about reports by donor organizations and international agencies? What about government statistics? GIS databases?

All these sources can be useful (and sometimes necessary)

But good local information is the most important input

IDENTIFYING IMPACTS OF CONCERN

WHAT IS AN IMPACT?

The impact of an activity is the change from the

BASELINE SITUATION

caused by the activity.

! To measure an impact, you must know what the baseline situation is.

The BASELINE SITUATION is the existing environmental situation or condition in the absence of the activity.

Important:

Baseline situation is not just a "snapshot in time"

TYPES OF IMPACTS & THEIR ATTRIBUTES

The EIA process is concerned with **all types of impacts** and may describe them in a number of ways

- Intensity
- Direction
- Spatial extent
- Duration
- Frequency
- Reversibility
- Probability

- Direct & indirect impacts
- Short-term & long-term impacts
- Adverse & beneficial impacts
- Cumulative impacts

But all impacts are NOT treated equally.

FOCUS!

ESSENTIAL to focus on the most significant impacts

You definitely do not have time and resources to analyze and discuss in detail less important ones.

IMPACT EVALUATION PROCESS: THEORY

1. **Understand** the activities being proposed
2. **Research** the potential adverse impacts typical of these activities & know **how** they arise
3. Based on the potential impacts, **identify** which elements of the baseline situation are important
4. **Characterize** these elements of the baseline

5. Given:
   1. the baseline conditions,
   2. the project concept/design, and
   3. How the adverse impacts arise,

   DECIDE WHICH IMPACTS ARE OF CONCERN

IMPACT EVALUATION PROCESS: EXAMPLE

1. Proposed intervention: irrigation scheme (wing dam diversion type ▪ water-intensive crops ▪ high fertilizer use, unlined canals & open-channel irrigation)
2. Key potential impacts:
   - Excessive diversion of water
   - Salinization of soils
   - Contamination of groundwater & downstream surface water
3. Key elements of baseline:
   - River flow volume, variability
   - Soil & water characteristics & groundwater depth
   - Downstream uses

IMPACT EVALUATION PROCESS: EXAMPLE

4. Baseline characterization

- *River flow volume, variability*
  - Will divert 3% of normal flow
  - low-year flows are 50% of normal
  - Downstream abstraction is <10% of total flow volume.
- *Soil characteristics & groundwater depth*
  - Soils are well-drained but relatively high in salts; groundwater 2m depth
- *Downstream uses*
  - Key water source for community domestic use & livestock, immediately downstream.

5. THEREFORE:

IMPACTS OF CONCERN:

Salinization
Downstream contamination

LITTLE CONCERN:

Excess Diversion

WHY THESE CONCLUSIONS?

MITIGATION DESIGN

A critical part of the EIA process—and of ESDM

MITIGATION IS. . .

The implementation of measures designed to eliminate, reduce or offset the undesirable effects of a proposed action on the environment.

HOW DOES MITIGATION REDUCE ADVERSE IMPACTS?

TYPE OF MITIGATION MEASURE	HOW IT WORKS	EXAMPLES
PREVENTION AND CONTROL MEASURES	Fully or partially prevent an impact/reduce a risk by: ▪ ***Changing means or technique*** ▪ ***Changing or adding design elements*** ▪ ***Changing the site*** ▪ ***Specifying operating practices***	PREVENT contamination of wells, by SITING wells a safe distance from pollution sources Add wastewater treatment system to the DESIGN of a coffee-washing station and train in proper OPERATIONS
COMPENSATORY MEASURES	Offset adverse impacts in one area with improvements elsewhere	Plant trees in a new location to COMPENSATE for clearing a construction site
REMEDIATION MEASURES	Repair or restore the environment after damage is done	Re-grade and replant a borrow pit after construction is finished

… and sometimes you may need to redesign the project to modify or eliminate problem components

MUST **EVERY** IMPACT BE MITIGATED?

Mitigation specified in Phase I or Phase II of EIA process must be implemented

Environmental management criteria often require judgment in designing specific mitigations. Apply the following principle:

PRIORITIZE!

POTENTIALLY SERIOUS IMPACTS/ISSUES

These must **ALWAYS** be mitigated to the point that the impact is non-significant

EASILY MITIGATED IMPACTS

Then, there may be other impacts for which mitigation is easy and low-cost

PREVENTION IS BEST

Where possible, PREVENT impacts by changes to site or technique.

CONTROL of impacts with Operation & Maintenance (O&M) practices is more difficult to monitor, sustain.

THREE RULES FOR ENVIRONMENTALLY SOUND DESIGN & MANAGEMENT (ESDM)

1. Be prevention-oriented
2. Apply best development practices to environmental aspects of the activity
3. Be systematic

Properly implemented, the EIA process makes them a reality.

ENVIRONMENTAL IMPACT ASSESSMENT: A UNIVERSAL REQUIREMENT

- From its beginnings in the 1970 US National Environmental Policy Act…
- EIA now extends beyond government works to
  - *Infrastructure and economic development projects funded by the private sector & donors*
  - *Analysis of policies, not just projects*
- In many developing countries, EIA is the core of national environmental regulation
- Most countries & almost all donors (including USAID) now have EIA requirements

E4594

GOVERNMENT OF KENYA

MWACHE MULTIPURPOSE DAM PROJECT

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA)

June 2014

FINAL REPORT

Ministry of Environment, Water and Natural Resources

WATER SECURITY AND CLIMATE RESILIENCE IN COASTAL REGION

ENVIRONMENTAL IMPACT ASSESSMENT: A UNIVERSAL REQUIREMENT

Comments on EIA Report – Proposed Kayelekera Uranium Project

Comments on the Proposed Kayelekera Uranium Project Environmental Impact Assessment Report

Dr Gavin M. Mudd

November 2006

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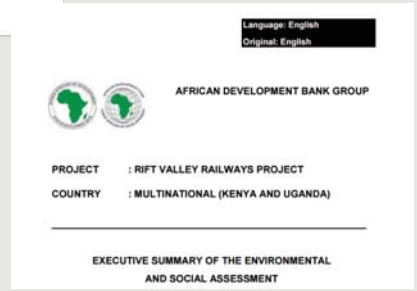
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Original: English

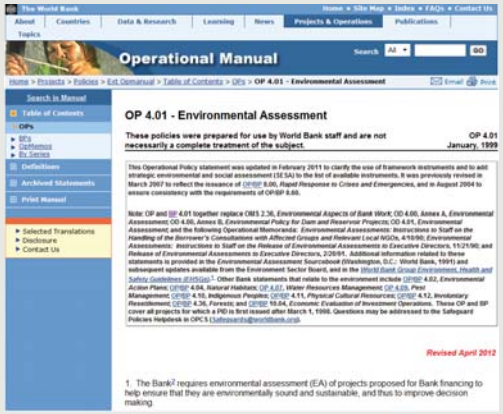
AFRICAN DEVELOPMENT BANK GROUP

PROJECT : RIFT VALLEY RAILWAYS PROJECT

COUNTRY : MULTINATIONAL (KENYA AND UGANDA)

EXECUTIVE SUMMARY OF THE ENVIRONMENTAL AND SOCIAL ASSESSMENT

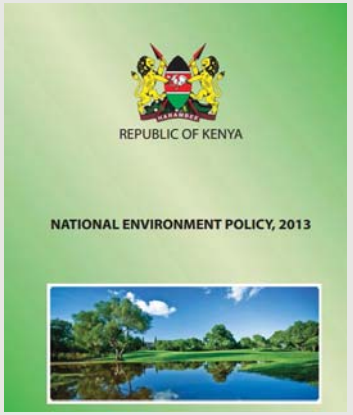
ENVIRONMENTAL IMPACT ASSESSMENT: THE WORLD BANK



"The Bank requires environmental assessment (EA) of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable, and thus to improve decision making."

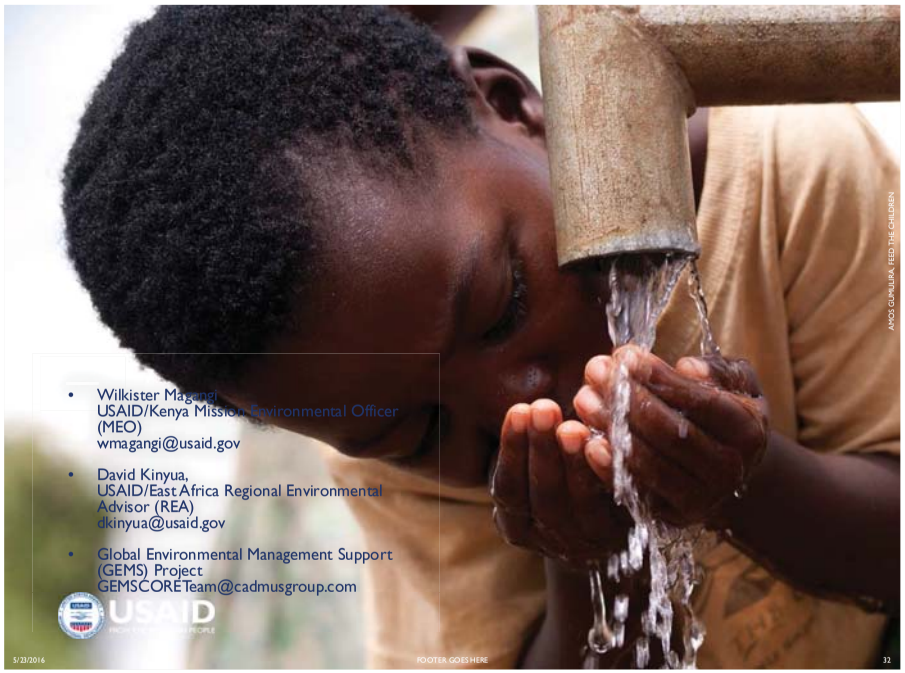
KENYA

- http://faolex.fao.org/docs/pdf/ken147906.pdf



SUMMARY

- EIA is an established process that promotes sustainable environmental management and successful development outcomes.
- Core skills are needed to implement the EIA process and to help achieve ESDM; these are:
  - Baseline characterization
  - Identifying impacts of concern
  - Mitigation design
- EIA enables ESDM-focused development, and is the basis for USAID Environmental Procedures



- Wilkister Magangi, USAID/Kenya Mission Environmental Officer (MEO) wmagangi@usaid.gov
- David Kinyua, USAID/East Africa Regional Environmental Advisor (REA) dkinyua@usaid.gov
- Global Environmental Management Support (GEMS) Project GEMSCORETeam@cadmusgroup.com

USAID

Session 4.
Skill-Building in Environmental Impact Assessment (EIA)

Field visit and practical exercise

Summary

This session consists of a small-group oriented exercise based on a shorter, focused field visit to a nearby project site. Participants will observe and assess activities underway and practice the EIA skills required to characterize baseline situations and identify potential impacts of concern. Through facilitator-led observation and discussion, participants are also prepared for the workshop's more extensive field-based exercise.

Session 4a: EIA Skill-Building Exercise—Briefing and Classroom Preparation (30 min's)

During this pre-field visit session participants will receive instruction on the methodology and the objectives of the skill-building exercise. This classroom preparation will enable participants to understand the general project scenarios to be assessed, and it is during this time that they will be divided into small groups for the exercise.

Scenario and Instructions

- Listen carefully to the project scenarios presented by the facilitator(s). Understand the structure and objectives of the exercise.
- Observe the note card on your table with the project site to which your group has been assigned.

Session 4b: EIA Skill-Building Exercise—Field Visit (2.5 hrs., including return)

Participants will use group transportation and proceed to the designated project site. Each group will be accompanied by at least one workshop trainer/facilitator. The field visit will enable participants to practice observation and EIA skills needed to characterize the baseline situation and identify impacts and issues of concern.

Scenario and Instructions

- At your project site observe the key elements of the baseline situation and identify potential environmental impacts. You should be on the lookout for health and safety issues as well as any socio-economic considerations that may not immediately strike one as 'environmental' in nature, but could nonetheless affect community health and safety.
- Discuss baseline situation and identify potential environmental impacts of the project scenarios as a small group in course of the field visit. Solicit stakeholder input, as appropriate.
- Take notes.

Session 4c: EIA Skill-Building Exercise—Group Work and Dialogue (1.5 hrs.)

This component is designed to expand participants' understanding of baseline characterization and environmental impact identification through small-group collaboration based on the preceding field visit. During this time, participants will work as part of their small group to synthesize field observations and prioritize impacts/issues of concern that were observed at the project site. The small groups will also discuss possible approaches for limiting the adverse effects of potential impacts of concern.

Scenario and Instructions

Using the observations and information gathered during the field visit, each small working group will:

- **Review and characterize** the most relevant aspects of the baseline situation, including ongoing environmental management efforts and measures (if any); and
- On this basis, decide which of the potential adverse impacts and other potential "ESDM failures" are real and present serious concerns.

Small groups should record their findings. Facilitators will serve as resources throughout the process.

Note that:

- This group work and dialogue is intended to practice basic EIA observation and impact identification skills—not to practice development of Reg. 216 environmental documentation.
- For participants who already know these terms, working group outputs are **not** expected to be in the form of an IEE outline or phrased in terms of "recommended determinations."

Session 4d: EIA Skill-Building Exercise—Presentation and Discussion (approx. 1 hr.)

This component will provide an opportunity for each working group to present its finding (and recommendations, as applicable) based on the field visit and subsequent small-group synthesis and collaboration. Findings will be presented to the training group at large and key elements or aspects of the EIA process and outputs discussed in plenary form.

Key Lessons

At the conclusion of this exercise, participants will be equipped to:

- Characterize a project baseline situation
- Identify and/or prioritize environmental impacts of concern
- Develop an approach that will limit or mitigate impacts of concern, or that will promote ESDM in project implementation

Session 5.
Environmental Impact Assessment and USAID Environmental Procedures: the Initial Environmental Examination (IEE) and Beyond

Technical presentation and dialogue

Important note:
Note that in this workshop, the term "USAID Environmental Procedures" does not refer only to 22CFR 216 (Reg. 216), but collectively to Reg. 216, relevant FAA requirements, and to the mandatory procedures and directives contained in the USAID-internal ADS.

Summary

The preceding workshop sessions have:

- Described ESDM as a key objective for the ethical and effective practice of development
- Explained the EIA process and the fundamental skills of baseline characterization, impact identification, and mitigation design
- Highlighted EIA as the framework for achieving ESDM in project-based development activities, and as the basis for USAID Environmental Procedures
- Provided an opportunity to test and apply fundamental EIA skills in a field-based exercise

USAID is *required by both court settlement and US law* to utilize an EIA-based process to "fully take into account" environmental sustainability in the design and implementation of its development programs. USAID Environmental Procedures represent the Agency's unique implementation of the EIA process, and seek to assure that USAID-funded projects effectively identify and mitigate potential adverse environmental impacts. USAID Environmental Procedures also lay out an environmental compliance regime in which the Agency and Implementing Partners fulfill various environment-related requirements over the life of project.

Specifically, USAID Environmental Procedures dictate a process that must be applied to all activities **before** implementation. The output of this EIA process, defined by 22CFR216 ("Reg. 216"), is USAID-approved Reg. 216 environmental compliance documentation. This documentation includes:

- Requests for Categorical Exclusion (RCE)
- Initial Environmental Examinations (IEEs)—the USAID version of a preliminary assessment
- Environmental Assessments (EAs) and Programmatic Environmental Assessments (PEAs)

Most IEEs and all EAs/PEAs specify environmental management conditions, which are essentially mitigative measures. These measures—"IEE/EA conditions"—must be implemented and monitored over the life of the activity (or life of project, LOP). While implementation is the responsibility of the IP, USAID C/AORs are required to actively manage and monitor compliance with IEE/EA conditions. This process is the cornerstone of project environmental compliance. This session will introduce — *but not go into detail regarding*—the steps comprising this process and who is responsible for them: MEOs, CORs/AORs, Activity Managers, IPs, etc.

Although the pre-implementation, or "upstream compliance" aspect of USAID Environmental Procedures is well articulated via Reg. 216, specific requirements for the implementation of IEE/EA conditions and associated reporting—"downstream compliance"—are based primarily on Agency best practice, and vary somewhat by region. To strengthen downstream environmental compliance in Africa, IEEs and award documents are increasingly requiring IPs to develop, submit and implement environmental mitigation and monitoring plans (EMMPs) for their projects. The EMMP is a systematic vehicle to implement IEE and EA conditions.

More about Reg. 216 (22 CFR 216)

Reg. 216 is a US federal regulation that sets out USAID's mandatory pre-obligation/ pre-implementation EIA process. The Regulation applies to all USAID programs or activities, including non-project assistance *and* substantive amendments or extensions to ongoing activities. No "irreversible commitment of resources" can occur to implement an activity unless the activity is covered by appropriate, approved Reg. 216 documentation.

When IEEs are approved with mitigation and monitoring conditions attached to one or more activities, those conditions become a required part of project design/implementation. (EAs always have such conditions.)

Across USAID programs, **Reg. 216 documentation is developed both by Mission staff and Partners,** depending on the situation. Title II Cooperating Sponsors, for example, are required to develop IEEs as part of their MYAPs, and other partners are often asked to develop Reg. 216 documentation for new project components. Reg. 216 documentation covering multiple projects at the sector program level is developed by Mission staff or 3rd-party contractors.

Reg. 216 is the best-known portion of USAID Environmental Procedures. However, Reg. 216 simply defines the pre-implementation EIA process. Unless the IEE and EA conditions that result from this process are actually implemented, (1) the activity is out of compliance; (2) the Reg. 216 process is largely meaningless; and (3) the objective of the environmental procedures (ESDM) is not achieved.

For this reason, the ADS requires C/AORs to REMEDY or HALT activities where IEE/EA conditions are not being implemented, or which are otherwise out of compliance.

Objectives

- Understand the legal mandate of USAID Environmental Procedures, including 22CFR216 ("Reg. 216").
- Link application of the EIA-based Environmental Procedures to the goals of ESDM and broader USAID development efforts.
- Gain familiarity with the environmental compliance requirements established by USAID Environmental Procedures, including IEEs and related documentation.
- Illustrate how the USAID IEE and related environmental compliance documents determine project environmental management requirements.

Key resource

- The *Environmental Procedures Briefing for Mission Staff* is a succinct summary of LOP environmental compliance. This training draws heavily from the *Briefing.* It is included in this Sourcebook and available at http://www.usaidgems.org/rolesRespons.htm.

EIA and "USAID Environmental Procedures": the Initial Environmental Examination (IEE) and Beyond

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

SESSION OBJECTIVES:

- Review background and principles of Environmental Impact Assessment (EIA)
- Review EIA process and fundamental skills:
  - *Baseline characterization*
  - *Identifying impacts of concern*
  - *Developing a mitigation strategy*
- Explain USAID implementation of the EIA process
- Understand preparation of USAID environmental compliance documentation

USAID ENVIRONMENTAL PROCEDURES

- Specifies an Agency-wide approach to environmental management of USAID-funded activities.
- "Environmental Procedures" Encompass:
  - 22 CFR 216 ("Reg. 216")
  - Foreign Assistance Act (FAA) Sections 117, 118 & 119.
  - USAID-internal Automated Directives System (ADS)
  - Regional Best Practices

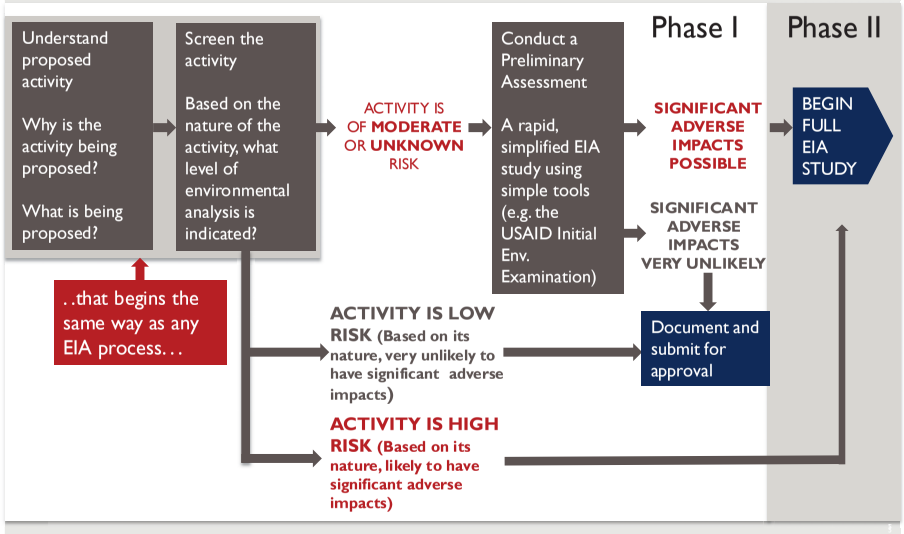
! "USAID Environmental Procedures" refers generally to all relevant laws, Agency guidance, and prevailing best practices.

APPLYING THE EIA PROCESS

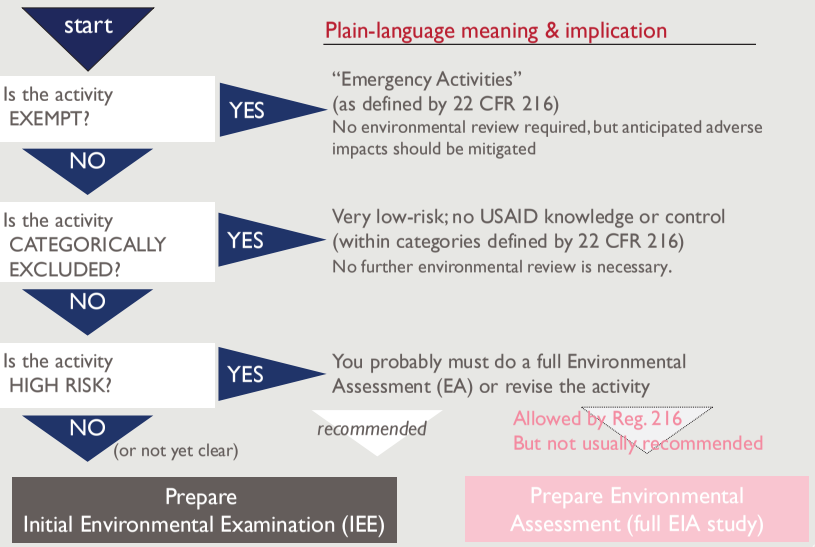
- The USAID approach to EIA is established in Reg. 216
- Reg. 216 defines a pre-implementation EIA process
- This process applies to:
  - **All** USAID programs or activities, (including non-project assistance.)
  - New activities
  - Substantive amendments or extensions to ongoing activities

! Reg. 216 (22 CFR 216) is a US FEDERAL REGULATION. Compliance is mandatory.

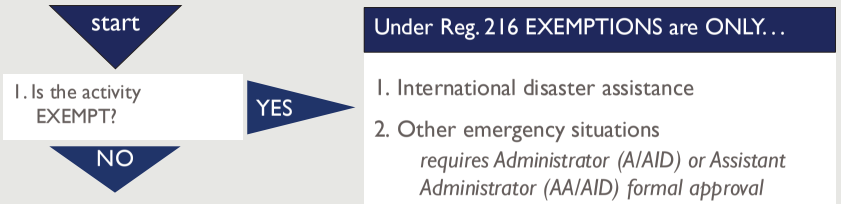
REG. 216
USAID'S IMPLEMENTATION OF GENERAL EIA PROCESS...



THE USAID SCREENING PROCESS



SCREENING UNDER 22 CFR 216: EXEMPTIONS



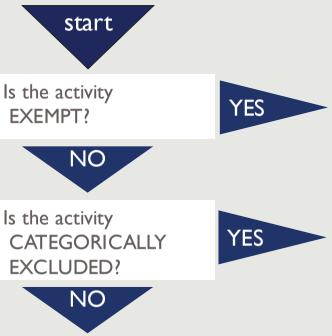
Under Reg. 216 EXEMPTIONS are ONLY...

1. International disaster assistance
2. Other emergency situations
   requires Administrator (A/AID) or Assistant Administrator (AA/AID) formal approval
3. Circumstances with "exceptional foreign policy sensitivities"
   requires A/AID or AA/AID formal approval

! "Exempt" activities often have significant adverse impacts.

Mitigate these impacts where possible.

SCREENING UNDER 22 CFR 216: CATEGORICAL EXCLUSIONS



ONLY activities fitting in a set of 15 specific categories MAY qualify for categorical exclusions, including...

- Education, technical assistance, or training programs (as long as no activities directly affect the environment)
- Documents or information transfers
- Analyses, studies, academic or research workshops and meetings
- Nutrition, health, family planning activities *except where medical waste is generated*

CATEGORICAL EXCLUSIONS: LIMITATIONS

start

1. Is the activity EXEMPT? — YES

NO

2. Is the activity CATEGORICALLY EXCLUDED? — YES

NO

! No categorical exclusions are possible when an activity involves pesticides. (22 CFR 216.2(e))

An activity may "fit" into a categorically excluded class…

… but if adverse impacts are reasonably foreseeable, the activity will NOT receive a categorical exclusion.

Why would categorical exclusions NOT apply if USAID funds…

- A technical advisor to the ministry of environment and energy with co-signature authority over mining concession awards?
- Midwife training in management of 3rd-stage labor?
- Credit support to large-scale agro-processing?

SCREENING UNDER 22CFR216
"HIGH RISK" (EA LIKELY REQUIRED)

start

1. Is the activity EXEMPT? — YES

NO

2. Is the activity CATEGORICALLY EXCLUDED? — YES

NO

3. Is the activity HIGH RISK? — YES

NO

"HIGH RISK" = activities "for which an EA is normally required" per 22 CFR 216

OR other activities which clearly present high environmental risks

- Penetration road building or improvement
- Irrigation, water management, or drainage projects
- Agricultural land leveling
- New land development; programs of river basin development
- Large scale agricultural mechanization
- Resettlement
- Powerplants & industrial plants
- Potable water & sewage, "except small-scale"

What if my activity is "high risk"?

3. Is the activity HIGH RISK? — YES: You probably must do a full Environmental Assessment (EA) or revise the activity

NO (or not yet clear)

recommended

Allowed by Reg. 216
But not usually recommended

Prepare Initial Environmental Examination (IEE)

Prepare Environmental Assessment (full EIA study)

Can proceed directly to an EA (USAID's full EIA study)

But unless the activity is VERY clearly "high risk", do an IEE (USAID's preliminary assessment) instead

WHY a preliminary assessment?

An IEE will:

- Allow you to determine if impacts can be easily controlled below a significant level—if so, an EA is not necessary
- Gather information needed to jump-start the EA process

WHAT IS CLEARLY "HIGH RISK"?

EA DEFINITELY REQUIRED

- New 500Ha irrigation scheme
- Major expansion of a 100MW thermal power plant & construction of new transmission lines
- Widening 30km of a 2-lane road to 6-lane tollway thru an urban area

NOT CLEAR—proceed to IEE

- Rehabilitation of 50Ha irrigation scheme
- Mini-hydro installations of 500 kw total
- Rehabilitation of multiple short segments of rural feeder road

Sections 118 & 119 of the Foreign Assistance Act REQUIRE an EA for..

- Activities involving procurement or use of logging equipment
- Activities with the potential to significantly degrade national parks or similar protected areas or introduce exotic plants or animals into such areas

ONCE EACH ACTIVITY HAS BEEN SCREENED…

ACTIVITY*	EXEMPT	CATEX	IEE REQ'D	EA REQ'D
1. Small clinic rehabilitation			X	
2. Borehole Installations			X	
3. Training in patient record-keeping		X		
4. Construct provincial medical waste disposal facility				X

*Use a table like this. It helps.

DEVELOP YOUR 22 CFR 216 DOCUMENTATION…

…AS DETERMINED BY THE OUTCOME OF YOUR SCREENING PROCESS

OVERALL SCREENING RESULTS	22 CFR 216 DOCUMENTATION REQUIRED
All activities are exempt	Statement of Justification
All activities categorically excluded	**Categorical Exclusion Request** + FACESHEET
All activities require an IEE	**IEE** covering all activities + FACESHEET
Some activities are categorically excluded, some require an IEE	An **IEE** that: ▪ Covers activities for which an IEE is required AND ▪ Justifies the categorical exclusions + FACESHEET
High-risk activities	▪ Initiate scoping and preparation of an EA

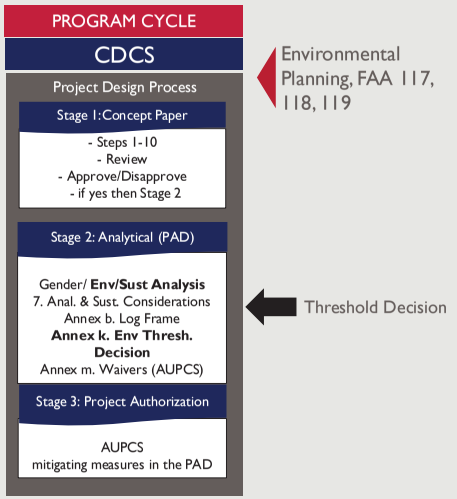
CATEGORICAL EXCLUSION REQUEST

Very simple; 1-2 pages. Describes the activities. Cites 22 CFR 216 to justify the catex.

Initial Environmental Examination (USAID's preliminary assessment)

TIMING OF 22 CFR 216 DOCUMENTATION…

USAID's project design process requires approved Reg. 216 documentation as annex to the Project Appraisal Document



Environmental Planning, FAA 117, 118, 119

Threshold Decision

THE IEE: USAID'S PRELIMINARY ASSESSMENT

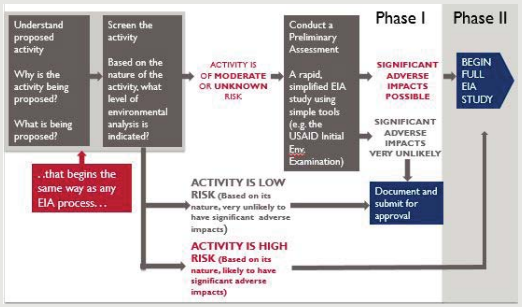
BASIC IEE OUTLINE

1. Background & Activity Description
   - Purpose & Scope of IEE
   - Background
   - Description of activities
2. Country & Environmental information
   - Locations affected
   - National environmental policies and procedures
3. Evaluation of potential environmental impacts
4. Recommended threshold decisions and mitigation actions
   - Recommended threshold decisions and conditions
   - Mitigation, monitoring & evaluation

! What does it look like?

The IEE is very similar to preliminary assessments required by other donors and governments.

PURPOSE OF IEE



Provides documentation and analysis that:

- Allows the **preparer** to determine whether or not significant adverse impacts are likely
- Allows the **reviewer** to agree or disagree with the preparer's **determinations**
- Sets out mitigation and monitoring for adverse impacts

WHAT DETERMINATIONS RESULT FROM AN IEE?

FOR **EACH** ACTIVITY ADDRESSED, THE IEE MAKES ONE OF 4 RECOMMENDATIONS REGARDING ITS POSSIBLE IMPACTS:

If the IEE analysis finds…	The IEE recommends a…	Implications (if IEE is approved)
No significant adverse environmental impacts	**NEGATIVE DETERMINATION**	No conditions. Go ahead.
With specified mitigation and monitoring, no significant environmental impacts	**NEGATIVE DETERMINATION WITH CONDITIONS**	Specified mitigation and monitoring must be implemented
Significant adverse environmental impacts are possible	**POSITIVE DETERMINATION**	Do full EA or redesign activity. Conditions imposed by the EA must be implemented.
Not enough information to evaluate impacts	**DEFERRAL**	You cannot implement the activity until the IEE is amended

PLUS, the IEE will address any CATEGORICAL EXCLUSIONS carried over from the screening process.

REG. 216 DOCUMENTATION & APPROVAL

IMPORTANCE:

No activities may be implemented without APPROVED Reg. 216 environmental documentation in hand.

APPROVED =

- **Mission Director (or Washington equivalent) & Bureau Environmental Officer (BEO) signatures**
- BEO concurrence *not* automatic or guaranteed
- Dialogue is sometimes required

WHO SIGNS?

Clearances:

- COR/AOR or Team leader
- Mission Environmental Officer (for Missions)
- Regional Environmental Advisor (depending on mission)
- Mission Director or Washington equivalent*

Concurrence

- Bureau Environmental Officer*

Approval

- General Counsel (rarely)

*required by Reg 216

WHEN THE IEE IS DULY APPROVED…

Recommended determinations & categorical exclusions become THRESHOLD DECISIONS

Conditions become REQUIRED elements of project implementation & monitoring (ADS 204.3.4(b))

The IEE is posted to USAID's environmental compliance database*

Conditions are written into or referenced in solicitation & award documents (ADS 204.3.4(a)(6))

IEE conditions provide the bedrock on which life-of-project mitigation and monitoring criteria are established.

AORs/CORs oversee implementation (ADS 204.3.4(b))

*www.usaid.gov/our_work/environment/compliance/database.html

WHAT IF I NEED TO DO AN ENVIRONMENTAL ASSESSMENT*?

- First step: a formal scoping process (22 CFR 216.3(a)(4))
- Scoping Statement must be approved by Mission Director, Bureau Environmental Officer.
- Informs the SOW for the Environmental Assessment itself.
- EAs are far more detailed than IEEs. They must address alternatives to the proposed activities. Public consultations are required.

*If a proposed action may affect the US environment or the global commons, an EIS is required, not an EA. (EIS = **Environmental Impact Statement**, per the US National Environmental Policy Act (NEPA)). This is RARE. (22 CFR 216.7.)

WHAT ABOUT HOST-COUNTRY EIA PROCEDURES?

- Most host countries—Kenya included—have domestic EIA requirements;
- USAID projects must also comply with these requirements;
- So, during screening, also screen against host-country categories or criteria.
- If a host-country preliminary assessment or full EIA is required, the objective is to create ***one document that satisfies both systems.***

SUMMARY

- Reg. 216 establishes the pre-implementation USAID environmental review process
- This reflects the general EIA methodology
- It begins with a systematic screening and decision-making process with more detailed review, if needed
- USAID documentation and approval processes are clear and mandatory
- Reg. 216 documents define project environmental management criteria, most frequently as IEE conditions

Version: 27 January 2009
download from www.encapafrica.org /meoEntry.htm.

USAID Environmental Procedures Briefing for USAID/XXX Staff

Contents

Purpose 1

Legal Authority for and Purpose of USAID's Environmental Procedures 2

Environmental Compliance Requirements over Life of Project 2

Responsibilities for Implementation 3

Specific Further Directives 5

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Environmental Compliance Resources & Key Contacts 7

Attachments:
1. Environmental Compliance Language for Use in Solicitations and Awards
2. Annotated Environmental Mitigation and Monitoring Plan (EMMP) Template

Acronyms

ADS	Automated Directives System
BEO	Bureau Environmental Officer
CFR	Code of (US) Federal Regulations
CTO	Cognizant Technical Officer
EA	Environmental Assessment
ECL	Environmental Compliance Language for Use in Solicitations and Awards (ADS 204 help document)
EIA	Environmental Impact Assessment
EMMP	Environmental Mitigation & Monitoring Plan
ESDM	Environmentally Sound Design and Management
IEE	Initial Environmental Examination
LOP	Life-of-Project
MEO	Mission Environmental Officer
PMP	Performance Monitoring Plan
REA	Regional Environmental Advisor
Reg. 216	22 CFR 216

About this *Briefing*

All USAID Missions and operating units are required to fully implement and comply with USAID's mandatory environmental procedures. This briefing is intended to support short mission staff trainings in these procedures and to serve as a succinct post-training reference. Towards these ends, it:

- ✓ summarizes the environmental procedures in plain language, and
- ✓ sets out the roles and responsibilities of organizational units and functions in the Mission in achieving and assuring compliance.

This briefing is closely based on and fully compatible with the new model *Environmental Compliance Mission Order* adopted by Africa Bureau. The plain-language summary in this *Briefing* does not supercede the statutory, regulatory and ADS language that governs and constitutes these procedures. This language may be accessed via http://www.encapafrica.org/meoEntry.htm or provide internal server filelink.

Legal Authority for and Purpose of USAID's Environmental Procedures

Section 117 of the Foreign Assistance Act of 1961, as amended, **requires** that USAID use an Environmental Impact Assessment (EIA) process to evaluate the potential impact of the Agency's activities on the environment **prior** to implementation, and that USAID "fully take into account" environmental sustainability in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216 or "Reg. 216") and in USAID's Automated Directives System (ADS), particularly Parts 201.3.12.2.b and 204.

These procedures are USAID's principal mechanism to ensure environmentally sound design and management (ESDM) of development activities. Put another way, they are USAID's principal mechanism to prevent USAID-funded activities from having significant, unforeseen, avoidable or mitigable adverse impacts on critical environmental resources, ecosystems, and the health and livelihoods of beneficiaries or other groups. They strengthen development outcomes and help safeguard the good name and reputation of the Agency.

Compliance with these procedures is mandatory. With limited exceptions for international disaster assistance, they apply to every program, project, activity, and amendment supported with USAID funds or managed by USAID. USAID/XXX is fully committed to their systematic and complete implementation.

Environmental Compliance Requirements over Life of Project

In general, the procedures specify an EIA process that must be applied to all activities *before implementation*—including new activities introduced into an existing program or substantive changes to existing activities. This pre-implementation EIA process, defined by Reg. 216, frequently results in environmental management requirements (mitigative measures) that must be implemented and monitored over the life of the activity.

Specifically, EXCEPT for international disaster assistance activities verified as EXEMPT from the procedures, the procedures impose the following compliance requirements over life of project (LOP):

1. **Environmental considerations must be taken into account in activity planning**. (ADS 201.3.12.6 & 204.1).

2. **No activity is implemented without approved Reg. 216 environmental documentation. This documentation must be approved PRIOR to any irreversible commitment of resources.** (ADS 204.3.1).

   This documentation is the output of the EIA process specified by Reg. 216 and takes one of three forms: Request for Categorical Exclusion, Initial Environmental Examination (IEE) or Environmental Assessment (EA).

   Documentation is approved ONLY when it is signed by the Mission Environmental Officer, the Mission Director AND the Bureau Environmental Officer. As a condition of approval, most IEEs and all EAs contain environmental mitigation and monitoring requirements ("IEE or EA conditions") for at least some of the activities they cover.

   Note that Activity Approval Documents must summarize how environmental documentation requirements have been met. (ADS 201.3.12.15).

3. **All IEE and EA conditions are incorporated in procurement instruments.** (ADS 204.3.4.a.6; 303.3.6.3e).

4. **All IEE and EA conditions are implemented, and this implementation is monitored and adjusted as necessary.** (ADS 204.3.4; 303.2.f).

Operationally, this requires that:

- ✓ *Conditions established in program- ("FO"-)level IEEs and EAs are mapped to the activity level;*
- ✓ *Environmental Mitigation and Monitoring Plans (EMMPs) are developed at the project or activity level to implement these conditions. EMMPs* set out *the mitigation measures required by the IEE/EA; indicators or criteria for monitoring their implementation & effectiveness; and the parties responsible for implementation & monitoring;*
- ✓ *Project workplans and budgets specifically provide for implementation of EMMPs; and*
- ✓ *PMPs incorporate measures of EMMP implementation.*

USAID/XXX mission policy is that each of these prerequisites for successful implementation of IEE and EA conditions will be executed in full.

An annotated EMMP template is attached to this Briefing *and also available at www.encapafrica.org/meoEntry.htm and provide internal server filelink.*

5. **Environmental compliance is assessed in annual reports.** (ADS 203.3.8.7; 204.3.3.a).

   Annual reports must assess environmental compliance of existing activities, including whether all activities are covered by approved Reg. 216 environmental documentation, whether the mitigation measures specified in IEEs and EAs are being implemented, and whether these measures are adequate. If activities are discovered to be out of compliance, the report must specify actions to be taken to remedy the situation.

6. **Environmental compliance documentation is maintained in Program area Team files.** (ADS 202.3.4.6).

A more extensive discussion of LOP environmental compliance requirements is found in the Bureau for Africa's *Mission Environmental Officer Handbook*, available via www.encapafrica.org/meoentry.htm and provide internal server filelink.A hardcopy of the handbook is available for loan from the Mission Environmental Officer.

Responsibilities for Implementation

Primary responsibility: Team Leaders, CTOs, and Activity Managers. The ADS makes clear that primary responsibility and accountability for environmental compliance is shared by the USAID staff acting in the capacities of Team Leader and each CTO or Activity Manager. This includes assuring that Reg. 216 documentation is developed and in-place for activities under their purview.

Specific responsibilities established by the ADS and Mission policy for these positions are set out in the table below. All UAID/XXX staff are obliged to fulfill the enumerated environmental compliance responsibilities attendant to their position.

Final responsibility: Mission Director. Final responsibility for environmental compliance lies with the Mission Director. The Mission Director must approve all Reg. 216 documentation for Mission activities.

Field Implementation: Contractors and Implementing Partners. Environmental management must be an integral part of project implementation, and thus field implementation of environmental mitigation is the responsibility of contractors/IPs with oversight from USAID.

Advice & Gatekeeping: Mission Environmental Officer (MEO). The MEO (1) is a core member of each mission program team and serves the team as an environmental compliance advisor; (2) serves as a gatekeeper (quality and completeness reviewer) for Reg. 216 Documentation and must clear all

documentation before submission to the Mission Director; and (3) is the primary point of Mission contact with the Bureau Environmental Officer and the Regional Environmental Advisor (see "Environmental Compliance Resources and Key Contacts," below).

A more complete description of MEO roles and responsibilities is provided by the Bureau for Africa's MEO Handbook*, available via www.encapafrica.org/meoEntry.htm* and provide internal server filelink.

Regional Environmental Advisors (REAs). REAs advise MEOs and program teams on environmental compliance, including development of Reg. 216 documentation and monitoring protocols, and can assist teams in obtaining additional environmental expertise when required. REAs also help to monitor the mission's implementation of the Agency's Environmental Procedures. The MEO is the liaison with the REA on behalf of program teams. The REA supporting XXXX is based in USAID/(EA/WA/SA), CITY.

Bureau Environmental Officers (BEOs). The BEOs, based in Washington, DC, must clear all Reg. 216 documentation for activities under the purview of their Bureau. USAID/XXXX activities are under the purview of the AFR, EGAT, GH and DCHA Bureaus.

Environmental Compliance Responsibilities of Team Leaders, CTOs, Activity Managers and the MEO

Compliance action	Responsible parties
Prepare Reg 216 environmental documentation. Reg 216 documentation includes: ✓ Requests for Categorical Exclusions (RCEs) ✓ Initial Environmental Examinations (IEEs) ✓ Environmental Assessments (EAs) ✓ Amendments to all of the above	**CTO/Activity Manager** (MEO reviews/provides advice). EXCEPT: ✓ Teams may engage **partners** or **outside contractors** to prepare IEEs under the supervision of the CTO/Activity Manager. The use of external expertise is RECOMMENDED for complex programs and activities. ✓ EAs are almost always prepared by 3rd-party contractors. ✓ Title II IEEs are prepared by Implementing Partners as part of their MYAP submissions.
Approve and Clear Reg. 216 Documentation.	**All** of the following must clear: ✓ CTO, Activity Manager or Team Leader ✓ MEO ✓ Mission Director ✓ Bureau Environmental Officer
Clear sub-project/sub-grant Environmental Reviews.	**Activity Manager AND MEO** (Activities identified by the sub-project/sub-grant screening process as "high risk" are forwarded for REA & BEO review and clearance.)
Incorporate environmental compliance requirements into procurement documents.	**CTO/Activity manager** (MEO assists.)
Ensure Reg. 216 documentation is current and covers all activities being implemented.	**CTO/Activity Manager**
Assure an EMMP addressing all relevant mitigation and monitoring conditions is	**CTO/Activity Manager** (MEO may review)

Compliance action	Responsible parties
developed, and reflected in workplan, budget, and PMP.	Contractors/IPs will in most cases develop EMMPs for CTO/Activity Manager review. If they do not, this responsibility falls directly on the CTO/Activity Manager.
Monitoring to ensure partner/contractor compliance with IEE/EA conditions.	**CTO/Activity Manager** (MEO assists)
Ensure that environmental compliance lessons learned are incorporated in closure reports & environmental compliance issues are included in SOWs for evaluations.	**MEO**
Prepare environmental compliance section of Mission Annual Reports.	**MEO,** with support from CTOs and Activity Managers.
Maintain environmental compliance documentation.	**Program Officer, CTO/Activity Manager/Team Leader, MEO**

Additional Directives and Responsibilities to Assure LOP Compliance

To assure that the LOP compliance elements listed in the table above are well-implemented, the following directives and responsibilities apply Mission-wide:

1. **Awareness of Activity Determinations and Conditions.** It is the responsibility of each CTO and Activity Manager to know the **Reg. 216 Determination**, **including any conditions**, assigned to the activities under their purview. These conditions are assigned in the Reg. 216 documentation that applies to the activity. The possible determinations are enumerated in the table below:

Categorical Exclusion	The activity falls into one of the classes of activities enumerated by Reg, 216 as posing low risks of significant adverse environmental impacts, and no unusual circumstances exist to contradict this assumption. The activity has no attached environmental management conditions.
Negative Determination	Per analysis set out in an IEE, the activity is found to pose very low risk of significant adverse environmental impact. The activity has no attached environmental management conditions.
Negative Determination with Conditions	Per analysis set out in an IEE, the activity is found to pose very low risk of significant adverse environmental impact *if* specified environmental mitigation and monitoring measures are implemented. The activity proceeds on the condition and requirement that these measures ("conditions") are fully implemented.
Positive Determination	Per analysis set out in an IEE, the activity is found to pose substantial risks of significant adverse environmental impacts. Therefore, the activity cannot proceed until an Environmental Assessment (EA) is developed and duly approved, and then on the condition that environmental mitigation and monitoring measures specified by the EA are fully implemented.

   The only activities not assigned such determinations are international disaster assistance activities verified as **exempt** from the procedures. CTOs and Activity Managers must also be aware of any activities under their purview having exempt status, and when such exempt status will terminate.

2. **Team-level Compliance Planning & Compliance Verification Systems.** As specified by ADS 204.3.4, each program team must collaborate effectively with the MEO during all program designs and approvals to create a system and secure adequate resources to ensure LOP environmental compliance.

This system must include: EMMP review and approval; assuring the budgets provide for EMMP implementation, and that PMPs integrate measures of EMMP implementation. Environmental compliance verification will be part of field visits/inspections.

Note that several general and sector-specific tools exist to support field and desk assessment and tracking of partner environmental compliance. Use of these tools is recommended and may be required in some circumstances. Examples include the "Environmental Mitigation and Monitoring Tracking System" (developed in the Southern Africa region for compliance monitoring of Indoor Residual Spraying activities and the general "Site Visit Guide and Report Template." Both are available at www.encapafrica.org/meoentry.htm (Mitigation and Monitoring section) or provide internal server filelink. Contact the MEO for more information.

3. **Functional specifications for Environmental Compliance Clauses in Procurement Instruments.** The ADS states that CTOs and Activity Managers are responsible for ensuring that environmental conditions from IEEs and EAs are incorporated into solicitation and award documents (ADS 204.3.4.a.6; 303.3.6.3e). Beyond this, **it is Mission policy that environmental compliance language in all solicitation *and* award instruments specifically requires that:**

   - ✓ The partner verifies current and planned activities annually against the scope of the approved environmental documentation.
   - ✓ Where activities demand environmental management expertise, appropriate qualifications and proposed approaches to compliance are addressed in technical and cost proposals.
   - ✓ The partner develop an EMMP fully responsive to all IEE/EA conditions, unless this already exists in the Reg. 216 documentation or will be developed by Mission program staff.
   - ✓ Budgets and workplans integrate the EMMP.
   - ✓ PMPs measure EMMP implementation.

   The ADS help document *Environmental Compliance Language for Use in Solicitations and Awards* (ECL) provides a combination of step-by-step guidance and standard text to assemble environmental compliance language meeting these requirements for any solicitation or award. Its use is strongly recommended.

   The ECL and an annotated EMMP template are attached to this Order and also available at www.encapafrica.org/meoentry.htm and provide internal server filelink.

4. **Confirming Reg. 216 documentation coverage in the course of project designs, amendments, extensions, and during the preparation of the Annual Reports.** During these exercises, the Team should review planned/ongoing activities against the scope of existing, approved Reg. 216 documentation and either: (1) confirm that the activities are fully covered or (2) assure that such documentation is developed and approved *prior* to implementation. For activities begun under a disaster assistance exemption, the Team must confirm that their exempt status still applies.

   Activities modified or added during project implementation may require new or amended Reg. 216 documentation. Maintaining Reg. 216 documentation coverage of all *activities is critical, as the ADS requires that ongoing activities found to be outside the scope of approved Reg. 216 documentation **be halted** until an amendment to the documentation is approved by the Mission Director and the BEO.*

Critical Non-Compliance Situations

If any USAID/XXX staff member believes that (1) failure to implement mitigation measures or (2) unforeseen environmental impacts of project implementation is **creating a significant and imminent danger to human health or the integrity of critical environmental resources**, **IMMEDIATELY notify the CTO, MEO and Mission Management.**

Environmental Compliance Resources and Key Contacts

The on-line MEO Resource Center contains a wide range of environmental compliance and best practice materials, including step-by-step guidance for development of Reg. 216 documentation and sectoral guidance for design of environmental mitigation and monitoring measures. The Center is hosted on Africa Bureau's ENCAP website (www.encapafrica.org/meoEntry.htm) and copied in full at insert internal server filelink.

Reg. 216 documentation for Mission programs is posted at insert internal server filelink.

Key contacts. As of INSERT DATE, key environmental compliance contacts for USAID/XXX are as follows. Up-to-date contacts are available via www.encapafrica.org/meoEntry.htm.

Mission Environmental Officer	**Insert name, email and extension**
Regional Environmental Advisors (REAs)	East and Central Africa (USAID/EA, Nairobi) *David Kinyua: dkinyua@usaid.gov* Southern Africa R (USAID/SA, Pretoria) *Camilien J.W. Saint-Cyr: csaint-cyr@usaid.gov** West Africa (USAID/WA, Accra) *Bob Buzzard: robuzzard@usaid.gov*
Bureau Environmental Officers (BEOs; Washington, DC)	Bureau for Africa (AFR/SD) *Brian Hirsch: bhirsch@usaid.gov* Bureau for Economic Growth, Agriculture & Trade Bureau (EGAT): *Joyce A. Jatko: jjatko@usaid.gov* Democracy, Conflict and Humanitarian Assistance (DCHA): *Erika Clesceri: eclesceri@usaid.gov* Global Health (GH/HIDN) *Theresa Bernhard, tbernhard@usaid.gov*

Session 6.
Principles of Environmental Monitoring

Technical presentation and dialogue

Summary

Definition—Environmental monitoring is both:

A. Systematic observation of key environmental conditions.

B. Systematic verification of the implementation of mitigation measures.

Environmental monitoring is a necessary complement to mitigation. Its purpose is to tell us clearly and cost-effectively if mitigation is sufficient and effective. Throughout this session, we will see that environmental monitoring must be highly targeted.

A. **Observing environmental conditions.** The environmental conditions observed are those:

- That correspond to impacts and mitigation measures. For example, a key potential impact of an irrigation project is groundwater contamination. Therefore, **groundwater quality** is monitored.
- Upon which the project depends for its success. For example, a water supply project depends on clean source water. Therefore, **source water quality** is monitored.

We observe and measure environmental conditions by using **environmental indicators,** which are signals of or proxies for the stock and quality of key environmental resources, or of environmental health and ecosystem function.

Indicators can require complex equipment to measure (e.g., testing water for pesticide residues), but they can also be very simple—and often for small-scale activities simple indicators are best. (For example, groundwater levels can be measured in a shallow well using a rope and bucket.)

A key principle of monitoring is choosing the simplest indicator that meets your needs.

To distinguish the impacts of your activity from other factors, thought needs to go into the times and places that indicators are measured.

For example, consider an agricultural processing facility that draws water from a stream. The facility has potential to adversely impact surface water quality. A good monitoring approach would:

- Take water samples from the stream at the intake point and downstream from the seepage pits.
- Take samples from these different locations at the same time.
- Take samples during both high and low flow periods during the processing season.

B. **Verifying Implementation of Mitigation Measures.** We can verify (and quantify!) implementation of mitigation measures in two ways: via paper reports and via field inspection. In each case, we use **mitigation implementation indicators**. For example, monitoring of medical waste management in a clinics activity could ask the beneficiary clinics to attach their waste management plan. A field inspection would spot-check that key elements of the plan were being implemented.

Good environmental monitoring is targeted and takes the simplest effective approach. It usually requires a combination of environmental conditions indicators and mitigation implementation indicators.

Objective

Establish the objective of environmental monitoring (determining clearly and cost-effectively if mitigation is sufficient and effective); brief the two types of environmental monitoring indicators and achieve a common understanding of the principles of environmental monitoring design.

Key resource

- The *Sector Environmental Guidelines* are a key resource for design of mitigation and monitoring measures.

Principles of Environmental Monitoring

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

DEFINITION OF MONITORING

ENVIRONMENTAL MONITORING IS BOTH…

1. Systematic observation of key environmental conditions
2. Systematic verification of mitigation measure implementation

PURPOSE:

to tell you clearly and cost-effectively if mitigation is sufficient and effective

Env. Monitoring should be a normal part of project M&E.

MONITORING ENVIRONMENTAL CONDITIONS

Systematic observation of key environmental conditions. These are environmental conditions that:

- correspond to impacts & mitigation measures
- Upon which the project depends for its success

EXAMPLE: an irrigation project may contaminate groundwater. **Ground-water quality** is monitored.

EXAMPLE: A water supply project depends on clean source water. **Source water quality** is monitored.

MONITORING ENVIRONMENTAL CONDITIONS

1. SYSTEMATIC OBSERVATION of key environmental conditions means that environmental indicators are chosen and assessed systematically.

INDICATORS ARE

Signals of or proxies for

- Environmental health
- Ecosystem function

For example…

EXAMPLE INDICATOR: COLIFORM CONTAMINATION

WATER QUALITY TESTS WITH SIMPLE, INEXPENSIVE TEST KIT . . .

Purple Color = Fecal Coliforms
Pink Color = Non-Fecal Coliforms

EXAMPLES OF INDICATORS

ENVIRONMENTAL COMPONENTS THAT MAY BE ADVERSELY AFFECTED BY SMALL-SCALE ACTIVITIES

Water	Quantity, quality, reliability, accessibility	Env Health	Disease vectors, pathogens
Soils	Erosion, crop productivity, fallow periods, salinity, nutrient concentrations	Flora	Composition and density of natural vegetation, productivity, key species
Fauna	Populations, habitat	Special ecosystems	Key species

INDICATORS

ENVIRONMENTAL INDICATORS: SOMETIMES COMPLICATED, OFTEN SIMPLE

- Environmental Indicators MAY require laboratory analysis or specialized equipment & techniques
  - Testing water for pesticide residues
  - Automatic cameras on game paths for wildlife census
  - Etc.
- But indicators are often VERY SIMPLE. . .
- . . .especially for small-scale activities
  - Simple indicators can be more useful and appropriate than more complicated ones!

FOR EXAMPLE. . .

EXAMPLES OF SIMPLE ENVIRONMENTAL INDICATORS

EROSION MEASUREMENT

Topsoil loss from slopes upstream in the watershed (left) is assessed with a visual turbidity monitor (right).

SURFACE SEWAGE CONTAMINATION

Visual inspection behind the latrine (left) reveals a leaking septic tank (right).

WHAT ARE THE LIMITATIONS OF THIS INDICATOR?

EXAMPLES OF SIMPLE ENVIRONMENTAL INDICATORS

SOIL DEPLETION
Visual inspections show fertility gradients within terraces. (Dark green cover indicates healthy soil; yellow cover indicates depletion)

GROUNDWATER LEVELS
Are measured at shallow wells with a rope and bucket.

Choose the simplest indicator that meets your needs!

ASSESSING ENVIRONMENTAL INDICATORS SYSTEMATICALLY

Monitoring often requires SYSTEMATIC measurement of indicators to distinguish the impacts of the activity from other factors

This requires decisions about:

1. Location of measurement
2. Timing & frequency of measurement and often…
3. Other factors

FOR EXAMPLE

ASSESSING ENVIRONMENTAL INDICATORS SYSTEMATICALLY

EXAMPLE: WATER QUALITY IMPACTS OF AGRIC. PROCESSING

1. LOCATION - Water samples should be taken at the intake, and downstream of seepage pits.
2. TIMING & FREQUENCY - Samples at different locations should be taken at the same time. Samples should be taken at **high & low flow** during the processing season
3. WHAT ELSE?

ASSESSING ENVIRONMENTAL INDICATORS SYSTEMATICALLY

MEASURING WATER QUALITY IMPACTS FROM A POINT SOURCE OF POLLUTION (THE PREVIOUS EXAMPLE) IS FAIRLY STRAIGHTFORWARD

OFTEN MONITORING CAN BE MORE COMPLICATED.

Some common monitoring strategies:

- Monitor the actual project, plus a similar non-project area (a "control")
- Monitor at multiple stations/sampling locations
- Do research to obtain good baseline data

All are intended to help distinguish impacts from NORMAL VARIABILITY and other factors

MONITORING: PART 2

SYSTEMATIC VERIFICATION OF MITIGATION MEASURE IMPLEMENTATION

Verifying whether or not the mitigation measures specified by the EMMP have been implemented.

This includes quantifying mitigation:

- How may staff trained?
- How many trees planted?

This will often not show whether the measures are effective. This is the role of environmental indicators.

There are two basic ways to get the information required:
PAPER REPORTS & FIELD INSPECTION

FOR EXAMPLE

WAYS TO QUANTIFY IMPLEMENTATION OF MITIGATION

MITIGATION MEASURE IS:

"Clinic staff shall be trained to and shall at all times segregate and properly incinerate infectious waste."

DESK ASSESSMENT:

Clinics are asked to report:

- Percentage of staff trained?
- Spot inspections of waste disposal locations carried out?
- The result of these inspections?

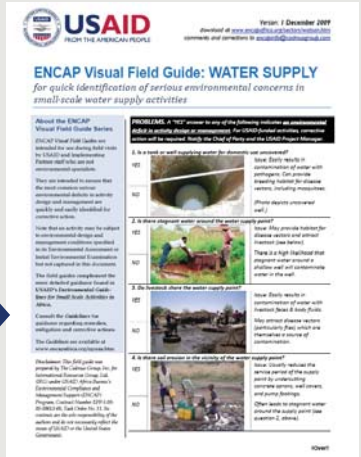
Mitigation implementation indicators

Field inspection shows waste is segregated at point A, but not incinerated at point B.

GOOD ENVIRONMENTAL MONITORING TELLS YOU CLEARLY AND COST-EFFECTIVELY IF MITIGATION IS SUFFICIENT AND EFFECTIVE

- Do no more than needed.
- Prioritize the most serious impacts & issues.
- Usually requires a combination of:
  - Environmental conditions indicators
  - Mitigation implementation indicators

Example:
ENCAP visual field guides


USAID
FROM THE AMERICAN PEOPLE

ENCAP Visual Field Guide: WATER SUPPLY

for quick identification of serious environmental concerns in small-scale water supply activities

MAKING MITIGATION & MONITORING EFFECTIVE

FOR MITIGATION AND MONITORING TO BE EFFECTIVE, IT MUST BE:

REALISTIC.
M&M must be achievable within time, resources & capabilities.

TARGETED.
Mitigation measures & indicators must correspond to impacts.

FUNDED.
Funding for M&M must be adequate over the life of the activity

CONSIDERED EARLY.
Preventive mitigation is usually cheapest and most effective. Prevention must be built in at the design stage.

CONSIDERED EARLY.
If M&M budgets are not programmed at the design stage, they are almost always inadequate!

MITIGATION & MONITORING IN THE PROJECT LIFECYCLE

MITIGATION AND MONITORING IS A PART OF EACH STAGE OF ANY ACTIVITY.

1. Implementation of design decisions. Monitoring of construction.
2. Where required, **capacity-building** for proper operation

Design → Construct/ Implement → Operate (may include handover) → Decommission (in some cases)

1. Decisions made regarding site and technique to minimize impacts
2. Operating practices designed

1. Operating practices implemented
2. Monitoring of:
   - Operating practices
   - Environmental conditions

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Session 7.
The Environmental Mitigation and Monitoring Plan (EMMP)

Technical presentation and dialogue

Summary

Environmental Mitigation and Monitoring Plans (EMMPs) provide a framework for specifying and organizing mitigation and monitoring, and assuring that it responds systematically to IEE/EA conditions. In its most basic form, the EMMP is a simple table that sets out:

- ALL the mitigation measures being implemented in response to IEE/EA conditions;
- The monitoring that will determine whether the mitigation is sufficient and effective; and
- Who is responsible for both mitigation and monitoring.

EMMPs may also include **budgeting** information for mitigation and monitoring and a **monitoring log** section where monitoring results can be recorded. We illustrate the EMMP concept at the end of the session with an extended example.

> Note that EMMPs are also known as EMPs (Environmental Management Plans), EMPRs (Environmental Mitigation Plan and Report), and similar acronyms.
>
> EMMP is the most widely used term. EMMP formats likewise vary. IEEs or awards sometimes specify an EMMP format, but more often the IP has flexibility in designing/adopting/adapting a format that meets the needs of the particular project. The formats discussed in this training are the most common and are acceptable in most contexts.

USAID Environmental Procedures require that environmental mitigation required by IEEs and EAs is implemented and monitored, but do not require EMMPs *per se*. However, most new IEEs do require that EMMPs be developed and implemented. This requirement can be operationalized either as technical direction from the COR/AOR, or as a provision of new contracts and agreements.

Title II Cooperating Sponsors are required to develop EMMPs by the Agency's MYAP guidance.

EMMPs are being required because a key lesson learned from 40 years of EIA experience worldwide is that it is almost impossible to systematically carry out the mitigation measures that result from the EIA process unless an EMMP exists, and is incorporated into a project's workplan and budget.

Environmental Compliance Language (ECL)

For new awards and significant modifications to existing awards, USAID Missions and Bureaus are increasingly requiring EMMPs in the language of award instruments. This is part of a broader trend within USAID to use "best practice" environmental compliance language in solicitations and awards.

This language goes beyond the minimum requirement established by the ADS that mitigation measures be incorporated into "implementation instruments." It requires that:

1. a complete EMMP be developed;
2. workplans and budgets integrate the EMMP; and
3. project reporting tracks EMMP implementation.

The source of this "best practice language" is the **Environmental Compliance: Language for Use in Solicitations and Awards** (ECL) tool. This tool is a non-mandatory part of the ADS, and combines step-by-step guidance and "boilerplate" language. The BEOs and REAs strongly encourage its use.

EMMP Submission and Approval

EMMPs should be approved by the COR/AOR; sometimes there is additional review by the MEO or REA. COR/AORs should require that EMMPs are submitted together with the project's workplan or PMP.

Title II Partners sometimes submit them as part of the IEE, itself a part of the MYAP package.

Objectives

- Brief the EMMP concept.
- Establish that EMMPs are critical to effective and systematic implementation of IEE/EA conditions.
- Explain the mechanisms by which USAID is requiring IPs to develop and implement EMMPs.

Key resources

- Simple EMMP template
- EMMP Factsheet
- Environmental Compliance: Language for Use in Solicitation and Awards (ADS 204 Help Document)

Environmental Mitigation & Monitoring Plans (EMMPs)

GEMS Environmental Compliance-
ESDM Training Series

Kenya ▪ June, 2016

SESSION OBJECTIVES

- Understand the USAID requirement for ongoing mitigation and monitoring of environmental impacts
- Learn how to "operationalize" IEE and EA conditions as part of project implementation
- Discuss adapting IEE/EA conditions in response to specific field activities and environments
- Review format and preparation of the Environmental Mitigation and Monitoring Plan (EMMP) via case study

CONGRATULATIONS…

WE ARE ALL EXPERTS IN EIA AND USAID ENVIRONMENTAL PROCEDURES!

- Now, we must apply our knowledge of impact assessment and mitigation in a real project setting
  - *IEEs (and EAs) are useless unless the conditions—environmental management criteria—they establish are implemented!*
  - *USAID Environmental Procedures therefore require implementation* →

USAID REQUIREMENTS ARE SPECIFIC

LOP Environmental Compliance:

- Environmental considerations must be taken into account in activity planning.
- No activities may be implemented without approved Reg. 216 environmental documentation.
- Any resulting mitigation and monitoring conditions are:
  1. written into contract instruments.
  2. implemented, and this implementation is monitored

USAID IS REQUIRED TO IMPLEMENT AND MONITOR IEE/EA CONDITIONS.

What does the ADS say?

Team Leaders and Activity Managers or COR/AORs must actively manage and monitor compliance with any IEE/EA conditions, modifying or ending activities not in compliance. (ADS 202.3.6 , 204.3.4 and 303.2.f

IMPLEMENTATION OF IEE/EA CONDITIONS

Practically, implementation & monitoring of mit. & mon. conditions requires that:

1. USAID communicates applicable IEE/EA conditions to the IP*
2. A Complete Environmental Mitigation and Monitoring Plan (EMMP) exists
3. Project workplans and budgets integrate the EMMP
4. Project reporting tracks implementation of the EMMP

EMMPS are critical.

What are they?

**Except Title II partners, who write their own IEEs.*

THE EMMP: A SIMPLE TOOL

Basic EMMP template (see EMMP template provided in training materials)

AN EMMP SETS OUT:

- ALL the mitigation measures required by the IEE or EA
- Indicators or criteria for monitoring their implementation & effectiveness
- who is responsible for mitigation and monitoring

Carry over from the IEE only those activities with conditions (e.g., "negative determination with conditions")

To determine if mitigation is in place and effective

(e.g., visual inspection for leakage around pit latrine; sedimentation at stream crossing, etc.)

For mitigation, and for monitoring and reporting. (may differ)

Activity	Adverse Impacts	Mitigation Measure	Monitoring Indicators/ Criteria	Monitoring & Reporting Schedule	Responsible Party(ies)

If well specified, excerpt directly from the IEE; If not well specified in IEE, define in better detail

(e.g., monitor weekly, report in quarterly reports and more frequently under specified conditions)

THE EMMP: A FLEXIBLE TOOL

More sophisticated EMMP formats can include:

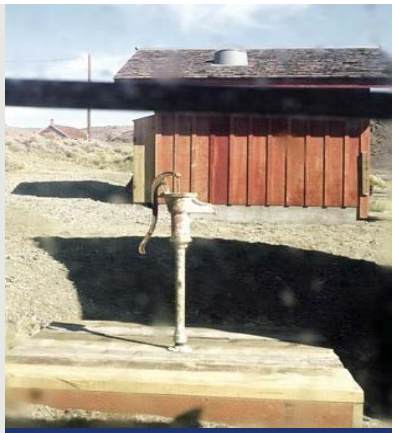
1. Budgeting information
   - How much will a mitigation or monitoring measure cost?
   - What is the LOE involved?
2. A Monitoring Log section
   - Where mitigation implementation information or monitoring results are recorded
3. Other Suggestions?

We will review an EMMP format with these features

An effective EMMP is specific + realistic

- The EMMP must specify practical mitigation measures
- The EMMP often "translates" IEE conditions that are written in very general terms
- Implementing these conditions requires first translating them into specific mitigation actions

HOW DO WE DO THIS?



For example, WASH-related IEE conditions might state:

"wells shall be sited to minimize the possibility of contamination."

Or even more generally:

"wells shall be sited consistent with good practices."

EMMPS BUILD ON STANDARDS & BEST PRACTICE

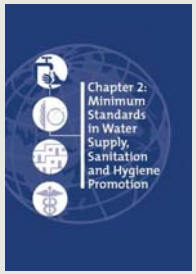
Determining specific mitigation actions starts with review of appropriate standards or best practice guidance

For our well siting example:

Identify and adopt siting criteria from relevant resources

- The specific mitigation action/ measure in the EMMP is:
  - –"Compliance with project well-siting criteria"—attach this criteria to the EMMP and make a checklist for use by field teams and Monitoring & Evaluation (M&E) staff

HOST-COUNTRY STANDARDS



SPHERE STANDARDS

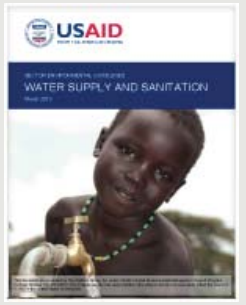
USAID *SECTOR ENVIRONMENTAL GUIDELINES*

ETC.

BEST PRACTICE GUIDANCE: WELL SITING CRITERIA

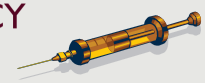
MINIMUM distances from potential sources of contamination for well siting:

- 45m from a preparation or storage area for agrochemicals, fuels, or industrial chemicals
- 25m from cesspools, leaching pits, and dry wells
- 15m from a buried sewer, septic tank, subsurface disposal field, grave animal or poultry yard or building, latrine pit, or other contaminants that may drain into the soil
- More than 45m from a septic tank leach field



LET'S DISCUSS ANOTHER EXAMPLE:

HEALTH SERVICES CAPACITY & POLICY



IEE stipulates that:

"Capacity building and policy development support to public health delivery and management systems must involve all feasible efforts to assure that these systems:

- address and support proper waste management (including handling, labeling, treatment, storage, transport and disposal of medical waste);
- address and support the capacity of medical facilities for waste management;
- prioritize environmental health considerations."

To "translate" these IEE conditions, the EMMP will need to:

- identify an appropriate waste management standard; *and*
- specify what is realistic, given that the project will not have direct control over these systems

HOW ARE EMMPS BEING REQUIRED?

Three mechanisms:

- Technical direction from COR or AOR
- Required by contract/agreement
- Required by MYAP guidance (Title II only)

MORE ABOUT THIS…

A key "lesson learned" from 40 years of world-wide EIA experience … implementation of environmental conditions requires EMMPs that are incorporated in workplans and budgets

USAID REQUIREMENTS ARE SPECIFIC PART II

LOP Environmental Compliance:

- Environmental considerations must be taken into account in activity planning.
- No activities may be implemented without approved Reg. 216 environmental documentation.
- Any resulting mitigation and monitoring conditions are:
  1. written into contract instruments.
  2. implemented, and this implementation is monitored

USAID IS REQUIRED TO WRITE IEE/EA CONDITIONS INTO AWARDS.

WHAT DOES THE ADS SAY?

ADS requires "incorporating. . . mitigative measures identified in IEEs [and] EAs into implementation instruments for programs, projects, activities or amendments."

(204.3.4.a.6; *also 303.3.6.3e*)

CURRENT BEST PRACTICE EXCEEDS REQUIREMENT

USAID is increasingly using best-practice environmental compliance language that goes beyond the ADS minimum

New awards and significant modifications are requiring that:

- *The partner verifies current and planned activities annually against the scope of the RCE/IEE/EA*
- *The necessary mechanisms and budget for partner implementation of IEE/EA conditions are in place*

And new solicitations require that

Proposals address qualifications and proposed approaches to compliance/ ESDM for environmentally complex activities.

To assure that projects do not "creep" out of compliance as activities are modified and added to over their life

SPECIFICALLY:

- *Complete EMMP exists/is developed*
- *Workplans and budgets integrate the EMMP*
- *Project reporting tracks EMMP implementation*

SOURCE OF BEST-PRACTICE LANGUAGE

Environmental Compliance: Language for Use in Solicitations and Awards (ECL)

- An ADS "Additional Help" document
- Easy step-by-step guidance and "boilerplate" language
- For RFAs/ RFPs/ agreements/ grants/ contracts
- Optional … but its use is strongly encouraged

Environmental Compliance: Language for Use in Solicitations and Awards

ABOUT THIS LANGUAGE

Available from:
www.usaid.gov/policy/ads/200/204sac.pdf

ECL PROMOTES COMPLIANCE + ESDM, AND …

BENEFITS BOTH MISSION STAFF & PARTNERS:

USAID MISSION STAFF

Assures that environmental monitoring and reporting is integrated into *routine activity monitoring and reporting*; reduces the cost and effort of USAID verification/oversight.

Avoids the effort, costs and loss of good will that come from imposing "corrective compliance" measures after implementation has started.

IMPLEMENTING PARTNERS

Provides clarity regarding environmental compliance responsibilities

Prevents "unfunded mandates"— requirements to implement mitigation and monitoring after activity has commenced and without additional budget.

Missions and centrally funded programs are increasingly using the ECL. Partners should expect that future solicitations and awards will incorporate ECL-based environmental compliance language.

HOW ARE EMMPS APPROVED?

- EMMP must be approved by the project COR or AOR
- EMMP is usually submitted and approved with the project workplan or PMP
- EMMP may also be submitted with the project IEE (typical for Title II partner MYAP IEEs)
- Sometimes additional review by the MEO or REA

EMMP EXAMPLE: IRRIGATION REHABILITATION

PROJECT BRIEFING:

System reconstructed in early 1980s

Abstracts water from high- level river source and irrigates 140 Ha (2 parcels; valley & hillside lands)

One dam is made of brush, straw, soil, and stone

Other dam is made of stone and soil

Water source is low in salts; risk of soil salinization is minimal

Diversion works at the head of the system

EMMP EXAMPLE: IRRIGATION REHABILITATION

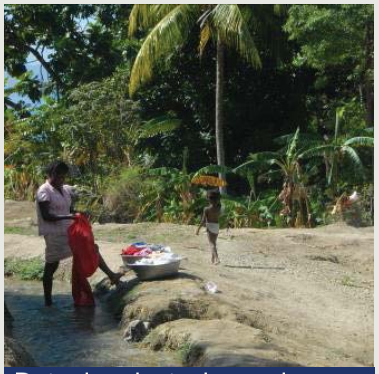
PROJECT BRIEFING:

Existing canals used for many purposes: irrigation, bathing, drinking water, laundry. . .

At end of the dry season, not enough water for all plots

During heavy rains, canals fill with sediment from hillside erosion—result: not enough water for all plots

No adjacent wetland nor critical wildlife habitat



Doing laundry in the canal

EMMP EXAMPLE: IRRIGATION REHABILITATION

PROJECT BRIEFING:

- Canals are hand made and carry open water from upstream
- Roads are in poor condition—difficult to get crops out
- System maintenance committee is not functional
- Allocation: land registration to receive irrigation water was done in early 1980s; no new plots can be registered (but theft from the system is possible)

Surrounding hillside is completely deforested

THERE ARE MANY BASELINE ISSUES THAT ARE NOT IMPACTS OF THE REHABILITATION, BUT SHOULD BE ADDRESSED IN THE EMMP

EMMP EXAMPLE: IRRIGATION REHABILITATION

EXCERPT OF IMPACTS/BASELINE ISSUES AND MITIGATIONS

SUB-ACTIVITY OR COMPONENT	DESCRIPTION OF ADVERSE IMPACT/BASELINE ISSUE	MITIGATION MEASURES	#
Dam & primary canals re-construction /replacement & subsequent operation	Flooding of irrigated areas/ damage to system during high-flow events	Design so that excess of water won't damage systems (excess flow diversion, removable dam etc….)	1
	Soil erosion from hillsides and secondary/tertiary canals	Install & properly operate flow regulation structures for secondary canals	2
		Protect upper slope with fruit trees (mangoes, citrus, avocado) and native forest trees	3
	Water losses (from evaporation and leaching but also from canal blockage from dirt, debris etc….)	Line primary canals with concrete	4
		Train water committee on heavy rain after-maintenance	5
	Health issue (drinking irrigation water because it appears cleaner)	Community education on water quality/use/management Water committee to enforce use restrictions	6
	Water contamination from animals, construction	Provide separate water points for construction washing stations and animal watering	7
	Social impact of inequality of water use increasing # of people using the water	-Existing water committee reinforcement -Land Registration	8
Road rehabilitation: bridges & drainage works	Increased Deforestation (due to increased ease of access)	Work with local officials to control deforestation	9
	Increased sedimentation from enhanced road drainage	Sedimentation control (silt screen and hay bails- local weeds)	10

AND FINALLY…THE EMMP ITSELF

(USES A TITLE II FORMAT THAT INCLUDES A MONITORING RESULTS LOG.)

EMMP EXAMPLE: IRRIGATION REHABILITATION

EXCERPT OF EMMP AND MONITORING LOG

MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING SCHEME			EST. COST	MONITORING LOG		
		INDICATORS	DATA SOURCE/ METHOD	HOW OFTEN		DATE	RESULT	FOLLOW-UP
2. Install & properly operate canal-level flow regulation structures	Project agricultural technician	• # of doors and other flow-control structures installed •% of Ha. under flow control •% of secondary & tertiary canals showing significant erosion damage after each growing season	Reports Field visit	Quarterly				
3. Protect upper slope with fruit (mangoes, citrus, avocado) and forest trees	Project agricultural technician	# of trees planted and survived • % of at-risk upper slope land protected • total m3 of sediment removed from canals over each rainy season.	Reports Field visit Comparison with baseline information	Quarterly /Annual				
4. Line primary canals with concrete	Engineering Contractor	•% of primary canals lined with concrete. •# of additional hectares irrigated	Reports Field visit Comparison with baseline information	Quarterly				

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Review DRAFT: 22 July 2011

Download this factsheet at:
www.encapafrica.org/meoentry.htm
[see mitigation and monitoring topics]

To submit comments or for more information, email the ENCAP core team at:
encapinfo@cadmusgroup.com

ENCAP FACTSHEET

ENVIRONMENTAL MITIGATION & MONITORING PLANS (EMMPs)

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1. INTRODUCTION

Environmental Mitigation and Monitoring Plans (EMMPs) are now required for most USAID-funded projects in Africa.

Specifically, EMMPS are required when the Reg. 216 documentation governing the project is either an IEE or an EA that imposes conditions on at least one project activity. (See box at right if these terms are unfamiliar.)

Responsibility for developing the EMMP usually lies with the implementing partner (IP), though it may be assigned to the C/AOTR. In either case, the responsible party can develop the EMMP directly, or engage a consultant. (The C/AOTR could also seek assistance from the Mission Environmental Officer (MEO).)

This factsheet describes the EMMP concept and its role in life-of-project environmental compliance for USAID-funded activities. It provides practical guidance and examples to inform EMMP development. It is intended for IPs, A/COTRs, MEOs, Monitoring and Evaluation (M&E) Officers, and consultants who may be engaged to develop EMMPs for USAID projects in Africa.

2. WHAT IS AN EMMP?

An EMMP is a document that sets out:

1. **Mitigation actions.** The EMMP specifies the actions that will be taken to satisfy the IEE or EA conditions.
2. **Monitoring actions.** The EMMP sets out the indicators or criteria that will be used to monitor (1) whether the mitigation actions have been implemented, and (2) whether they are effective and sufficient.
3. **Responsibility and schedule for mitigation, monitoring, and reporting**. The EMMP specifies the parties responsible for these actions and the schedule for these tasks.

USAID's Environmental Procedures

USAID's mandatory environmental procedures apply to all USAID-funded and USAID-managed activities. They consist of 22 CFR 216 ("Reg. 216") and related mandatory provisions of USAID's Automated Directives System (ADS)—especially, but not only, ADS 201.3.12.2.b and 204).

In summary, these procedures mandate (1) a pre-implementation environmental impact assessment (EIA) process, and (2) implementing and reporting on any environmental conditions (required mitigation measures) that result from this review.

The pre-implementation environmental review is documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE) or an Environmental Assessment (EA). Each of these Reg. 216 documents must be approved by both the Mission Director and Bureau Environmental Officer (BEO). Most IEEs and all EAs impose conditions on some or all of the activities they cover.

For more information see ENCAP's *USAID Environmental Procedures Briefing for Mission Staff.*

The factsheet was prepared by The Cadmus Group, Inc. for International Resources Group (IRG) under USAID Africa Bureau's Environmental Compliance and Management Support (ENCAP) Program, Contract Number EPP-I-00-03-00013-00, Task Order No. 11. It is currently under review by the Africa Bureau Environmental Officer and USAID's Africa-based Regional Environmental Advisors. It is not a statement of agency policy, and its contents do not necessarily reflect the views of USAID or the United States Government.

EMMPs may also include a log of monitoring results and budget estimates for mitigation and monitoring activities.

EMMPs may also be called *Mitigation and Monitoring Plans* and *Environmental Management Plans*.

3. WHY EMMPs?

EMMPs provide a basis for systematic implementation of IEE and EA conditions: In addition to establishing responsibilities and schedules, EMMPs are a vehicle for translating IEE conditions (which are often very general) into specific, implementable, verifiable actions. For example:

> *An IEE for a water and sanitation project may require that wells and latrines be sited "consistent with good practices."*
>
> *The EMMP would specify the site-specific standards that the project must follow, e.g., wells must be located at least 50 meters from any pesticide or chemical store, and 25m from any cesspool, leaching pit, septic field, latrines, poultry yards, or livestock watering point..*

EMMPS also provide a framework for environmental compliance reporting. (See section 5)

Without EMMPs, experience shows that IEE and EA conditions will not be implemented systematically, if at all. This defeats the purpose of the pre-implementation EIA process as documented by the IEE or EA, increasing the probability that well-intentioned activities will result in needless adverse impacts on beneficiaries, communities, environmental resources and ecosystems.

For USAID activities, failure to implement IEE or EA conditions puts the activity in non-compliance. The AOTR or COTR is REQUIRED to compel compliance or end the activity.

4. HOW ARE EMMPs REQUIRED?

EMMPs are not specifically required by Reg. 216 or the ADS. However, they ARE required by (1) contract and award language, (2) the IEE and/or (3) A/COTR technical direction:

- Increasingly, contracts and awards specifically require that an EMMP be developed and implemented. (This is part of a broader trend within USAID to use "best practice" environmental compliance language in solicitations and awards.)
- Most recent and all new sector-level IEEs (e.g. an IEE covering a Mission's health or economic growth portfolio) require that an EMMP will be developed for each individual project.
- For new project-level IEEs, the BEO will typically require that an EMMP be submitted as part of the IEE. If not, the IEE will require that the EMMP be submitted with the project workplan or performance management plan (PMP).
- For projects conducted under older IEEs, A/COTRs can issue technical direction requiring EMMPs.

In addition, Title II Cooperating Sponsors are required to develop IEEs by the Agency's MYAP guidance and these IEEs must include an EMMP.

5. EMMP FORMATS

EMMPs are usually in table form. Critical elements of a **basic EMMP** are captured in the illustrative format below. For detail, see examples in the Annex to this Factsheet.

EMMP for Project XXX

Person Responsible for Overseeing EMMP:
[name, contact information]

Activity 1: [name of activity] **[briefly describe activity & summarize potential adverse environmental impacts]**			
IEE or EA Condition (reproduced or summarized from the IEE or EA)	**Mitigation** Specific actions to be taken to comply with the condition. (if an IEE or EA condition is already specific to the project/ activity and implementation actions self-evident, this "translation step" can be omitted)	**Monitoring** How will the project verify that mitigation is being implemented and is both effective and sufficient?	**Timing and Responsible Parties** Who is responsible for mitigation, monitoring, reporting? Timing/frequency of these actions

[add rows for additional conditions]
[repeat table for additional activities]

If an EMMP will contain cost information, a separate column can added. An example of an EMMP with a monitoring log, where monitoring results can be recorded, is included in the Annex.

More advanced EMMP formats can serve as both a detailed monitoring log and a management/field guide to implementing mitigation. EMMP example #3 (Small Facilities Construction) in the Annex is an example of such an "advanced format." Such advanced formats are not required, but in some circumstances they can make it easier for project management and field supervisors to oversee and implement mitigation.

6. STEPS IN EMMP DEVELOPMENT

EMMP development consists of 5 basic steps.

1. Review the governing IEE or EA to understand the conditions that apply to your project.

2. Translate IEE or EA conditions into specific mitigation actions.

3. Specify monitoring measures.

4. Specify timelines and responsible parties.

5. Determine who will have overall responsibility for EMMP implementation/environmental compliance.

Each is addressed below.

1. Review the governing IEE or EA to understand the conditions that apply to your project.

If the IEE governing your project is sector-level, the IEE usually describes activities in a high-level, general way without matching or "mapping" them to particular projects.

For example, your project might be working with agro-processors to improve product quality. In the IEE, this might be described as a "value chain strengthening" activity.

In this case, your first step in EMMP development is to match the activities in the project SOW to the general activity descriptions in the IEE, and on that basis determine which IEE conditions apply to your project activities

Even if you are developing a project-specific IEE with annexed EMMP as a package for submission (see Section 9), re-read the IEE conditions you have developed before beginning development of the EMMP.

2. Translate IEE conditions into specific mitigation actions.

(see resources for mitigation and monitoring design, at end.)

If an IEE condition is well-specified, the necessary actions to implement the condition may be self evident. However, often IEE/EA conditions are very general and they must be "translated" into well-specified, implementable, and verifiable mitigation actions.

This translation is a key purpose of the EMMP, and a key step in developing one.

Implementation, monitoring, and reporting on IEE conditions will be easier if mitigation measures are as specific as possible.

Factors to consider in **translating conditions to actions** include:

- the specifics of the site or sites
- the extent of project control

Site specifics. IEE conditions are often written without knowledge of the specific project site. You need to determine *how* and *whether* the conditions apply given the specifics of your site.

For example, an IEE might impose the following conditions on construction activities:

a. No construction permitted in protected areas or relatively undisturbed ecosystem areas.

b. Construction & facilities operation may not result in significant adverse impacts on ecosystem services

If your proposed site is in a peri-urban area already undergoing and zoned for development, condition (a) poses little concern.

But what if a seasonal stream draining several square kilometers traverses your site? In that case, a major "ecosystem service" provided by your site is drainage. So to comply with the IEE, your design must assure that there is no reduction in stream capacity or alteration to local drainage patterns.

Extent of Project Control. Often IEE conditions are phrased as "to the greatest extent practicable," or "to the degree feasible the project shall. . ."

This language is used to accommodate different levels of control over on-the-ground activities.

For example, the IEE for an agricultural project may require that an IP "assure availability, and require use and maintenance of appropriate personal protective equipment specified by the pesticide label to the greatest degree feasible."

What is "feasible" will depend on the level of project control over on-the-ground crop protection activities. For example:

- On a project-run demonstration farm, that control is essentially complete.
- By contrast, if a project is providing training to strengthen government extension services, the project has full control over content of the training, limited control over the recommendations made by Extension Agents, and no control over the farmers' actions. (However, other components of the project may provide closer control over farmer's actions).

The EMMP examples in the Annex illustrate this issue.

Retaining General Language in an EMMP. In some cases, it may not be possible to fully specify mitigation

actions in an EMMP, and the EMMP may include language such as "if feasible," "as practicable," or "as necessary."

For example, the EMMP for a health activity might read:

> In all plans, strategies, and other relevant documents, the need for environmentally sound collection, management, and disposal of healthcare waste, will be incorporated, as appropriate; and a budget for implementation must be included.

However, if such language is used, the need for specificity does not disappear. It is simply transferred to the person responsible for overseeing EMMP implementation. In the above case, this party would review documents and report on inclusion of healthcare waste management in these documents— and on instances where the issue was not incorporated, and why.

3. Specify Monitoring Measures.

(see resources for mitigation and monitoring design, at end.)

The EMMP should specify monitoring that will ascertain BOTH:

(1) whether mitigation was implemented.

(2) whether mitigation was sufficient and effective.

For example: To safeguard water quality, a water and sanitation IEE might require that water points be sited well away from sources of contamination and that livestock be physically excluded from the water points.

A visual inspection would show whether the mitigation was implemented. But showing that the mitigation was *sufficient* and the water safe to drink would require water quality testing.

The ENCAP training presentation "Principles of Environmental Monitoring" provides an introduction to environmental monitoring design. Examples of monitoring measures are found in the Annex to this factsheet.

Environmental compliance monitoring should be integrated into project M&E. See section 6.5, below & section 10, implementing EMMPs.

4. Specify timelines and responsible parties

EMMPs not only specify the mitigation and monitoring actions themselves, but who is responsible for them, and on what timeline or schedule.

This is not always possible for the EMMP preparer to do—s/he may be a consultant or specialist without detailed knowledge of project management and staffing. In this case, specifying timelines and responsible parties can be handed off to the individual responsible for overseeing EMMP implementation. (See immediately below).

5. Determine who is responsible for overseeing EMMP implementation/environmental compliance.

Once the EMMP is drafted, the COP or responsible senior project manager must review it and determine who will be assigned responsibility for overseeing EMMP implementation.

Overseeing EMMP implementation means having overall responsibility for verifying that mitigation measures are being implemented and for other aspects of monitoring, as well as *reporting* (see Section 8 below). Note that while one individual is typically responsible for oversight, individual mitigation and monitoring actions must be integrated into the implementation of core project activities and M&E. As such, they will be carried out by a number of project staff.

If mitigation and monitoring are complex or extensive, a project may hire a dedicated environmental compliance manager. This would often be appropriate, for example, for road rehabilitation projects—which tend to involve complex, technical mitigation and monitoring—and for agricultural projects involving pesticides or encroachment issues.

If the EMMP is fairly simple, responsibility for overseeing EMMP implementation can be assigned to the M & E Specialist, or a training or technical specialist.

Regardless, EMMP implementation oversight must be included in the job description of the individual who is assigned this responsibility.

7. PITFALLS TO AVOID

Good EMMPs avoid a set of common pitfalls. They do NOT:

- **Use unclear, ambiguous, non-actionable and/or non-verifiable mitigation measures.** For example, Good EMMPs do NOT include mitigation measures that simply state "good practices will be implemented per Chapter X of the *Environmental Guidelines for Small-Scale Activities in Africa* (EGSSAA). They DO specify which practices and which guidance from the EGSSAA will be implemented.
- **Include "extra" mitigation.** All mitigation measures must respond to a specific IEE or EA condition.
- **Use language like "as feasible," "as appropriate," etc.** unless doing so is absolutely unavoidable. (See discussion of "retaining general language in an EMMP" at the top of this page.)

8. EMMPs & ENVIRONMENTAL COMPLIANCE REPORTING

To enable C/AOTRs to fulfill their mandated responsibility to "actively manage and monitor" compliance with IEE/EA conditions, IP quarterly or semi-annual progress reports must provide an auditable record of environmental compliance—and especially of implementation of IEE/EA conditions. EMMPs provide the framework for this "environmental compliance reporting."

Sometimes the governing IEE or the C/AOTR specifies compliance reporting requirements and formats. If so, these requirements must be met.

If the reporting requirements are not specified, follow the guidance in the table below:

Situation	Environmental Compliance Reporting Content and Format
EMMP is fairly simple & contains a monitoring log section	Update EMMP with most recent monitoring data & annex to quarterly or semi-annual progress report.
EMMP is fairly simple but does not contain a monitoring log section	Consider adding a monitoring log to the EMMP and proceed as above. OR: Develop a simple table-based reporting format that lists activities, planned mitigation, and mitigation status/issues encountered.
EMMP is longer and more complex	Provide a text summary of EMMP implementation and issues encountered and resolved. Maintain a full monitoring log on file and provide to USAID upon request.

Environmental Compliance and Project Core Performance Indicators

For new projects, Africa Bureau best practice is that at least one core project performance indicator should be "environmentalized"— that is measure the extent to which core project activities are being executed with attention to environmental soundness and compliance.

For example, in a water point provision project, the IP might use the indicator "number of protected water points established with zero fecal coliform after 6 months" rather than "number of water points established."

In a road rehabilitation project, the IP might use the indicator "km or road rehabilitated under environmentally sound practices" rather than "km of road rehabilitated."

It is NOT necessary or appropriate to "environmentalize" every core indicator, or to capture every mitigation measure in core project reporting.

9. EMMP REVIEW AND APPROVAL

For project-specific IEEs (including IEE Amendments and Amendments with PERSUAPs), the EMMP will usually be developed with and submitted as an annex to the IEE. In this case, the EMMP is reviewed and approved as a part of the IEE. (Note that IEEs receive final clearance with the signature of the BEO.)

Otherwise, the EMMP will be developed together with the project workplan, budget, and performance management plan (PMP). In this case, the EMMP will be submitted together with the workplan and/or PMP to the C/AOTR, who is responsible for reviewing and approving it.

The C/AOTR may involve the MEO in this review, especially for environmentally sensitive activities. The IEE/EA will sometimes specify that the REA must review and approve the EMMP as well.

10. IMPLEMENTING EMMPS

Experience shows that systematic EMMP implementation requires:

- **Establishing accountability.** As noted in section 5.5, oversight responsibility for EMMP implementation must be assigned to an appropriate, qualified project staff member, and this responsibility must be part of their job description.
- **Workplan integration.** Where the EMMP requires discrete actions, these must be entered into the project workplan. Examples of discrete actions include, e.g. "train staff and partners in environmental compliance," "develop a PERSUAP," "undertake pollution prevention/cleaner production assessments," etc.

  By contrast, some mitigations do not result in separate workplan actions *per se*. For example, an EMMP could require that "all plans, strategies, and other relevant documents address environmentally sound collection, management, and disposal of healthcare waste."

  Environmental compliance monitoring should be a workplan item.
- **Budget integration.** Workplan items must be reflected in the project budget. However, even EMMP requirements that do *not* result in discrete actions can have cost implications. Continuing the example above, a consultant or home office technical support might be needed to assure that a plan or strategy properly addresses "environmentally sound collection, management, and disposal of healthcare waste."

The best way to make sure that cost implications of the EMMP are captured is to develop mitigation and monitoring cost estimates as part of EMMP development.

If this is not possible, budget notes should be developed for mitigation items that have cost implications, and these notes passed on to the budgeting team.

- **Management commitment & staff awareness.** Project management must communicate to all staff and partners its commitment to environmental compliance as a means to strengthen development outcomes.

  All staff should be aware in general terms of the core environmental conditions that apply to the project, and of the existence of the project EMMP.

11. ENCAP RESOURCES FOR MITIGATION AND MONITORING DESIGN

Per the table below, ENCAP has developed a set of resources to support mitigation and monitoring design.

Topic	Recommended Resource
Mitigation and Monitoring Principles	*Principles of Environmental Mitigation* *Principles of Environmental Monitoring* ENCAP training presentations; convey key principles with multiple visual examples. Include slide notes www.encapafrica.org/meoentry.htm (access via mitigation & monitoring topic)
Sectoral mitigation and monitoring guidance	*Environmental Guidelines for Small-Scale Activities in Africa. (EGSSAA)* Covers more than 20 common development sectors, and provides mitigation and monitoring guidance in table format. On-line annotated bibliographies provide links to detailed resources. www.encapafrica.org/egssaa.htm
Field Monitoring for non-specialists	*ENCAP Visual Field Guides* A supplement to the EGSSAA, these photo-based field guides allow non-specialists to quickly identify key, common environmental management deficits in small-scale activities in the following sectors: Water supply, sanitation, health care (waste), and roads. www.encapafrica.org/egssaa.htm#Guides

ACRONYMS

ADS	Automated Directives System
A/COTR	AOTR and/or COTR
AOTR	Agreement Officer's Technical Representative
AFR/SD	USAID Bureau for Africa, Office of Sustainable Development
BEO	Bureau Environmental Officer
CFR	Code of (US) Federal Regulations
COP	Chief of Party
COTR	Contract Officer's Technical Representative
EA	Environmental Assessment
EGSSAA	USAID *Environmental Guidelines for Small-Scale Activities in Africa*
ENCAP	Environmental Compliance and Management Support for Africa (AFR/SD project)
EMMP	Environmental Mitigation and Monitoring Plan
IEE	Initial Environmental Examination
IP	Implementing Partner
M&E	Monitoring and Evaluation
MEO	Mission Environmental Officer
PERSUAP	Pesticide Evaluation Report & Safer Use Action Plan
PMP	Performance Management Plan
REA	Regional Environmental Advisor
USAID	United States Agency for International Development

ANNEX: EMMP EXAMPLES

This annex contains 3 EMMP examples for typical activities and IEE conditions in the health, agriculture, and construction sectors. The examples are real, though project names and some details have been changed for the purpose of this factsheet:

1. "**The Health Improvement Program " (THIP)**
2. **"Agricultural Services Project" (ASP)**
3. **"Small Facilities Construction Project" (SFC)**

The first two examples use the general EMMP format presented in section 5. In each of these examples, a monitoring log column could be added to the far right of each table. The 3rd example is an alternate EMMP format.

Note that the examples are for a few REPRESENTATIVE ACTIVITIES within projects of this type. Most projects would have more activities, and the EMMPs would therefore be longer.

EXAMPLE 1: THE HEALTH IMPROVEMENT PROGRAM (THIP)

THIP Activity 1:
Prepare strategies and action plans to increase the import and internal distribution of pharmaceuticals

Potential Environmental Impact: Strategies and action plans could indirectly result in larger and more widely distributed in-country stocks of pharmaceuticals. These may expire prior to being distributed and/or used, and will need to be disposed of. Unsafe disposal could affect aquatic and terrestrial resources and human health.

IEE Condition	Specific mitigation actions to implement the condition	Person responsible for implementing mitigation Timing	How implementation will be verified (monitoring indicator) Responsible party & Timing
Contractor shall provide advice for safe storage and disposal of expired pharmaceuticals.	In all strategies and action plans for which THIP provides assistance, include measures for: a) storage in accordance with labels; b) disposal of expired and unused pharmaceuticals; and c) a budget to implement these safeguards.	*Responsible Party:* THIP Policy Technical Advisors *Timing:* During preparation phase of all strategies and action plans	Review of all strategies and action plans to ensure they include information about safe disposal of pharmaceuticals and a budget *Responsible Party*: THIP Policy Director *Timing*: During preparation of drafts and final documents

THIP Activity 2:
Procure pharmaceuticals from US companies.

Potential Environmental Impact: Procurement of pharmaceuticals could generate unused/expired drugs that if not disposed of safely, could affect aquatic and terrestrial resources and human health.

IEE Condition	Specific mitigation actions to implement the condition	Person responsible for implementing mitigation Timing	How implementation will be verified (monitoring indicator) Responsible party & Timing
Contractor shall provide advice for safe storage and disposal of expired pharmaceuticals.	Advise at MOH and district levels on the storage of the product according to the information provided on the manufacturer's Materials Safety Data Sheet (MSDS)	*Responsible Party:* THIP Policy Technical Advisors *Timing:* When meeting with appropriate MOH & district staff	Check storage practices are in compliance with MSDS *Responsible Party*: THIP M & E Advisor *Timing*: Semi-annually
	Train MOH and local level health practitioners and management staff on aspects of medicine supply chain management, including estimating demand, distribution constraints, and storage issues of time and temperature.	*Responsible Party:* THIP Training Advisor *Timing:* Two times/year	1) Training is implemented: M & E Advisor; monitor semi-annually; 2) Supply chain has improved (constraints/bottlenecks have decreased) THIP Policy Advisor; monitor annually

THIP Activity 3:
Train healthcare workers on use of new medical procedures.

Potential Environmental Impact: As an indirect result of training, healthcare waste (HCW) will be generated. If not collected and disposed of safely, aquatic and terrestrial resources and human health could be adversely affected

IEE Condition	Specific mitigation actions to implement the condition	Person responsible for implementing mitigation Timing	How implementation will be verified (monitoring indicator) Responsible party & Timing
Training of healthcare workers should include best practices in disposal of HCW as described in the EGGSAA Healthcare Waste chapter:	Training courses should incorporate the following items, which should be included in all training on implementing new medical procedures: ▪ How to Prepare an HCW Plan ▪ Developing a Waste Segregation System ▪ Minimize, Reuse, Recycling Procedures ▪ Incorporating Good Hygiene Practices	*Responsible Party:* Training Advisor *Timing:* When course material is being developed; when training is delivered	Course material includes these topics; when course material is developed; M & E Advisor Trainings include these topics; when trainings are delivered; M & E Advisor

EXAMPLE 2: AGRICULTURAL SERVICES PROJECT (ASP)

ASP Activity 1:
Training Ministry of Agriculture extension officers to provide sound crop production advice to ASP-supported farmers

Potential Environmental Impact: MOA extension officers could provide advice to farmers which results in expansion of agricultural land into natural areas; or that results in the unsafe use of pesticides.

IEE Condition	Specific mitigation actions to implement the condition	Person responsible for implementing mitigation Timing	How implementation will be verified (monitoring indicator) Responsible party & Timing
Training shall not result in direct or indirect effects on the environment.	Training of MOA extension officers shall incorporate conservation agriculture; information on ecosystem services; and measures to minimize impacts to natural ecosystems.	*Responsible Party:* ASP Crop Production Specialist *Timing:* Curriculum Development; During trainings	Review of curricula; attend various trainings *Responsible Party:* ASP Training Officer *Timing:* At time curricula are being developed; when trainings are provided
Trainings shall not recommend pesticides without first preparing a PERSUAP that is approved by the Bureau Environmental Officer.	Note: these mitigation measures are from the PERSUAP approved by the BEO on [xxx date]: 1) Only PERSUAP-approved pesticides shall be included in training for extension officers. 2) Trainings shall include safeguards for health and safety of workers, and measures to protect the environment (Annexes A and B of the PERSUAP). 3) Trainings shall include monitoring the efficacy of pesticides as described in Annex C of the PERSUAP.	ASP Crop Production Specialist During trainings	Review of curricula; attend various trainings *Responsible Party:* ASP Training Officer *Timing:* At time curricula are being developed; when trainings are provided

EXAMPLE 3: SMALL FACILITIES CONSTRUCTION PROJECT (SFC)

NOTE: This example uses an alternate EMMP format. In this case, a project-specific IEE existed with highly specific conditions regarding siting, design requirements, and construction management practices for the small facilities (training centers, community centers) to be constructed by the project. These conditions were translated into table form (below), and for each condition a *compliance process* was specified. This EMMP format serves both as a detailed monitoring log and a management tool and guide to implementing mitigation.

IEE Condition 1: Siting Requirements for New Construction

Compliance process. At the time of initial site selection, SFC must answer the questions below for each proposed site. If a proposed site meets one of the below-listed criteria, the site must be changed OR an Africa Bureau Environmental Review Form (www.encapafrica.org/documents/AFR-EnvReviewForm-20Dec2010.doc) must be completed and approved by USAID prior to the start of construction. SFC must then implement the environmental conditions specified by the ERF.

Note: completed ERFs include an EMMP. SFC will maintain the ERF EMMPs as an annex to this project EMMP and report on their implementation to USAID.

Compliance record. The table below documents the compliance process. Note: all table entries must be dated & initialed.

Proposed Site	GPS Coordinates	Is/Does the site. . . Within 30m of a permanent or seasonal stream or water body?	Have existing settlement /inhabitants?	Have an average slope in excess of 5%?	Heavily forested?	If yes to any question, indicate ERF status or note site change; add additional row for new site.
Village A						
Village B						
(add sites as necessary)						

IEE Condition 2: Design Requirements for Small Facilities

*Compliance process: (*1) Design elements specified by the IEE will be incorporated into the final technical/contract specification that governs the general contractor's work. SFC will verify this for each mandated design element. (2) SFC will verify via field inspection that the final works meet these specifications, requiring remedy or otherwise resolving any non-compliant elements.

Compliance record. The table below lists all design elements mandated by the IEE and serves to document compliance status.

Required Design Elements—Training and Community Centers

A. Latrine/septic tank design prevents in-and-out access for insects or other disease vectors from the pit or holding tank.

B. Latrines are accompanied by handwash stations.

C. All sources of gray water (kitchen sinks and handwash stations) discharge to either (1) a seepage pit or sump at least 15m from any source of groundwater or surface water tapped for domestic use, or (2) to an impermeable pump-out tank.

D. Latrines or the terminus of any septic leach field must be at least 30m from any source of shallow groundwater or surface water tapped for domestic use, OR discharge to an impermeable pump-out tank.

E. Siting, grading and/or drainage structures prevent runoff from the compound from creating standing water on the compound or adjacent land during the rainy season (instances of generalized flooding excepted.)

F. Septic pump-out point, if any, shall feature a concrete apron and drain with return to the septic tank.

G. Concrete aprons with berms or gutters/sumps shall be placed under generators, fuel storage, and fuel pump-in point (if different) sufficient in each case to capture at least a 20 liter spill.

Site	Incorporated in Final Technical Specifications? *(Y/N; reference to list above)*							Built as-specified? (confirmed by field inspection) (Y/N; reference to list above)							Notes (issues and resolution)
	A	B	C	D	E	F	G	A	B	C	D	E	F	G	

Village A	Date confirmed & initials	Date of inspection & initials
Village B	Date confirmed & initials	Date of inspection & initials
Add sites as needed	Date confirmed & initials	Date of inspection & initials

---

IEE Condition 3: Construction Management

Compliance process: (1) Construction management practices specified by the IEE will be incorporated into the final technical/contract specification that governs the general contractor's work. (2) SFC will verify that each construction management practices is being implemented via at least one field inspection during the construction process. (3) SFC will require remedy or otherwise resolve any deficits identified.

Compliance record. The table below lists all construction management practices mandated by the IEE and documents compliance status.

Required Construction Management Elements—Training and Community Centers

A. During construction, prevent sediment-heavy run-off from cleared site or material stockpiles to any surface waters or fields with berms, by covering sand/dirt piles, or by choice of location. (Only applies if construction occurs during rainy season.)

B. Construction must be managed so that no standing water on the site persists more than 4 days.

C. SFC must require its general contractor to certify that it is not extracting fill, sand or gravel from waterways or ecologically sensitive areas, nor is it knowingly purchasing these materials from vendors who do so.

D. SFC must identify and implement any feasible measures to increase the probability that lumber is from legal, well-managed sources.*

Site	Incorporated in Final Technical Specifications? *(Y/N; reference to list above)*				Implemented as-specified? (confirmed by field inspection) (Y/N; reference to list above)				Notes (issues and resolution)
	A	B	C	D	A	B	C	D	
Village A	Date confirmed & initials				Date(s) of inspection & initials				
Village B	Date confirmed & initials				Date of inspection & initials				
Add sites as needed	Date confirmed & initials				Date of inspection & initials				

*MEASURES IDENTIFIED, IF ANY, REGARDING SUSTAINABLE SOURCING OF TIMBER: [FILL IN]

Basic EMMP Template

(To use, fill in text in green highlight. Delete explanatory comments in yellow highlight.)

EMMP for Project XXX

Person Responsible for Overseeing EMMP:
[name, contact information]

Activity 1: [name of activity] **[briefly describe activity & summarize potential adverse environmental impacts—from IEE]**			
IEE or EA Condition (reproduced from the IEE or EA)	**Mitigation** Specific actions to be taken to comply with the condition. (if an IEE or EA condition is already specific to the project/ activity and implementation actions self-evident, this "translation step" can be omitted)	**Monitoring** How will the project verify that the mitigation action is being implemented and is both effective and sufficient?	**Timing and Responsible Parties** Who is responsible for mitigation, monitoring, reporting? Timing/frequency of these actions
	A single IEE/EA condition may require multiple action to implement—add rows as necessary		

[add rows for additional conditions]

[repeat table for additional activities]

EMMP for Project

Person Responsible for Overseeing EMMP:

Activity 1:			
IEE or EA Condition #1	**Mitigation**	**Monitoring**	**Timing and Responsible Parties**
IEE or EA Condition #2			

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Download the ECL at:
www.usaid.gov/policy/ads/200/204sac.pdf

Download this factsheet at:
www.encapafrica.org/meoEntry.htm

For more information,
email the ENCAP core team at:
encapinfo@cadmusgroup.com

ENCAP FACTSHEET

ENVIRONMENTAL COMPLIANCE: LANGUAGE FOR USE IN SOLICITATIONS AND AWARDS (ECL)

ABOUT THE ECL AND THIS FACTSHEET

The ADS Help Document, "Environmental Compliance: Language for Use in Solicitations and Awards" is a combination of step-by-step guidance and boilerplate text to assemble appropriate, ADS-mandated environmental compliance language for all solicitations and awards. This factsheet is an orientation to the ECL, and particularly targets COs, CTOs, and Activity Managers. It is intended both as a training aid and as a succinct stand-alone reference.

BACKGROUND: USAID'S MANDATORY ENVIRONMENTAL PROCEDURES

Section 117 of the Foreign Assistance Act of 1961, as amended, requires that USAID use an Environmental Impact Assessment (EIA) process to evaluate the potential impact of the Agency's activities on the environment **prior** to implementation, and that USAID "fully take into account" environmental sustainability in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216 or "Reg. 216") and in USAID's Automated Directives System (ADS), particularly Parts 201.3.12.2.b and 204.

Compliance with the procedures is mandatory. With limited exceptions for international disaster assistance, they apply to every program, project, activity, and amendment supported with USAID funds or managed by USAID.

In general, the procedures specify an EIA process must be applied to all activities before implementation—including new activities introduced into an existing program or substantive changes to existing activities. The only exceptions are international disaster assistance activities verified as EXEMPT from the procedures.

Why the environmental procedures?

The procedures are USAID's principal mechanism to ensure environmentally sound design and management (ESDM) of development activities—and thus to prevent significant adverse impacts on critical environmental resources and ecosystems and on the health and livelihoods of beneficiaries or other groups resulting from inadequate attention to environmental issues in design and operation.

In short, the procedures strengthen development outcomes and help safeguard the good name and reputation of the Agency.

To learn more about ESDM, view the presentation *Environment, Development and Environmentally Sound Design and Management* at www.encapafrica.org/tzWorkshop.htm.

The output of this EIA process is "Reg. 216 Environmental Documentation," which takes one of three forms: a Request for Categorical Exclusion, an Initial Environmental Examination (IEE) or an Environmental Assessment (EA).

This documentation must be cleared by the Mission Environmental Officer (MEO) and the Mission Director AND approved by the Bureau Environmental Officer (BEO) PRIOR to any "irreversible commitment" of resources. Most IEEs and all EAs specify environmental mitigation and monitoring measures (IEE and EA "conditions") that must be implemented and verified over life-of-project (LOP).[1]

PROCUREMENT LANGUAGE AND ENVIRONMENTAL COMPLIANCE

USAID oversees and monitors project/activity environmental compliance. Actual implementation of IEE and EA conditions, however, is the responsibility of the prime contractor/grantee ("partner") responsible for project/activity implementation. *The ADS therefore requires that all IEE and EA conditions (or a*

[1] For a more detailed discussion of USAID's Environmental Procedures, see the "USAID Environmental Procedures Briefing for Mission Staff," available at www.encapafrica.org/meoEntry.htm.

The factsheet was prepared by The Cadmus Group, Inc. for International Resources Group, Ltd. (IRG) under USAID Africa Bureau's Environmental Compliance and Management Support (ENCAP) Program, Contract Number EPP-I-00-03-00013-00, Task Order No. 11. Its contents are the sole responsibility of the authors and do not necessarily reflect the views of USAID or the United States Government.

statement that requires compliance with them) are incorporated into procurement instruments (ADS 204.3.4.a.6; 303.3.6.3e).

Beyond this, however, LOP environmental compliance is best assured when solicitation and award instruments also incorporate the elements set out and justified in the table below:

Environmental compliance elements in solicitation/award instrument	Reason
No activity is implemented unless covered by approved Reg. 216 environmental documentation.	Establishes the importance of maintaining full environmental documentation coverage.
The partner must verify current and planned activities annually against the scope of the approved Reg. 216 environmental documentation.	Guards against a project "creeping" out of compliance due to the addition or modification of activities outside the scope of the approved Reg. 216 environmental documentation. This usually takes place during the annual work planning process.
Where activities demand environmental management expertise, appropriate qualifications and proposed approaches to compliance must be addressed in technical and cost proposals.	Helps ensure that the partner/team selected for the work is capable of implementing the required environmental management activities. Also sends a clear message that environmental management is not an afterthought, but an integral part of the project, and a core qualification.
The partner must develop an Environmental Mitigation and Monitoring Plan (EMMP) fully responsive to all IEE/EA conditions, unless (1) the EMMP already exists in the approved Reg. 216 documentation, or (2) will be developed by USAID.	The EMMP translates the general mitigation directives in the IEE or EA into more specific measures, assigns responsibilities for their implementation, and sets out monitoring/reporting measures to verify their implementation and effectiveness. Without an EMMP, systematic & verifiable implementation of IEE/EA conditions is almost impossible.
Budgets and work plans integrate the EMMP.	Unless the EMMP is integrated in the budget and work plan, it will not be implemented.
PMPs measure EMMP implementation.	As the EMMP is an integral part of project implementation, it should be treated this way in project evaluation and reporting.

Collectively, incorporating these compliance elements in the solicitation and award (1) ensures that necessary compliance mechanisms are in place, (2) integrates monitoring and reporting on environmental compliance into routine project/activity monitoring and reporting, and (3) clearly communicates and establishes partner responsibility for LOP compliance. The result is *improved compliance, improved project outcomes, and reduced demands on mission staff*—particularly on activity managers and CTOs, who are required to actively manage and monitor compliance with any IEE/EA conditions per ADS 202.3.6 and 303.2.f.

WHY USE THE ECL?

The ECL is a non-mandatory help document. However, its use:

- Results in environmental compliance language that conforms to ADS requirements and best practice, as described in the table above, therefore realizing the compliance, outcomes, and manager workload benefits also noted above.
- Substantially reduces the time required to develop environmental compliance language.
- Improves consistency across the Agency in addressing environmental compliance.

HOW TO USE THE ECL AND WHAT YOU NEED IN HAND

Use of the ECL is self-explanatory:

1. Follow the instructions on page 3 of the document to assemble the compliance language, then
2. Finalize the [text in brackets and blue highlight].

However, both steps require familiarity with the Reg. 216 documentation covering the activities involved in the solicitation/procurement. In some cases, an IEE specific to the procurement is prepared (in which case the compliance language should be assembled at the same time). In other cases, the solicitation/procurement is covered by a strategic- or program-level IEE of broader scope. In this case, the CTO and MEO should identify the IEE determinations and conditions that apply to the procurement. Once this is done, use of the ECL is straightforward.

Regardless, it is the responsibility of the CTO and Activity Manager, working with the CO, to assure that appropriate environmental compliance language is incorporated in solicitation and procurement instruments.

USAID
FROM THE AMERICAN PEOPLE

Environmental Compliance: Language for Use in Solicitations and Awards

An Additional Help for ADS Chapter 204

Revision Date: 05/19/2008
Responsible Office: EGAT
File Name: 204sac_051908

HOW TO ASSEMBLE COMPLIANCE LANGUAGE

To assemble the compliance language for a particular solicitation or award, the following table should be used as guidance. Multiple situations can apply to a single procurement; if this is the case, use all indicated language. You may need to revise and/or renumber the language depending on which elements you select and where you place them in the award or solicitation. [*Bracketed text*] in the model language indicates that you must select the appropriate option or provide other input.

When the situation is that. . .	**Use these environmental compliance language paragraphs from the Model Language. . .**
Approved Regulation 216 documentation[2] exists and it contains. . .	
Categorical Exclusions and Negative Determinations only	1a through 1c 4a through 4c
at least one **Negative Determination with conditions**	1a through 1c 2 4a through 4c 5a through 5d 8a through 8d (optional: to be used when project will involve environmental compliance expertise; collaborate with MEO, or BEO for projects originating out of AID/W, for guidance, as needed)
at least one **Positive Determination**	1a through 1c 3 4a through 4c 5a through 5d 8a through 8d
The contractor/recipient will be required to prepare Regulation 216 documentation (an EA or IEE)	1a through 1c 4a through 4c 5a through 5d 6a through 6c 8a through 8d 2 If there is also an existing IEE that contains a Negative Determination with conditions 3 If there is also an existing IEE that contains a Positive Determination

[2] Note: "Approved Regulation 216 documentation" refers to a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO).

The project includes a sub-grant fund	To any of the above language/situations that apply, add: 7a and 7b 8a through 8d (Paragraphs 7 and 8 are optional, based on the nature of the grant fund and potential environmental impacts; coordinate with MEO or BEO for projects originating out of AID/W for guidance, as needed)

MODEL LANGUAGE

1. Insert paragraphs 1a, 1b, and 1c in all solicitations and resulting awards:

- In RFAs, insert in the Program Description or in the RFA's instructions regarding Technical Application Format
- In RFPs, insert in the appropriate section, often the "Special Contract Requirements"

1a) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (*http://www.usaid.gov/policy/ADS/200/*), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. [*Offeror/respondent/contractor/recipient*] environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this [*RFP/RFA/contract/grant/cooperative agreement]*.

1b) In addition, the contractor/recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID . In case of conflict between host country and USAID regulations, the latter shall govern .

1c) No activity funded under this [*contract/grant/CA*] will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as "approved Regulation 216 environmental documentation.")

2. If the approved Regulation 216 documentation includes any Negative Determinations with conditions, insert 2.

This language stipulates that the activity(ies) must be implemented in compliance with the conditions specified in the Negative Determination.

2) An Initial Environmental Examination (IEE) [*(insert IEE # and download reference here, if available)*] has been approved for [*the Program(s)/Project*] funding this [*RFA/RFP/contract/grant/cooperative agreement (CA)*]. The IEE covers activities expected to be implemented under this [*contract/grant/CA*]. USAID has determined that a **Negative Determination with conditions** applies to one or more of the proposed activities. This indicates that if these activities are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The [*offeror/applicant/contractor/recipient*] shall be responsible for implementing all IEE conditions pertaining to activities to be funded under this [*solicitation/award*].

3. If the approved Regulation 216 documentation includes a Positive Determination, insert 3.

This language specifies that an approved Environmental Assessment (EA) must exist prior to implementation of the activity(ies), and that the activity(ies) must be implemented in compliance with the conditions in the approved EA.

> 3) An Initial Environmental Examination (IEE) has been approved for the [*Program or project funding*] this [*RFA/RFP/contract/agreement*] and for activities to be undertaken herein [*(insert IEE # and download reference here, if available)*]. The IEE contains a **Positive Determination** for the following proposed activities: [*(specify)*]. This indicates that these activities have the potential for significant adverse effects on the environment. Accordingly, the [*contractor/recipient*] is required to [*comply with the terms of*/prepare and submit***] an Environmental Assessment (EA) addressing the environmental concerns raised by these activities. No activity identified under this Positive Determination can proceed until Scoping as described in §216.3(a)(4) and an EA as described in §216.6 are completed and approved by USAID (Note that the completed Scoping Statement is normally submitted by the MEO to the BEO when the project originates in a Mission. The Statement may be circulated outside the Agency by the BEO with a request for written comments within 30 days and approved by the BEO subsequently. Approval of the Scoping Statement must be provided by the BEO before the EA can be initiated.)

[*]If an EA already exists, and the contractor/recipient will not be required to prepare the EA, but will be required to comply with the terms of an existing EA.

[**]If contractor/recipient must prepare and submit an EA, also insert 6a through 6c.

Note: If the contractor is to prepare an EA, then this should be specified in the RFP/RFA instructions. The final negotiation of the EA will be incorporated into the award. Paragraphs 8a through d will always apply when the approved environmental documentation includes a Positive Determination, whether the contractor/recipient is preparing the EA or simply required to comply with an existing EA.

4. Insert for all solicitations and awards

The language requires that the contractor/recipient must ensure all activities, over the life of the project, are included in the approved Regulation 216 documentation.

> 4a) As part of its initial Work Plan, and all Annual Work Plans thereafter, the [*contractor/recipient*], in collaboration with the USAID Cognizant Technical Officer and Mission Environmental Officer or Bureau Environmental Officer, as appropriate, shall review all ongoing and planned activities under this [*contract/grant/CA*] to determine if they are within the scope of the approved Regulation 216 environmental documentation.
>
> 4b) If the [*contractor/recipient*] plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.
>
> 4c) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

5. If the approved Regulation 216 documentation contains one or more Negative Determinations with conditions and/or an EA, insert 5a through 5d. (These paragraphs should also always be used when the contractor/recipient is writing an IEE or EA.)

The language requires the contactor/recipient to integrate mitigation measures and monitoring into project work plans.

5 When the approved Regulation 216 documentation is (1) an IEE that contains one or more Negative Determinations with conditions and/or (2) an EA, the [*contractor/recipient*] shall:

5a) Unless the approved Regulation 216 documentation contains a complete environmental mitigation and monitoring plan (EMMP) or a project mitigation and monitoring (M&M) plan, the [*contractor/recipient*] shall prepare an EMMP or M&M Plan describing how the [*contractor/recipient*] will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or M&M Plan shall include monitoring the implementation of the conditions and their effectiveness.

5b) Integrate a completed EMMP or M&M Plan into the initial work plan.

5c) Integrate an EMMP or M&M Plan into subsequent Annual Work Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

6. For solicitations, if the Proposal Instructions specifies that the [*contractor/recipient*] will be required to prepare Regulation 216 documentation (IEE or EA) for some or all activities, insert 6a through 6c.

6a) Cost and technical proposals must reflect IEE or EA preparation costs and approaches.

6b) [*Contractor/recipient*] will be expected to comply with all conditions specified in the approved IEE and/or EA.

6c) If an IEE, as developed by the [*contractor/recipient*] and approved by USAID, includes a Positive Determination for one or more activities, the contractor/recipient will be required to develop and submit an EA addressing these activities.

Note: In this case, always insert paragraphs 8a through 8d, as well.

7. For solicitations and awards when sub-grants are contemplated, and the IEE gives a Negative Determination with conditions that specifies use of a screening tool for sub-grants, insert 7a and 7b.

7a) A provision for sub-grants is included under this award; therefore, the [*contractor/recipient*] will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen grant proposals to ensure the funded proposals will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is called for when the nature of the grant proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts, yet due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of sub-grant activities cannot go forward until the ERF or ER checklist is completed and approved by USAID. [*Contractor/Recipient*] is responsible for ensuring that mitigation measures specified by the ERF or ER checklist process are implemented.

7b)	The [*contractor/recipient*] will be responsible for periodic reporting to the USAID Cognizant Technical Officer, as specified in the Schedule/Program Description of this solicitation/award.

8. For solicitations ONLY: Insert 8a through 8d when:

- **the approved Regulation 216 documentation is a Positive Determination or an EA; or**
- **when the contractor/recipient will be expected to prepare Regulation 216 documentation; or**
- **when there is a sub-grant fund that requires use of an Environmental Review Form or Environmental Review checklist; and/or**
- **when there is a Negative Determination with conditions that will require environmental compliance expertise to prepare and/or implement an EMMP or M&M Plan, as determined in collaboration with the MEO or BEO for projects originating out of AID/W.**

8a)	USAID anticipates that environmental compliance and achieving optimal development outcomes for the proposed activities will require environmental management expertise. Respondents to the [*RFA/RFP*] should therefore include as part of their [*application/proposal*] their approach to achieving **environmental compliance and management,** to include:
8b)	The respondent's approach to developing and implementing an [*IEE or EA or environmental review process for a grant fund and/or an EMMP or M&M Plan*].
8c)	The respondent's approach to providing necessary environmental management expertise, including examples of past experience of environmental management of similar activities.
8d)	The respondent's illustrative budget for implementing the environmental compliance activities. For the purposes of this solicitation, [*offerors/applicants*] should reflect illustrative costs for environmental compliance implementation and monitoring in their cost proposal.

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Session 8.
Introduction to the USAID *Sector Environmental Guidelines* (SEGs) and Related Resources

Brief presentation + demonstration

Summary

This session will familiarize participants with the ESDM and environmental compliance resources available primarily through the GEMS project Web site: www.usaidgems.org

These resources include:

- The *Sector Environmental Guidelines*
- Visual Field Guides (VFGs)
- Training Materials
- MEO Resources
- Other sector-specific resources

The session also summarizes the environmental compliance and ESDM support services available to Missions and implementing partners via USAID's GEMS program.

Objective

Review the key ESDM and environmental compliance resources introduced during the workshop.

Key Resources

- As referenced above
- GEMS Factsheet

Version: 22 February 2016

USAID
FROM THE AMERICAN PEOPLE

IMPLEMENTING MECHANISM FACTSHEET

GLOBAL ENVIRONMENTAL MANAGEMENT SUPPORT (GEMS II)

CONTENTS

1. GEMS Overview
2. Implementers
3. Period of Performance
4. Scope of Services
5. Accessing GEMS Services
6. Pricing
7. Award Details
8. Contacts

1. GEMS OVERVIEW

GEMS II is a global program implemented under a USAID E3 Bureau contract that provides on-demand environmental compliance, management, and sound design support to USAID's Environmental Officers, individual agency operating units and their projects and programs.

Subject to available ceiling, GEMS services are available to any bureau or operating unit that elects to incrementally fund the contract.

2. IMPLEMENTERS

GEMS II was awarded in late September 2013 to **The Cadmus Group, Inc**. under the GSA Multiple Award Schedules (MAS) program.

The core team consists of Cadmus, Sun Mountain International and The Cloudburst Group, who together provide the primary USAID environmental compliance/environmentally sound design and management expertise. Other core team members are Eurasia Environmental Associates, Neptune and Company, Mott MacDonald, World Education and Battelle Memorial Institute. Cloudburst is a GSA Contractor Teaming Arrangement (CTA) partner. All other team members are subcontractors to Cadmus.

A number of on-call local partners may be engaged depending on the location of programmed activities.

3. PERIOD OF PERFORMANCE

30 September 2013–29 September 2018.

4. SCOPE OF SERVICES

A broad range of environmental compliance, management, and sound design support services are available under GEMS II, including but not limited to:

A. TRAINING. Planning, design and delivery of general and sector-specific training in environmental compliance and/or environmentally sound and climate-smart design and management; development of training curricula and materials; and development and delivery of online/distance learning on these topics.

B. GUIDANCE, TOOLS AND SYSTEMS. Development and review of environmental best practice/compliance guidance for individual projects or sector programs. Development of software/IT and other tools and systems to support environmental compliance, management and M&E from mission portfolio to project level.

C. 22 CFR 216 DOCUMENTATION. Development and review of documentation prepared under USAID Environmental Procedures (22 CFR 216), including Initial Environmental Examinations (IEEs), scoping statements, and Environmental Assessments (EAs) and Programmatic Environmental Assessments (PEAs), including health and social impacts analyses.

D. COMPLIANCE ASSESSMENTS, FIELD MONITORING AND EVALUATION. Environmental compliance assessments, from mission portfolio to project and site-level. Field monitoring and evaluation of environmental compliance, management, and/or performance.

This factsheet was prepared by The Cadmus Group, Inc. for USAID under the USAID Global Environmental Management Support project (GEMS II), Award Number AID-OAA-M-13-00018. It was reviewed by the GEMS II COR.

E. EMMPs/EMPRs. Development and review of Environmental Mitigation and Monitoring Plans (EMMPs) and Environmental Mitigation Plans and Reports (EMPRs); technical assistance to support field implementation of such plans.

F. ENVIRONMENTAL MANAGEMENT IN DISASTER ASSISTANCE. Support to environmental management of disaster assistance, including rapid environmental assessments (REAs).

G. BEO, REA AND MEO SUPPORT & BACKSTOPPING. Screening and quality control of submitted 22 CFR 216 documentation; TA for IPs and USAID staff developing this documentation.

H. OTHER ENVIRONMENTAL ANALYSES. Scoping, development and review of: FAA 118/119 analyses, climate vulnerability assessments and climate risk screenings, health and social impact assessments; environmental reviews of multilateral development bank project proposals; among others.

I. HOST COUNTRY ENVIRONMENTAL MANAGEMENT CAPACITY. Capacity-building of host country environmental management systems and professionals.

J. KNOWLEDGE MANAGEMENT, LEARNING & COMMUNICATIONS. Web-based and hardcopy dissemination of environmental management guidance; strategic and high-impact environmental communications; environmental management community-of-practice development and support.

5. ACCESSING GEMS SERVICES

Bureau Environmental Officers (BEOs) serve as Activity Managers for GEMS II activities within their region/sector. In this capacity, they are "gatekeepers" for the GEMS II work plan, in consultation with the COR.

Operating units interested in accessing GEMS II services, whether funded by the participating Bureaus or with their own buy-in funds, should first contact the relevant BEO/Activity Manager and the COR. See contact list at right.

Please request the *GEMS II Pricing and Ordering Guide* for more information.

6. PRICING

GEMS II is a time and materials (T&M) contract. Categorical, fully burdened T&M labor rates are set by the award based on Cadmus' and Cloudburst's GSA price schedules. Travel, logistics and materials costs are treated on a reimbursable basis. Please request the *GEMS II Pricing and Ordering Guide* for more information.

7. AWARD & GLAAS DETAILS

Award #	AID-OAA-M-13-00018
Issued under	GSA Multiple Award Schedule (Cadmus GSA Multiple Award Schedule Contract No.: GS-10F-0105J)
Period of Performance	30 Sept 2013–29 Sept 2018 No option years.
Ceiling	$37.87mn (5-years)
Lead & Group Req.	*Contact COR for most current code*

8. CONTACTS

Contract Officer	Kevin Sampson ksampson@usaid.gov
Contract Specialist	Serapis Irby girby@usaid.gov

COR	Teresa Bernhard, E3 tbernhard@usaid.gov
Deputy COR	Brian Hirsch, AFR bhirsch@usaid.gov

Bureau Activity Managers (Bureau Environmental Officers)	
AFR	Brian Hirsch bhirsch@usaid.gov
Asia	Will Gibson wgibson@usaid.gov
DCHA	Erika Clesceri eclesceri@usaid.gov
Food Security	Bill Thomas withomas@usaid.gov
E3	Teresa Bernhard tbernhard@usaid.gov
E&E	Mark Kamiya mkamiya@usaid.gov
GH	Rachel Dagovitz rdagovitz@usaid.gov
Global Dev. Lab	Dan Evans danevans@usaid.gov
LAC	Jessica Rosen jrosen@usaid.gov
Middle East	John Wilson jwilson@usaid.gov
OAPA	John Wilson (Afghan.) jwilson@usaid.gov Will Gibson (Pakistan) wgibson@usaig.gov

Chief of Party (Program Manager)	Mark Stoughton The Cadmus Group, Inc. Mark.Stoughton@cadmusgroup.com

USAID Environmental Compliance and Environmentally Sound Design & Management Resources online: www.usaidgems.org.

Session 9.
EMMP Skill-Building Exercise

Field visit and practical exercise

Objectives

Through facilitated field visits participants will further develop and apply the practical EIA skills and environmental compliance approaches introduced and discussed up to this point of the workshop, with emphasis on the EMMP. This session also strengthens familiarity with the *Sector Environmental Guidelines* as a key resource in the preparation of EMMPs.

Summary

This field-based exercise is not an isolated activity; it puts into practice the tools and methods presented in the classroom, and approximates our role as development professionals in achieving environmental compliance and ESDM. Once back from the field, participants will combine site- and activity-specific data and information with core EIA skills in a small-group format to prepare an EMMP.

Each group will present their EMMP and any related key findings to the larger training group for further discussion and observations.

This session is divided into four components:

- **Session 9a**: Briefing and classroom preparation
- **Session 9b**: Field visit
- **Session 9c:** Small-group work
- **Session 9d**: Group presentations in plenary

9a: EMMP Skill-Building Exercise—Briefing and classroom preparation (1.5 hrs.)

During this pre-field visit session participants will receive instruction on the methodology and the objectives of the skill-building exercise. This classroom preparation will enable participants to understand the general project scenarios to be assessed. The four technical areas for the skill-building exercise include:

1. Water supply/sanitation (WASH)
2. Natural resource mngt./conservation
3. Agricultural/livestock production
4. Health care waste management

Participants will have already selected or been assigned to one of the above technical areas. Individual groups will form at this time; each group should listen carefully for additional detail on the project sites. Groups will then have some time to review relevant resources or documentation, consult with their accompanying trainer/facilitator, and to confer as a team on a general approach or issues related to the field visit. Questions and issue for discussion include:

1) Use the *Sector Environmental Guidelines* and other resources—including your own experience—to identify the types of adverse environmental impacts typically associated with the site or activity you will be visiting (e.g., WASH, pesticide use, etc.).
2) Discuss any other aspects of the design or management of these types of activities that are not environmentally sound.
3) Drawing from the EIA skill-building exercise, consider the most relevant aspects of the baseline situation that should be observed and assessed in the field.
4) Discuss which mitigation measures could be employed to avoid, reduce, or offset potential adverse environmental impacts.
5) Review the structure/organization of the EMMP.
6) Consider what information to collect in the field and what questions to ask the field visit host, project beneficiaries, or other stakeholders. Assign roles, as appropriate, within the group for data collection and/or any interviews.
7) Identify the following roles within each group:
    - Chairperson:
    - Recorder:
    - Spokesperson:

9b: EMMP Skill-Building Exercise—Field visit (approx. 5 hrs.)

Participants will use group transportation and proceed to the designated project site. Each group will be accompanied by at least one workshop trainer/facilitator. Please bring to the field:

- Notepad/pen
- Camera (if possible)
- Walking shoes and a hat
- Sunscreen/sunglasses
- Water bottle

Use your eyes and ears to gather information that will enable preparation of the EMMP. Don't forget to consider the opinions and concerns of beneficiaries and the local community, asking them about the project's environmental, social and economic impacts and their recommendations.

9c: EMMP Skill-Building Exercise—Small-group work (approx. 3 hrs.)

Once back from the field, each small group will collaborate to prepare an EMMP based on the preceding field visits. During this time, participants will synthesize field observations and develop specific mitigation and monitoring criteria for presentation in the form of an EMMP.

9d: EMMP Skill-Building Exercise—Group presentations in plenary (1.5 hrs.)

This component will provide an opportunity for each working group to present its EMMP as based on the field visit and subsequent small-group synthesis and collaboration.

Each group's EMMP will be presented to the training group at large and key elements or aspects of the findings discussed in plenary form.

Session 10.
Environmental Compliance Reporting

Technical presentation and dialogue

Summary

USAID CORs and AORs are required by ADS 204 to monitor and evaluate on an ongoing basis whether the environmental mitigation required by the governing IEE(s)/EA is being implemented and is effective.

In other words, COR and AOR oversight responsibilities extend to environmental compliance, just as they do to other elements of project implementation. Practically, this requires that IPs not only systematically comply with IEE/EA conditions by developing and implementing EMMPs, but that they *report* to USAID on this implementation.

Regional best practice for IP environmental compliance reporting consists of two elements:

1. **Project reporting should provide an auditable record of environmental compliance.**

   Generally, IPs' quarterly or semi-annual reports should contain a separate environmental compliance section. The section must provide sufficient information on the status of EMMP implementation for USAID to effectively fulfill its oversight and performance monitoring role.

   If the EMMP contains a "monitoring log" section, then the EMMP itself—updated with current monitoring results—can simply be appended to the report.

   For larger projects, or those with complicated EMMPs, a text summary/short analysis of EMMP implementation is needed. This should highlight key mitigation activities underway in the reporting period, any significant issues encountered, and corrective actions/adjustments made.

   Any specific reporting requirements imposed by the IEE or EA must also be satisfied.

2. **One or more key project performance indicator(s)—"project results framework"—should reflect overall environmental soundness/environmental compliance.**

   In other words, the most critical elements of environmental soundness/compliance should be integrated, or "mainstreamed" into the project results framework. For example:

   - *In a water point provision project*, the IP might use the indicator "number of <u>protected</u> water points established with <u>zero fecal coliform after six (6) months</u>" rather than simply "number of water points established."
   - *In a road rehabilitation project*, the IP might use the indicator "km of road rehabilitated <u>under environmentally sound practices</u>" rather than simply "km of road rehabilitated."

   In both cases, the "environmentalized indicator" demonstrates that core project activities are being executed with attention to environmental soundness/compliance. However, it is NOT expected or appropriate to "environmentalize" every key indicator, or to capture every mitigation measure.

(This best practice applies to new awards; where EMMPs are developed *after* the PMP is established, it may not be possible to change key performance indicators.)

Missions should not rely on IP progress reports alone to track environmental compliance. Field visits at minimum should include a quick check for significant environmental design/management problems (for certain activities, the Visual Field Guides [VFGs] may be used).

For environmentally complex activities, specific field visits should be made to verify EMMP implementation.

In summary, IP and USAID environmental compliance roles and responsibilities are as follows:

Project stage	Implementing Partner	USAID
Workplan & PMP Development	Develops EMMP Integrates EMMP into budget and workplan Determines environmental compliance reporting	Review and approval of: 1. the EMMP (for responsiveness to IEE/EA conditions and sufficiency of monitoring); 2. The budget/workplan (to verify that EMMP implementation is planned and funded); and 3. The reporting framework to assure that environmental reporting requirements are met.
Implementation	Implementation of EMMP Reporting on EMMP implementation	Ongoing review of partner progress reports to monitor EMMP implementation Field visits—at a minimum, all visits should integrate a quick check for significant environmental design/management problems. For environmentally sensitive activities, specific visits should be made to verify EMMP implementation.

Objectives

Achieve a common understanding of the two basic elements of IP environmental compliance reporting:

(1) providing USAID with an auditable record of IP environmental compliance; and

(2) "mainstreaming" critical elements of environmental soundness/compliance into one or more core program performance indicators.

Environmental Compliance Reporting

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

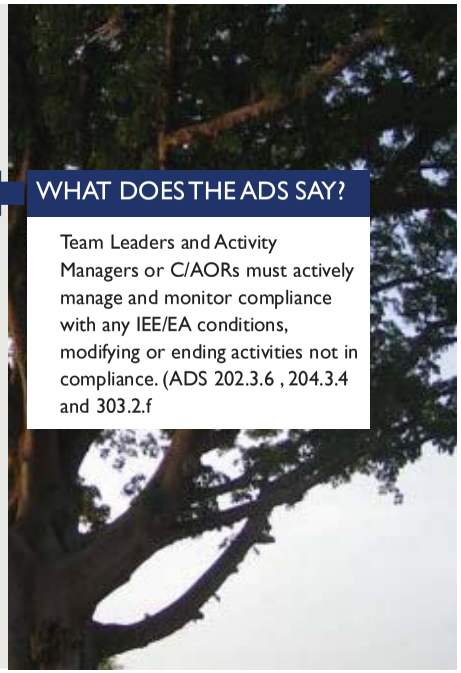
SESSION OBJECTIVES:

- Understand USAID criteria for environmental compliance reporting.
- Review role of EMMP in the reporting process.
- Discuss "mainstreaming" of project environmental performance for reporting purposes.
- Learn how to "environmentalize" key project indicators.

THE EMMP IS IN PLACE …NOW WHAT?

- Now that EMMP is being implemented, **USAID needs to know.**
  - *Project reporting must provide an auditable record of environmental compliance.*
  - *One or more key project performance indicator(s) (project results framework) should reflect overall environmental soundness/ environmental compliance.*

LET'S LOOK AT #1 FIRST



WHAT DOES THE ADS SAY?

Team Leaders and Activity Managers or C/AORs must actively manage and monitor compliance with any IEE/EA conditions, modifying or ending activities not in compliance. (ADS 202.3.6 , 204.3.4 and 303.2.f

PREPARING "AN AUDITABLE RECORD" OF COMPLIANCE

- Environmental compliance reporting can be integrated as part of 'regular' project reporting.
  - Quarterly or semi-annual project reports should contain a separate section addressing environmental compliance.
  - The section must provide *sufficient information on the status of EMMP implementation for USAID to effectively fulfill its oversight and performance monitoring role.*

Any specific reporting requirements contained in the IEE must also be addressed

Title II CSs must submit an Annual Environmental Compliance Status Report

USE EMMP TO STREAMLINE REPORTING

If the EMMP contains a "monitoring record" section, attach the EMMP—updated with current monitoring results—to the report.

Design requirement	Incorporated in final technical specifications: Date Confirmed	Incorporated in final technical specifications: Initials	Built-as specified? (confirmed by field inspec.): Y/N	Built-as specified? (confirmed by field inspec.): Date of inspection	Built-as specified? (confirmed by field inspec.): Initials	Notes (Issues & resolution)
GRADING, SEPTIC & DRAINAGE. If construction results in substantially increased slope of any land within 10m of the stream, that slope must be protected with berms, plantings, etc.)						
Site grading and drainage shall be designed and constructed to prevent accumulation of standing water						
Aprons must be installed and drainage provided at water supply point(s)—no standing water allowed.						
No direct gray or brown-water discharge to stream is allowed. All drainage with the exception of storm runoff and water point drainage must be channeled to the septic system.						
If septic tank design is a pump-out tank without leach field, assure impermeable tank construction or min 30m separation between tank and stream and nearest shallow well.						

Excerpt of EMMP with monitoring record for medium-scale construction project.

EMMP MONITORING LOG CAN SIMPLIFY REPORTING

If the EMMP contains a "monitoring record" section, simply attach the EMMP to the quarterly or semi-annual reporting document.

Mitigation Measure	Responsible Party	Monitoring Scheme: Indicators	Monitoring Scheme: Data source/ Method	Monitoring Scheme: How Often	Est. Cost	Monitoring Log: Date	Monitoring Log: Result	Monitoring Log: Follow-up
3. Install & properly operate canal-level flow regulation structures	Project agricultural technician	• # of doors and other flow-control structures installed •% of Ha. under flow control •% of secondary & tertiary canals showing significant erosion damage after each growing season	Reports Field visit	Quarterly				
4. Protect upper slope with fruit (mangoes, citrus, avocado) and forest trees	Project agricultural technician	# of trees planted and survived • % of at-risk upper slope land protected • total m3 of sediment removed from canals over each rainy season.	Reports Field visit Comparison with baseline information	Quarterly /Annual				

The irrigation rehabilitation EMMP from the session on EMMPs

COMPLEX EMMPS REQUIRE DETAILED REPORTING

- Larger projects, or those with complicated EMMPs may require more detailed reporting to create an auditable record.
  - A text summary or short analysis of EMMP implementation is needed.
    - *Highlight key mitigation activities underway in the reporting period;*
    - *Any significant issues encountered; and*
    - *Corrective actions/adjustments made.*
  - Stand-alone Environmental Compliance reports may also be warranted (e.g., quarterly or semi-annual)

NOW ON TO REQUIREMENT #2:

"MAINSTREAMING" ENVIRONMENTAL PERFORMANCE

- Environmental issues can be integrated, or "mainstreamed" into the project results framework for reporting purposes.
- This does *NOT* mean that:
  - Every mitigation measure must be captured in core indicators.
  - Every core program indicator must be "environmentalized."
- This IS to say that *overall*, project success must be partly measured on the most critical elements of environmental soundness/ compliance.

What is Reporting Requirement #2 again? …

"One or more key project performance indicator(s) (project results framework) should reflect overall environmental soundness & compliance."

This applies to new awards...

Where EMMPs are developed after the PMP is established, it may not be possible to change key program indicators.

BRINGING ENV. ISSUES INTO RESULTS FRAMEWORK

EXAMPLE: WATER POINT PROVISION

- Key Program Indicators:
  - PROTECTED* water points established.
  - # beneficiaries receiving water from PROTECTED water points.
  - % of water points with no fecal coliforms per 100 ml.
  - % of water points established that are clean after 6 months.

*Protected = fenced against livestock, drained

This intervention will NOT show good performance. . .

BRINGING ENV. ISSUES INTO RESULTS FRAMEWORK

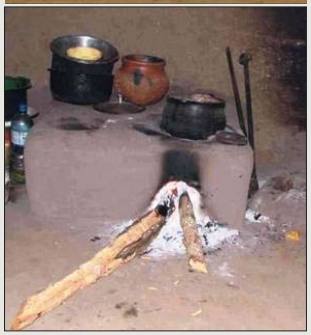
EXAMPLE: FOOD FOR PEACE

- How much firewood does a typical Food for Peace (FFP) program use?
  - ~1 kg firewood/person/day x 70,000 beneficiaries x 365 d

  ~30,000 MT of firewood/yr.
- Mitigation:
  - Improved cook stoves and cooking practices
- Added to key program indicators:
  - Amount of fuel saved by improved practices
  - Amount of time saved by improved practices

NOT just number of stoves distributed

FUEL WOOD & DEFORESTATION

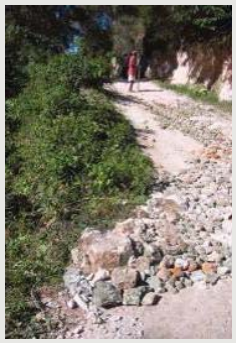


"ENVIRONMENTALIZING" PROJECT INDICATORS

EXAMPLE: ROAD REHABILITATION

- Typical Indicator:
  - Km of road rehabilitated.
- Strengthened, "Environmentalized" indicator:
  - Km of road rehabilitated under environmentally sound practices.*

*provide definition of environmentally sound practices from EMMP



USAID REVIEW OF ENVIRONMENTAL REPORTING

WHO REVIEWS EMMPS & ENVIRONMENTAL COMPLIANCE REPORTING INSIDE USAID?

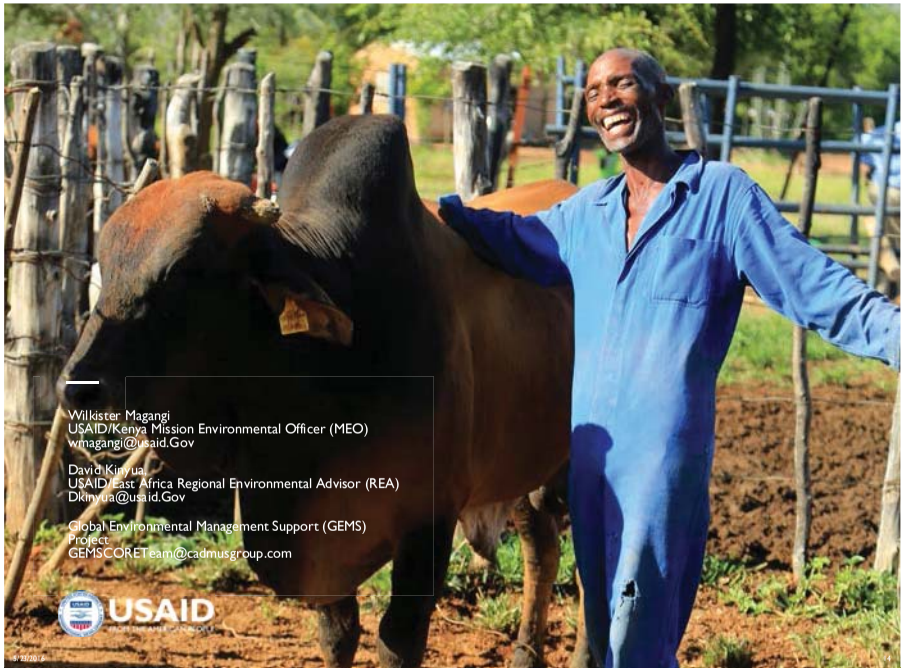
WILL ENVIRONMENTAL COMPLIANCE CHECKS BE PART OF MISSION M&E?

As with all other aspects of the project, the COR or AOR is the primary reviewer.

But the MEO and M&E function may also be involved.

USAID ENVIRONMENTAL COMPLIANCE OVERSIGHT

1. Prior review/approval of partner-developed: – **EMMP →** ensure responsive to IEE/EA conditions. – **Project budgets and workplans →** ensure EMMP implementation planned and funded – **Project Reporting Framework →** ensure environmental compliance reporting requirements are met.	• **Primary responsibility for ensuring IP compliance lies with COR/AOR.** • MEO will also review/clear where activities are environmentally sensitive and/or IEE/EA conditions are complex.
2. Ongoing review of **partner progress reports** to monitor EMMP implementation.	• MEO on distribution list for IP's quarterly/semi-annual project reports.
3. Field visits: – at a minimum, all visits integrate a quick check for significant env. design/management problems. – For environmentally sensitive activities, specific visit(s) to audit against EMMP.	• Most field visits are by COR/AOR or M&E Officer. • MEO should visit the most environmentally sensitive activities (REA may assist).



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USAID

Session 11.
Special Topic: WASH & Water Supply Activities
Technical presentation and dialogue

Summary

Access to safe drinking water is central to the recovery and/or development of any community. The increased use of water for agricultural irrigation can also accelerate economic growth and improve livelihoods. USAID supports a range of activities in the Water, Sanitation and Hygiene (WASH) and agricultural sectors, many of which entail the establishment of new water access points or the rehabilitation of existing structures or systems. In these scenarios USAID must assure that water supplies meet certain quality criteria for domestic and agricultural purposes. As such, water quality assurance, including testing and monitoring, is a key aspect of any water provision effort.

Specific water quality requirements will vary by activity, but generally must account for:

a) a baseline, or initial water quality assessment to determine if water is safe; and

b) a periodic testing or monitoring regime to determine if water source becomes contaminated.

The initial test will ideally provide information on the chemical, biological and physical qualities of the proposed water source (e.g., well, natural spring, stream or river, etc.). Initial water quality testing and monitoring requirements are typically contained in a Water Quality Assurance Plan (WQAP); many IEEs will require preparation of a WQAP in response to proposed water provision efforts (domestic or agricultural). The WQAP will also specify a Response Protocol that details the steps to be taken in the event that water quality test results exceed certain thresholds (e.g., if Arsenic or coliform levels are higher than allowed).

Water quality assurance often presents a practical challenge for project staff. This session will consider the logistical demands of initial testing and monitoring across many, potentially dispersed systems or water access points, in addition to the reality that certain tests may require refrigeration, incubation and laboratory analysis. There are a number of field-oriented tools and resources available to meet some of the most common water quality testing requirements. However, projects are often encouraged to explore multiple options based on their specific water quality assurance needs (e.g., bigger investment in field equipment, use of contract labs, etc.).

Objectives

Review water quality assurance requirements and procedures for USAID-supported water provision activities, including WASH initiatives.

Understand practical approaches to water quality assurance and the types of challenges encountered and solutions developed.

Special Topic:
WASH and Water Supply Activities

GEMS Environmental Compliance-
ESDM Training Series

Kenya ▪ June, 2016

SESSION OBJECTIVES:

- Understand importance of WASH and water supply activities in USAID programming
  - *Human health*
  - *Food security and economic growth*
- Characterize potential adverse impacts of water provision activities.
- Discuss USAID approach to assessing and mitigating impacts + preparation of compliance documentation.
- Understand water quality management and assurance "best practices" from partner perspective, consider evolving needs.

WATER PROVISION

- Underpins public health + sustained economic growth
- Central to many development objectives
- Can adversely impact human, environmental health
- USAID objective = "Safe Water"
- Local environmental conditions, capacity, and host-country requirements can vary widely
- Water Quality Assurance Plan (WQAP) accounts for variations and provides flexibility

RECENT WQAP ASSESSMENT

- Three-phase AFR/SD-commissioned study to assess extent and efficacy of AFR WQAP requirement
- Phase I: Desk review using IEE database
- Phase II: Verify WQAP preparation (and extent of implementation) for projects for which it is required
- Phase III: Field work to assess WQAP efficacy and attributes (Ghana, Zimbabwe, Kenya + Tanzania)
- Multiple report-outs to AFR and across Agency and USG partners

CHALLENGES TO IMPLEMENTATION

- WQAP not evenly addressed or required in IEEs for applicable projects:
  - *WASH*
  - *Agriculture (irrigation)*
  - *Construction/rehabilitation of schools, clinics, etc.*
- Where required by IEE, sometimes no record of WQAP being developed or implemented
- Some WQAPs not responsive to full range of challenges

FACTORS FOR SUCCESSFUL WQAPS

Verified through field work (Phase III):

- *Clear and consistent host country regulations*
- *Coordination with host country institutions*
- *Structured community operation and maintenance of water points*
- *Quality and experience of IP*
- *Access to well-equipped and well-staffed laboratories*
- *Adequate host-country personnel and expertise*
- *Effective resource management*
- *Inclusion of water quality standards in contracts and awards*

RECOMMENDATIONS

RECOMMENDATIONS	KEY ACTORS
Reconsider the importance of underlying IEE conditions, which devolve too much to a WQAP mechanism versus a traditional EMMP	Agency Environmental Council; Africa Bureau Environmental Officer; Africa Bureau Water Advisor; Regional Environmental Advisors; Office of Water Staff
Develop a template and/or example of a high-quality WQAP or EMMP addressing water monitoring requirements for use by Mission Environmental Officers, Agreement Officer's Representative/Contracting Officer's Representative, and IPs	Africa Bureau Environmental Officer; Africa Bureau Water Advisor; Office of Water Staff
Select IPs with water quality monitoring experience and a good track record of achieving safe water in the host country by strengthening selection criteria	Policy, Planning, and Learning; Office of Acquisitions and Assistance
Provide technical training to all Regional Environmental Advisors and Mission Environmental Officers on water quality monitoring	Africa Bureau Environmental Officer; Africa Bureau Water Advisor; Office of Water Staff
Improve community-based monitoring and engagement in the water quality process to foster community ownership of water points and improve the likelihood of long-term monitoring	Office of Water Staff, Mission Environmental Officers, Representatives/Contracting Officer Representatives
Seek opportunities to provide low-cost technical support to facilitate community-level water quality analysis	Office of Water Staff, Mission Environmental Officers, Agreement Officer Representatives/Contracting Officer Representatives

RECOMMENDATION #1: REVISIT IEE LANGUAGE

- IEEs include clearer, more prescriptive WQAP requirement

- Prior to drinking water provision, the project will prepare and receive approval for a Water Quality Assurance Plan (WQAP). The WQAP will be prepared in consultation with the cognizant AOR/COR and/or Activity Manager. Its purpose is to ensure that all new and rehabilitated USAID-funded sources of drinking water provide water that is safe for human consumption. The completed WQAP must be approved by: the AOR/COR and/or Activity Manager; the MEO; and the REA.
- Once approved, the WQAP must be implemented in full, and for the duration of drinking water activities. Implementation must include testing of water prior to making the supply point available to beneficiaries.
- The WQAP constitutes a key element of the project's EMMP. As with all other elements of the EMMP, project budgets, workplans, and staffing plans must provide for its full implementation. The approved WQAP must include at minimum the following sections:
  - Project information (name of project, name of IP, period of performance, contact information, name of COR/AOR)

RECOMMENDATION #2:
WQAP TEMPLATE

- Make available a high-quality WQAP template for use by MEOs, A/CORs, and IPs

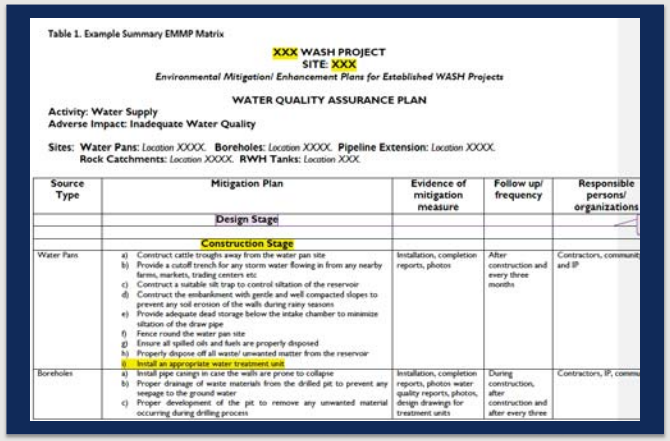

Table 1. Example Summary EMMP Matrix

XXX WASH PROJECT
SITE: XXX
Environmental Mitigation/ Enhancement Plans for Established WASH Projects

WATER QUALITY ASSURANCE PLAN

Activity: Water Supply
Adverse Impact: Inadequate Water Quality

Sites: Water Pans: *Location XXXX.* **Boreholes:** *Location XXXX.* **Pipeline Extension:** *Location XXXX.*
Rock Catchments: *Location XXXX.* **RWH Tanks:** *Location XXX.*

Source Type	Mitigation Plan	Evidence of mitigation measure	Follow up/ frequency	Responsible persons/ organizations
	Design Stage			
	Construction Stage			
Water Pans	a) Construct cattle troughs away from the water pan site b) Provide a cutoff trench for any storm water flowing in from any nearby farms, markets, trading centers etc c) Construct a suitable silt trap to control siltation of the reservoir d) Construct the embankment with gentle and well compacted slopes to prevent any soil erosion of the walls during rainy seasons e) Provide adequate dead storage below the intake chamber to minimize siltation of the draw pipe f) Fence round the water pan site g) Ensure all spilled oils and fuels are properly disposed h) Properly dispose off all waste/ unwanted matter from the reservoir i) Install an appropriate water treatment unit	Installation, completion reports, photos	After construction and every three months	Contractors, communit and IP
Boreholes	a) Install pipe casings in case the walls are prone to collapse b) Proper drainage of waste materials from the drilled pit to prevent any seepage to the ground water c) Proper development of the pit to remove any unwanted material occurring during drilling process	Installation, completion reports, photos water quality reports, photos, design drawings for treatment units	During construction, after construction and after every three	Contractors, IP, commu

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USAID

Session 12.
Special Topic: Pesticide Use in USAID Activities

Technical presentation and dialogue

Summary

This session summarizes the environmental and health concerns attendant to pesticide use, the key elements of safer pesticide use, and USAID's procedures for environmental review of support to pesticide use and procurement.

These procedures define "use and procurement" broadly and add specific, additional requirements to the general pre-implementation environmental review process established by Reg. 216. These requirements are typically satisfied through preparation of a Pesticide Evaluation Report and Safer Use Action Plan (PERSUAP), which is formally an amendment to the project's IEE. The requirements of the Safer Use Action Plan portion of the PERSUAP are thus IEE conditions, and their implementation is mandatory.

Although PERSUAPs are generally developed by specialists, workshop participants may be involved in the review and implementation of PERSUAPs or related Pest Management Plan.

USAID policy and procedures regarding pesticide use are described in 22 CFR 216.3(b).

Objective

Brief the environmental, economic, and human health concerns attendant to pesticide use. Achieve a common understanding of the special environmental compliance requirements that apply to pesticide use and procurement, and of the key elements of safer pesticide use.

Understand the practical elements of achieving pesticide safer use and the implementation of USAID activities that involve pesticides.

USAID
FROM THE AMERICAN PEOPLE

Special Topic: Pesticide Use in USAID Activities

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

SESSION OBJECTIVES:

- Understand importance of pesticide use in USAID programming
  - Food security, economic growth
  - Vector control, public health
- Characterize adverse impacts of pesticide use on human health and the environment.
- Discuss USAID approach to assessing and mitigating impacts + preparation of compliance documentation.
- Understand "pesticide safer use" from partner perspective and discuss project-based "best practices."

PESTICIDE USE

- Key input for increased agricultural production, can promote economic growth
- Used to protect food stocks, important aspect of food aid programming (e.g., FFP)
- Vector control efforts can improve public health
  - *PMI, Indoor Residual Spraying (IRS)*

PESTICIDE SAFER USE + COMPLIANCE

- Pesticides are especially harmful to human and environmental health
  - *Pesticides are produced and formulated to kill*
  - *USAID approaches pesticide use with extreme caution*
- Dedicated portion of Reg. 216
  - 22 CFR216.3(b)—USAID Pesticide Procedures
- Pesticide Evaluation Report and Safer Use Action Plan: PERSUAP

USAID PESTICIDE PROCEDURES

When a project includes assistance for procurement or use, or both, of pesticides registered for the same or similar uses by USEPA without restriction, the Initial Environmental Examination for the project shall include a separate section evaluating the economic, social and environmental risks and benefits of the planned pesticide use to determine whether the use may result in significant environmental impact. Factors to be considered in such an evaluation shall include, but not be limited to the following:

(a) The USEPA registration status of the requested pesticide;

(b) The basis for selection of the requested pesticide;

(c) The extent to which the proposed pesticide use is part of an integrated pest management program;

(d) The proposed method or methods of application, including availability of appropriate application and safety equipment;

(e) Any acute and longterm toxicological hazards, either human or environmental, associated with the proposed use and measures available to minimize such hazards;

(f) The effectiveness of the requested pesticide for the proposed use;

(g) Compatibility of the proposed pesticide with target and nontarget ecosystems;

(h) The conditions under which the pesticide is to be used, including climate, flora, fauna, geography, hydrology, and soils;

(i) The availability and effectiveness of other pesticides or nonchemical control methods;

(j) The requesting country's ability to regulate or control the distribution, storage, use and disposal of the requested pesticide;

(k) The provisions made for training of users and applicators; and

(l) The provisions made for monitoring the use and effectiveness of the pesticide.

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USAID
FROM THE AMERICAN PEOPLE

Session 13.
Special Topic: Environmental Compliance for Sub-Projects and Sub-Awards

Technical presentation and dialogue

Summary

Many USAID programs and large projects include *subprojects*. These are small-scale activities that are: (1) carried out within—or "under the umbrella" of—a larger project; and (2) are not fully identified or designed when the larger project or program is approved.

Subprojects pose an environmental compliance challenge: Reg. 216 requires environmental review prior to activity implementation. However, subprojects typically are not yet clearly defined/designed when the overarching project IEE is written.

The standard solution is that the IEE contains a *negative determination with conditions* for the anticipated subproject activities. The "condition" in this scenario is that a simplified EIA process is established to review subprojects and determine mitigation and monitoring conditions. This is typically only allowable if:

- The *general nature* of subproject activities is known; and
- These activities generally have low or easily controllable potential adverse impacts.

The Africa Bureau *Environmental Review Form* (ERF) is the most common instrument for implementing these simplified environmental review procedures for subprojects. The form's instructions guide the reviewer through a subproject screening, and then preliminary assessment process for subject activities.

The Africa Bureau ERF was updated in late 2010 to clarify appropriate use, and to reflect recent changes in AFR best practice. This session will highlight the recent changes and overall use/application of the ERF.

Under the ERF screening process, subproject activities are classified as either: (a) requiring no further environmental review; or (b) requiring at least an environmental review report. The environmental review report resembles a shorter, simplified IEE. Like the IEE, it is equivalent to a "preliminary assessment" in general EIA procedures.

Objectives

Brief the subproject review concept and procedure and the updated Environmental Review Form (ERF). Outline the circumstances under which this process can be employed within AFR projects/programs.

Reference Documents

- Updated AFR *Environmental Review Form* (in this section of the Sourcebook)

Special Topic: Environmental Compliance for Sub-Projects and Sub-Awards

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

SESSION OBJECTIVES

- Understand the subproject concept and the environmental compliance challenge it presents
- Discuss use of the Africa Bureau *Environmental Review Form* (ERF) process for subprojects
- Review the ERF screening process
- Explain preparation of the *Environmental Review Report* (ERR)

WHAT ARE SUBPROJECTS?

SUBPROJECTS ARE…

Smaller activities executed under a larger project or program

e.g., a subgrant program, an "umbrella project"

! Subprojects are a problem for Reg. 216.

WHY?

WHAT IS THE PROBLEM?

1. Subprojects are often not defined when the project is proposed and the IEE written
2. But the first step of any EIA process (including Reg. 216) is understanding the activity!
3. Reg. 216 requires review of activities BEFORE funds are obligated

!

UNDERSTAND THE PROPOSED ACTIVITY

Why is the activity being proposed?

What is being proposed?

SCREEN THE ACTIVITY

Based on the **nature** of the activity what level of environmental review is indicated?

HOW DO WE RESOLVE "PRIOR REVIEW" ISSUE?

TWO CONDITIONS MUST BE MET:

1. General nature of subproject activities must be known.
2. These activities must have low or easily controllable potential adverse impacts.

IF these conditions are met, subproject activities can be approved conditionally.

- *That is, the IEE contains a* ***negative determination with conditions***
- *Condition is that each subproject is subject to simplified environmental review*

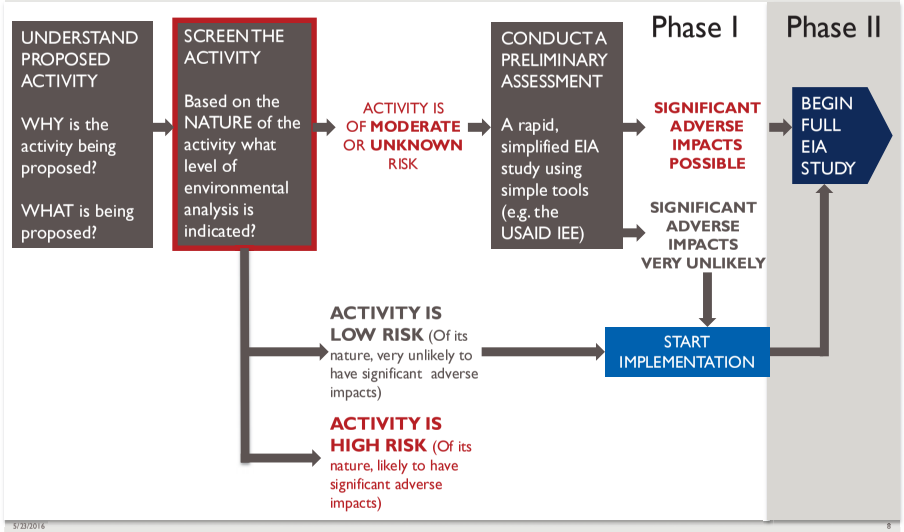
WHAT IS A "SIMPLIFIED ENVIRONMENTAL REVIEW PROCESS"

- The Environmental Review Form (ERF) is the most commonly used subproject review instrument/process.
- The ERF is usually completed by the IP or their sub-grantee.
- ERF was recently updated—included in sourcebook

GETTING STARTED WITH THE ERF

SUBPROJECT REVIEW STARTS THE SAME WAY THAT ALL EIA PROCESSES START…

… UNDERSTAND, THEN SCREEN



SCREENING UNDER SUBPROJECT PROCEDURES

start

1. Is the activity VERY LOW RISK? — YES → IMPLICATION: NO FURTHER REVIEW IS NECESSARY.

NO

2. Is the activity VERY HIGH RISK? — YES → PREPARE ENVIRONMENTAL REVIEW REPORT*
But note that if design is not changed, activity will likely require full EA, or not be funded.

NO

3. Is the activity MODERATE OR UNKNOWN RISK?

Prepare Environmental Review Report

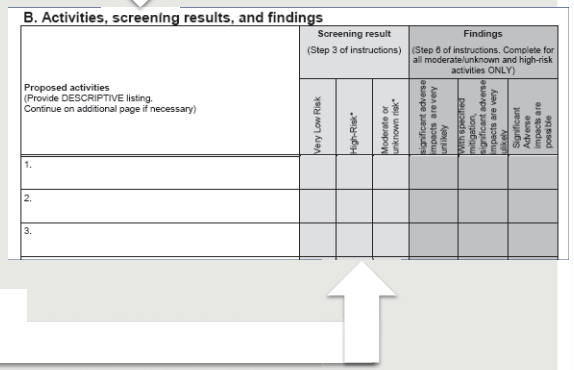
*Environmental Review Report = a "preliminary assessment"

HOW DO WE SCREEN?

THE ENVIRONMENTAL REVIEW FORM (ERF) GUIDES THE PROCESS STEP-BY-STEP:

1. **LIST** each activity
2. **CHECK EACH** activity against **two lists**
   - A list of "very low risk" activities
   - A list of "very high risk" activities
3. **RECORD** the screening result for **each** activity

3 possible results:
very low risk,
very high risk,
moderate/unknown risk



B. Activities, screening results, and findings

Proposed activities (Provide DESCRIPTIVE listing. Continue on additional page if necessary)	Screening result (Step 3 of instructions)			Findings (Step 6 of instructions. Complete for all moderate/unknown and high-risk activities ONLY)		
	Very Low Risk	High-Risk*	Moderate or unknown risk*	Significant adverse impacts are very unlikely	With specified mitigation, significant adverse impacts are very unlikely	Significant Adverse impacts are possible
1.						
2.						
3.						

WHAT IS AN ACTIVITY?

AN ACTIVITY IS:

a desired accomplishment or output

(e.g., a road, seedling production, or river diversion to irrigate land)

Accomplishing an activity requires a set of actions

ACTIVITY:	ACTIONS:
market access road rehabilitation	Survey, grading, culvert construction, compaction, etc.

! Screening is done at the activity level, NOT the action level.

EXAMPLES: VERY LOW, HIGH RISK ACTIVITIES

SOME "VERY LOW RISK" ACTIVITIES

- Education, technical assistance or training (except for activities directly affecting the environment)
- Community awareness initiatives
- Technical studies not involving intrusive sampling of endangered species or critical habitats

SOME "VERY HIGH RISK" ACTIVITIES

- River basin or new lands development
- Planned resettlement of human populations
- Penetration road building
- Drainage of wetlands or other permanently flooded areas

WHAT ABOUT "MODERATE OR UNKNOWN RISK" ACTIVITIES?

By definition, if an activity is

- **NOT "very high risk"**
- **AND NOT "very low risk,"**

THEN it IS "moderate or unknown risk"

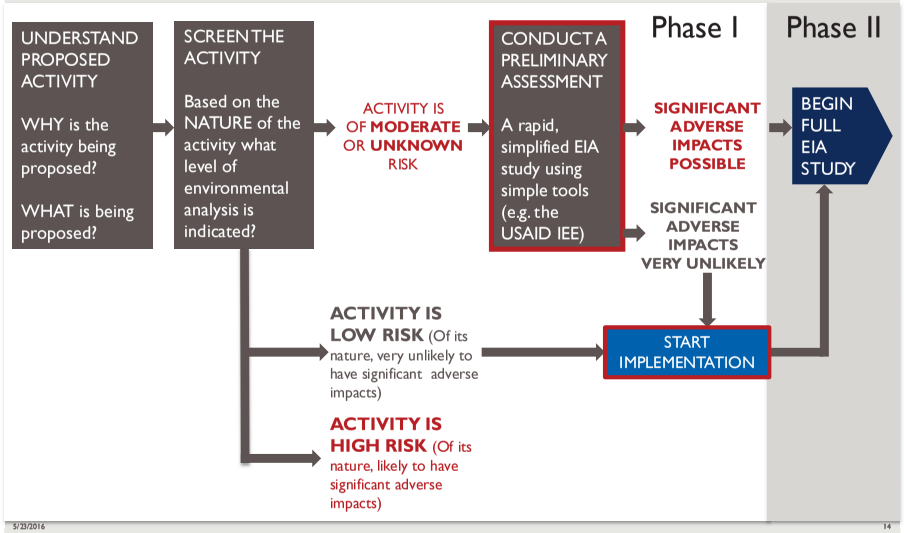
The form lists some REPRESENTATIVE moderate- risk activities

MODERATE-RISK ACTIVITIES INCLUDE…

- Small-scale infrastructure with known potential to cause environmental harm
- Field agricultural experimentation of MORE than 4 ha.

! THIS LIST IS NOT EXHAUSTIVE!

AFTER SCREENING, WHAT NEXT?



AFTER SCREENING, TWO POSSIBILITIES …

1. If all activities are "very low risk," environmental review process ends→ sign and submit!
2. If any activities are:
   - **moderate/unknown risk, or**
   - **very high risk**

an Environmental Review Report (ERR) must be completed.

ENVIRONMENTAL REVIEW REPORT (ERR):

1. Summary of Proposal
2. Description of Activities
3. Site-specific environmental Situation & Host Country Requirements
4. Environmental Issues, Mitigation Actions, and Findings
5. EMMP
6. Other information (photos, references, individuals consulted)

PURPOSE OF ENV. REVIEW REPORT (ERR)

LIKE ANY PRELIMINARY ASSESSMENT THE PURPOSE OF THE ERR IS TO…

Provide documentation and analysis that:

- Allows the preparer to recommend whether or not significant adverse impacts are likely
- Allows the reviewer to agree or disagree with the preparer's recommendations
- Sets out mitigation and monitoring for adverse impacts

WHAT RECOMMENDATIONS RESULT FROM AN ERR?

ERR FINDINGS

For **EACH** activity of:

- **Moderate or unknown risk**
- **Very high risk**

The preparer recommends one of three findings:

ERR FINDINGS:
1. Significant adverse impacts very unlikely
2. With specified mitigation and monitoring, significant adverse impacts very unlikely
3. Significant adverse impacts are possible

FINAL STEPS: THE PREPARER …

- RECORDS the findings
- SIGNS the certification
- SUBMITS the Environmental Review Form & ERR to the COR or AOR
- WAITS for approval before expending any resources on the activity

B. Activities, screening results, and findings

Proposed activities (Provide DESCRIPTIVE listing. Continue on additional page if necessary)	Screening result (Step 3 of instructions)			Findings (Step 6 of instructions. Complete for all moderate/unknown and high-risk activities ONLY)		
	Very Low Risk	High-Risk*	Moderate or unknown risk*	Significant adverse impacts are very unlikely	With specified mitigation significant adverse impacts are very unlikely	Significant Adverse impacts are possible
1.						
2.						
3.						

WHAT ABOUT THE SIGNED CERTIFICATION?

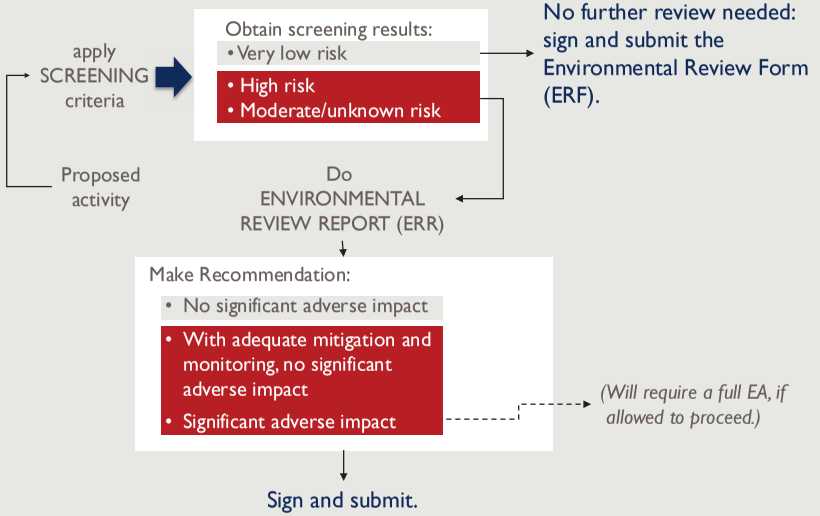
THE CERTIFICATION:

- Affirms that the ERF and ERR are correct and complete
- Commits the IP to implementing the mitigation and monitoring measures specified in the ERR
- Commits the IP to making sure that field staff, managers and partners understand environmentally sound practices for the activities in question

WHO APPROVES?	
C/AOR	Always
MEO	
REA	
BEO	if any screening results are "high risk"*, or if there are any findings of "significant adverse impacts possible"*

*should be very rare

OVERVIEW OF THE ERF AND ERR PROCESS



ADAPTING ERF PROCESS TO PROJECT NEEDS

The ERF is a GENERAL form. It should be adapted each time it is used.

For example:

1. CUSTOMIZE SCREENING LISTS

to reflect specific subproject activities, and specific local environmental issues.

3. DON'T USE THE ERF AT ALL!

Project-specific checklists and other approaches are possible.

2. CREATE "STANDARD MITIGATION" (BEST PRACTICES) FOR SPECIFIC SUBPROJECT ACTIVITIES

- Standard mitigation or best practices for specific activities can save the effort of drafting repetitive ERRs
- Such activities *could* fall into a fourth screening category: "moderate risk with standard mitigation" …

  Activities in this fourth category would not require an ERR, but would be required to follow the standard mitigation measures developed by the project

Note to USAID Staff, Consultants & Partners Regarding the: Africa Bureau ENVIRONMENTAL REVIEW FORM & INSTRUCTIONS

Appropriate use

1. The Environmental Review Form (ERF) can only be used when and as specifically authorized by the IEE or EA governing the project or program in question. For IEEs, this authorization is made in the form of a negative determination with conditions. *Authorized use of the ERF is limited to the specific class of activities enumerated in the determination.*

2. The BEO will not clear an IEE or EA that authorizes use of the ERF unless ALL of the following are true:

a. **the general nature or potential scope of the activities for which the ERF will be used are known** at the time the IEE is written (e.g. small infrastructure rehabilitation, training and outreach for a specified purpose, etc.).

b. **these activities will be executed under a grant or subproject component of a parent project/program.** The ERF cannot be used in lieu of a request for categorical exclusion, IEE or IEE amendment when new activities/components are to be added to existing projects, programs or sector portfolios.

c. of their general nature, **foreseeable adverse environmental impacts are small or easily controllable with BASIC MITIGATION TECHNIQUES that can BE SUCCESSFULLY IMPLEMEMENTED BY FIELD STAFF.**

d. of their general nature, the **activities are NOT large-scale.**

There is no formal AFR standard for "small-scale activities." Over time, AFR has developed some "rules of thumb" for activities that are BOTH small-scale AND pose very low risks of significant adverse impacts. These are used in the ERF itself: e.g. construction involving less than 10,000 sq ft total disturbed area and less than $200,000 total cost; road rehabilitation of less than 10km total length without change to alignment or right-of-way. Activities moderately larger than these "rules of thumb" are also small-scale, but are treated by the ERF as being of moderate/unknown risk, thus requiring an environmental review report.

What does "moderately larger" mean? What about activities for which there is no "rule of thumb" built into the ERF? Absolute physical scale and funding level, physical scale relative to the surrounding built environment, population affected, and number of locations affected are among the factors relevant to determining whether a class of activities is "small scale." The IEE must provide enough information for the BEO to assess whether the activities proposed for subproject review will be indeed be small scale within their implementation context.

Adaptation of the form

1. Text in **UNDERLINE & BLUE HIGHLIGHT** **MUST** be customized to the particular project/mission.
2. Yellow highlighted text must be reviewed and then modified, deleted or retained, as appropriate.
3. Both the form AND instructions should be generally reviewed and modified to reflect the specific project/program and implementation context.
4. The adapted form and instructions must be appended to the Initial Environmental Examination for the overall project.
5. For NRM-oriented programs (especially those involving CBNRM, ecotourism, enterprises exploiting non-timber forest products, etc.) consider adaptation and use of the Supplemental Environmental Review Form for NRM sector activities.

Questions and Guidance

General guidance on subproject review is available on the MEO Resource Center at www.encapafrica.org/meoEntry.htm. For specific questions, contact the Mission Environmental Officer or Regional Environmental Advisor. Good-practice examples of completed forms, environmental review reports and environmental management plans are available from USAID/AFR's ENCAP project: encapinfo@cadmusgroup.com; www.encapafrica.org.

Revision history:

Major update on 24 June 2010 to clarify appropriate use, revise Env Review Report structure, and update clearance requirements. Formatting and presentation revised 17 Jan 2005. Revised April 13, 2004, to include biosafety considerations and better reflect the Supplemental Environmental Review Form for NRM sector activities.

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Instructions for environmental review of XXX Program Subprojects/Sub-grants

Note: *These instructions accompany the attached "Environmental Review Form for USAID/XXX Program/Project Activities" (ERF).* ***Follow, but DO NOT SUBMIT, these instructions.***

Who must submit the Environmental Review Form (ERF)?

ALL Implementing Partners seeking to implement [describe qualifying activities] under the XXX Program/Project must complete, sign and submit the ERF to [insert name & email of C/AOTR].

Authority: Use of the ERF for these activities is mandated by the governing Initial Environmental Examination (IEE) for the XXX Project/Program. The IEE can be downloaded at: *[insert URL]*.

No implementation without an approved ERF

The proposed activities cannot be implemented and no "irreversible commitment of resources" for these activities can be made until the ERF (including Environmental Review Report, if required, see Step 4, below) is cleared by the C/AOTR, the Mission Environmental Officer (MEO) and the Regional Environmental Advisor (REA).

NOTE: USAID may deny clearance to the ERF, or may require modification and re-submission for clearance.

Environmental management requirements resulting from the ERF

If the ERF requires preparation of an Environmental Review Report (see Step 4, below), any environmental management measures specified in the approved Environmental Review Report MUST be implemented.

Situations in which additional environmental review is required.

If the ERF finds that one of more of the proposed activities has the potential to cause significant adverse environmental impacts, the activities must be redesigned or an IEE or full Environmental Assessment must be conducted and approved prior to implementation.

If USAID determines that the proposed activities are outside the scope of activities for which use of this form is authorized, the activities must be redesigned or an IEE or IEE Amendment will be required.

In either situation, USAID will confer with the partner to determine next steps. Note: If an IEE or EA is required, all environmental management measures specified in the IEE or EA must then be implemented.

Step 1. Provide requested "Applicant information" (Section A of the ERF)

Step 2. List all proposed activities

In Section B of the form, list all proposed activities.

Activities are a desired accomplishment or output: e.g. seedling production, road rehabilitation, school construction. Each activities has entailed *actions*—for example, road rehabilitation includes survey, grading, culvert construction, compaction, etc. *Be aware of these entailed actions, but do NOT list them.*

List activities DESCRIPTIVELY. For example, "training" is not a sufficient activity listing. The listing must specify WHO is being trained, and in WHAT.

Step 3a. Screening: Identify low-risk and high-risk activities

For *each* activity you have listed in Section B of the form, refer to the list below to determine whether it is a listed low-risk or high-risk activity.

If an activity is specifically identified as "very low risk" or "high risk" in the list below, indicate this in the "screening result" column in Section B of the form.

Very low-risk activities (Activities with low potential for adverse biophysical or health impacts; including §216.2(c)(2))	**High-risk activities** (Activities with high potential for adverse biophysical or health impacts; including §216.2(d)(1))
Provision of education, technical assistance, or training. (Note that activities directly affecting the environment. do not qualify.) **Community awareness** initiatives. **Controlled agricultural experimentation** exclusively for the purpose of research and field evaluation confined to small areas (normally under 4 ha./10 acres). This must be carefully monitored and no protected or other sensitive environmental areas may be affected). **Technical studies and analyses** and other information generation activities not involving intrusive sampling of endangered species or critical habitats. **Document or information transfers**. **Nutrition, health care or family planning**, EXCEPT when (a) some included activities could directly affect the environment (construction, water supply systems, etc.) or (b) biohazardous (esp. HIV/AIDS) waste is handled or blood is tested. **Small-scale construction.** Construction or repair of facilities if total surface area to be disturbed is under 10,000 sq. ft. (approx. 1,000 sq. m.) (and when no protected or other sensitive environmental areas could be affected). **Intermediate credit.** Support for intermediate credit arrangements (when no significant biophysical environmental impact can reasonably be expected). **Maternal and child feeding** conducted under Title II of Public Law 480. **Title II Activities.** Food for development programs under Title III of P.L. 480, when no on-the-ground biophysical interventions are likely. **Capacity for development.** Studies or programs intended to develop the capability of recipients to engage in development planning. (Does NOT include activities directly affecting the environment) **Small-scale Natural Resource Management activities** for which the answer to ALL SUPPLEMENTAL SCREENING QUESTIONS (see *Natural Resources supplement*) is "NO."	**River basin development** **New lands development** **Planned resettlement** of human populations. **Penetration road building, or rehabilitation** of roads (primary, secondary, some tertiary) over 10 km length, and any roads which may pass through or near relatively undegraded forest lands or other sensitive ecological areas **Substantial piped water supply and sewerage** construction. **Major bore hole or water point construction.** **Large-scale irrigation; Water management structures** such as dams and impoundments **Drainage of wetlands** or other permanently flooded areas. **Large-scale agricultural mechanization.** **Agricultural land leveling.** **Procurement or use of <u>restricted use</u> pesticides**, or wide-area application in non-emergency conditions under non-supervised conditions. (Consult MEO.) **Light industrial plant production or processing** (e.g., sawmill operation, agro-industrial processing of forestry products, tanneries, cloth-dying operations). **<u>High-risk and typically not funded by USAID:</u>** **Actions affecting protected areas and species.** Actions determined likely to significantly degrade protected areas, such as introduction of exotic plants or animals. Actions determined likely to jeopardize threatened & endangered species or adversely modify their habitat (esp. wetlands, tropical forests) **Activities in forests, including:** ▪ **Conversion of forest lands** to rearing of livestock ▪ **Planned colonization of forest** lands ▪ **Procurement or use of timber harvesting equipment** ▪ **Commercial extraction of timber** ▪ **Construction of dams** or other water control structures that flood relatively undegraded forest lands ▪ **Construction, upgrading or maintenance of roads** that pass through relatively non-degraded forest lands. (Includes temporary haul roads for logging or other extractive industries)

(This list of activities is taken from the text of 22 CFR 216 and other applicable laws, regulations and directives)

Step 3b: Identifying activities of unknown or moderate risk.

All activities NOT identified as "very low risk" or "very high risk" are considered to be of "unknown or moderate risk." Common examples of moderate-risk activities are given in the table below.

Check "moderate or unknown risk" under screening results in Section B of the form for ALL such activities.

Common examples of moderate-risk activities

CAUTION:
If ANY of the activities listed in this table may adversely impact (1) protected areas, (2) other sensitive environmental areas, or (3) threatened and endangered species and their habitat, THEY ARE NOT MODERATE RISK. All such activities are HIGH RISK ACTIVITIES.

Small-scale agriculture, NRM, sanitation, etc. (You may wish to define what "small scale" means for each activity)

Agricultural experimentation. Controlled and carefully monitored agricultural experimentation exclusively for the purpose of research and field evaluation of MORE than 4 ha.

> **NOTE Biotechnology/GMOs:** No *biotechnology testing or release* of any kind are to take place within an assisted country until the host countries involved have drafted and *approved* a regulatory framework governing biotechnology and biosafety.
>
> All USAID-funded interventions which involve biotechnologies are to be informed by the ADS 211 series governing "Biosafety Procedures for Genetic Engineering Research". In particular this guidance details the required written approval procedures needed before transferring or releasing GE products to the field.

Medium-scale construction. Construction or rehabilitation of facilities or structures in which the surface area to be disturbed exceeds 10,000 sq. ft (1000 sq meters) but funding level is $200,000 or less. (E.g. small warehouses, farm packing sheds, agricultural trading posts, produce market centers, and community training centers.)

Rural roads. Construction or rehabilitation of rural roads meeting the following criteria:

- Length of road work is less than ~10 km
- No change in alignment or right of way
- Ecologically sensitive areas are at least 100 m away fr om the road and not affected by construction or changes in drainage.
- No protected areas or relatively undegraded forest are within 5 km of the road.

Title II & III Small-Scale Infrastructure. Food for Development programs under Title II or III, involving small-scale infrastructure with the known potential to cause environmental harm (e.g., roads, bore holes).

Quantity imports of commodities such as fertilizers

Sampling. Technical studies and analyses or similar activities that could involve intrusive sampling, of endangered species or critical habitats. (Includes aerial sampling.)

Water provision/storage. Construction or rehabilitation of small-scale water points or water storage devices for domestic or non-domestic use. Water points must be located where no protected or other sensitive environmental areas could be affected.

> **NOTE**: USAID guidance on water quality requires testing for arsenic, nitrates, nitrites and coliform bacteria.

Support for intermediate credit institutions when indirect environmental harm conceivably could result.

Institutional support grants to NGOs/PVOs when the activities of the organizations are known and may reasonably have adverse environmental impact.

Pesticides. . Small-scale use of USEPA-registered, least-toxic general-use pesticides. Use must be limited to NGO-supervised use by farmers, demonstration, training and education, or emergency assistance.

> **NOTE**: Environmental review (see step 5) must be carried out consistent with USAID Pesticide Procedures as required in Reg. 16 [22 CFR 216.3(b)(1)].

Nutrition, health care or family planning, if (a) some included activities could directly affect the environment (e.g., construction, supply systems, etc.) or (b) biohazardous healthcare waste (esp. HIV/AIDS) is produced, syringes are used, or blood is tested.

Step 4. Determine if you must write an Environmental Review Report

Examine the "screening results" as you have entered them in Table 1 of the form.

i. If ALL the activities are "very low risk," then no further review is necessary. In Section C of the form, check the box labeled "very low risk activities." Skip to Step 8 of these instructions.

ii. If ANY activities are "unknown or moderate risk," you MUST complete an ENVIRONMENTAL REVIEW REPORT addressing these activities. Proceed to Step 5.

iii. If ANY activities are "high risk," note that USAID's regulations usually require a full environmental assessment study (EA). Because these activities are assumed to have a high probability of causing significant, adverse environmental impacts, they are closely scrutinized. *Any* proposed high-risk activity should be discussed in advance with USAID. Activity re-design is often indicated.

In some cases, it is possible that reasonable, achievable mitigation and monitoring can reduce or eliminate likely impacts so that a full EA will not be required. If the applicant believes this to be the case, the Environmental Review Report must argue this case clearly and thoroughly. Proceed to Step 5.

Step 5. Write the Environmental Review Report, if required

The Environmental Review Report presents the environmental issues associated with the proposed activities. It also documents mitigation and monitoring commitments. Its purpose is to allow the applicant and USAID to evaluate the likely environmental impacts of the project.

For a single, moderate risk activity, the Environmental Review Report is typically a SHORT 4–5 page document. The Report will typically be longer for (1) multiple activities; (2) activities of high or unknown risk; and/or (3) when a number of impacts and mitigation measures are being identified and discussed.

The Environmental Review Report follows the outline below. Alternate outlines are acceptable, so long as all required information is covered.

A. **Summary of Proposal.** Very briefly summarize background, rationale and outputs/results expected. (Reference proposal, if appropriate).

B. **Description of Activities.** For all moderate and high-risk activities listed in Section B of the ERF, succinctly describe location, siting, surroundings (include a map, even a sketch map). Provide both quantitative and qualitative information about actions needed during all project phases and who will undertake them. (All of this information can be provided in a table). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these.

C. **Site-specific Environmental Situation & Host Country Requirements.** Describe the environmental characteristics of the site(s) where the proposed activities will take place. Focus on site characteristics of concern—e.g., water supplies, animal habitat, steep slopes, etc. With regard to these critical characteristics, is the environmental situation at the site degrading, improving, or stable?

Also note applicable host country environmental regulations and/or policies. (For example, does the project require host country environmental review or permitting? Building approval? Etc.)

NOTE: provide site-specific information in this section, NOT country-level information. General information about country level conditions should already be contained in the IEE governing the XXX project/program.

D. Environmental Issues, Mitigation Actions, and Findings. For ALL proposed activities

i. Briefly note the potential environmental impacts or concerns presented by the proposed activities (if any). *For guidance, refer to Africa Bureau's Environmental Guidelines for Small-Scale Activities; available at www.encapafrica.org/egssaa.htm.*

As per the *Small-Scale Guidelines*, consider direct, indirect and cumulative impacts across the activity lifecycle (i.e. impacts of site selection, construction, and operation, as well as any problems that might arise with abandoning, restoring or reusing the site at the end of the anticipated life of the

facility or activity). Note that "environment" includes air, water, geology, soils, vegetation, wildlife, aquatic resources, historic, archaeological or other cultural resources, people and their communities, land use, traffic, waste disposal, water supply, energy, etc.)

ii. Assess the extent to which these *potential* impacts and concerns are significant in the context of the specific activity design and site.

iii. Set out the mitigation actions to be employed to address these issues.

Mitigation actions are means taken to avoid, reduce or compensate for impacts. Mitigation measures must be reasonable and implementable by field staff. They should be consistent with the good practice guidance provided in Africa Bureau's Environmental Guidelines for Small-Scale Activities; (www.encapafrica.org/egssaa.htm.) Cite this or other guidance used for mitigation design.

iv. Reach one of three findings regarding the potential impacts:

a. Significant adverse impacts are very unlikely. Of its nature, the activity in question is very unlikely to result in significant, adverse environmental impacts. Special mitigation or monitoring is not required.
Note: this conclusion is rarely appropriate for high-risk activities.

b. With implementation of the specified mitigation and monitoring, significant adverse impacts are very unlikely.

c. Significant adverse impacts are possible. That is, it is not possible to rule out significant adverse environmental impacts even given reasonable, attainable mitigation and monitoring.

In this case, USAID and the partner will consult regarding next steps. If the activity is to go forward in its current form, additional analysis in the form of an IEE or EA will be required.

Format and structure of this section. Choose a format and structure that presents the necessary information clearly and succinctly.

Table formats can be used. In the example below, the proposed activity was construction of an institutional facility on a 7500m3 plot bisected by a seasonal stream providing drainage to the local area. One potential impact of the activity was reduction of or alteration to the drainage eco-service provided by the seasonal stream.

Issue or cause for concern	Analysis	Finding and conditions/mitigation actions
The seasonal stream running through the plot drains an area of at least 2 km^2 to the WNW. Diminution or alteration to this drainage "service" could result in increased upstream pooling & flooding during the rainy season, with associated property damage and increased breeding habitat for disease vectors.	As indicated at left, this impact only arises if the drainage "service " provided by the seasonal stream is diminished or altered in some adverse manner. So long as compound design maintains the existing service level and construction is managed without disruption to stream flow, actual adverse impact will be negligible or zero.	Per analysis at left, this potential impact is not significant, so long as the following mitigations are implemented: 1. Total stream capacity cannot be diminished by the development of the compound. (Stream channel on average is 3m x 1m.) 2. The stream must remain substantially in the same channel and cannot, e.g., be re-routed around the property. 3. If construction will result in an interruption to stream flow, provision must be made to provide a temporary bypass. Temporary damming of stream flow is not permissible. 4. Post-construction, the stream bed within the property, including point-of-entry (e.g. via culvert under perimeter wall) must be maintained free of obstructions to flow.

E. Environmental Mitigation and Monitoring Plan (EMMP). Set out how compliance with mitigation actions will be monitored/verified. This includes specifying WHO will be responsible for the various mitigation actions, and HOW implementation of the mitigation actions will be tracked/verified.

Also specify how you will report to USAID on the implementation of mitigation actions. (You are REQUIRED to provide your C/AOTR with sufficient information on the status of mitigation implementation for USAID to effectively fulfill its oversight and performance monitoring role.)

Again, choose a format and structure that presents the necessary information clearly and succinctly. EMMPs are typically in table format, and often include a compliance log or "monitoring record" section that records implementation status of the various mitigation actions. The EMMP with current monitoring log can then simply be submitted to the C/AOTR with the quarterly or 6-month project report, satisfying the environmental compliance reporting requirement. .

The most basic EMMP format is

Mitigation action	Responsible Party	Monitoring/Verification Method	Monitoring Record (date, result, corrective actions taken, if any)

For additional EMMP formats and examples, see the ENCAP EMMP factsheet, available via www.encapafrica.org/meoEntry.htm

F. **Other Information**. Where possible and as appropriate, include photos of the site and surroundings; maps; and list the names of any reference materials or individuals consulted.

(Pictures and maps of the site can substantially reduce the written description required in parts B & C)

Step 6. Transcribe findings from the Environmental Review Report to the ERF

For each high-risk or unknown/moderate-risk activity, transcribe your finding from the environmental review report to the last column of Section B of the ERF.

Step 7. Sign certifications (Section C of former.)

Step 8. Submit form to USAID C/AOTR. Be sure to attach the Environmental Review Report, if any.

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Environmental Review Form for XXX Program subprojects/subgrants

Follow, but do not submit, the attached instructions.

A. Applicant information

Organization	Parent grant or project
Individual contact and title	Address, phone & email (if available)
Proposed subproject /subgrant (brief description)	Amount of funding requested
	Period of performance
	Location(s) of proposed activities

B. Activities, screening results, and findings

Proposed activities (Provide DESCRIPTIVE listing. Continue on additional page if necessary)	**Screening result** (Step 3 of instructions)			**Findings** (Step 6 of instructions. Complete for all moderate/unknown and high-risk activities ONLY)		
	Very Low Risk	High-Risk*	Moderate or unknown risk*	significant adverse impacts are very unlikely	With specified mitigation, significant adverse impacts are very ulikelv	Significant Adverse impacts are possible
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						

*These screening results require completion of an Environmental Review Report

C. Certification:

I, the undersigned, certify that:

1. The information on this form and accompanying environmental review report (if any) is correct and complete.
2. Implementation of these activities will not go forward until specific approval is received from the C/AOTR.
3. All mitigation and monitoring measures specified in the Environmental Review Report will be implemented in their entirety, and that staff charged with this implementation will have the authority, capacity and knowledge for successful implementation.

(Signature) _____ (Date) _____

(Print name) _____ (Title) _____

Note: if screening results for *any activity* are "high risk" or "moderate or unknown risk," this form is not complete unless accompanied by an environmental review report.

BELOW THIS LINE FOR USAID USE ONLY

Notes:

1. For clearance to be granted, the activity MUST be within the scope of the activities for which use of the ERF is authorized in the governing IEE. **Review IEE before signature.** If activities are outside this scope, deny clearance and provide explanation in comments section. The Partner, C/AOTR, MEO and REA must then confer regarding next steps: activity re-design, an IEE or EA.

2. Clearing an ERF containing one or more findings that **significant adverse impacts are possible** indicates agreement with the analysis and findings. It does NOT authorize activities for which "significant adverse impacts are possible" to go forward. It DOES authorize other activities to go forward. The Partner, C/AOTR, MEO and REA must then confer regarding next steps: activity re-design, an IEE or EA.

Clearance record

C/AOTR ☐ Clearance given ☐ Clearance denied	(print name)	(signature)	(date)
USAID/XXXX MEO ☐ Clearance given ☐ Clearance denied	(print name)	(signature)	(date)
Regional Env. Advisor (REA) ☐ Clearance given ☐ Clearance denied	(print name)	(signature)	(date)
Bureau Env. Officer (BEO)* ☐ Clearance given ☐ Clearance denied	(print name)	(signature)	(date)

C/AOTR, MEO and REA clearance is required. BEO clearance is required for all "high risk" screening results and for findings of "significant adverse impacts possible. The BEO may review "

Note: if clearance is denied, comments must be provided to applicant (use space below & attach sheets if necessary)

Note to individuals adapting the:

* Supplemental Environmental Review Form for NRM Activies

for use on a particular program/activity:

- This supplement is oriented around major resource/issue clusters and asks “leading questions” about the actual potential for unintended harmful impacts, especially of CBNRM/ ecotourism activities.
- **Underlined & blue** highlighted text MUST be modified to reflect project and mission name
- Questions should be modified to respond to the needs of individual projects. This is intended to be a “living” document subject to adaptation.

DELETE THIS PAGE BEFORE MODIFYING/DISTRIBUTING THIS FORM

Supplement to the Environmental Review Form for Natural Resources Activities

Additional Screening Criteria for Natural Resource Activities under XXX Progam

Purpose

This is a supplement to the "Instructions for environmental review of XXX Program/Project activities." It is to be used for natural *resources-based activities*, including:

- Community-Based Natural Resource Management (CBNRM)
- Ecotourism
- Natural resources-based enterprise development with micro- and small enterprises

This supplement provides additional questions to ascertain whether these proposed activities should be categorized as "very low risk:"

- If the answers to ALL the questions that follow are "NO," then the proposed natural resource-based activity is considered "very low risk."
- If the answer to ANY question is "YES," the activity CANNOT be considered "very low risk."

Screening criteria

Will the activities…	YES	NO
Natural Resources		
Accelerate erosion by water or wind?		
Reduce soil fertility and/or permeability?		
Alter existing stream flow, reduce seasonal availability of water resources?		
Potentially contaminate surface water and groundwater supplies?		
Involve the extraction of renewable natural resources?		
Lead to unsustainable use of renewable natural resources such as forest products?		
Involve the extraction of non-renewable natural resources?		
Restrict customary access to natural resources?		
Reduce local air quality through generating dust, burning of wastes or using fossil fuels and other materials in improperly ventilated areas?		
Affect dry-season grazing areas and/or lead to restricted access to a common resource?		
Lead to unsustainable or unnecessarily high water extraction and/or wasteful use?		
Ecosystems and Biodiversity		
Drain wetlands, or be sited on floodplains?		
Harvest wetland plant materials or utilize sediments of bodies of water?		
Lead to the clearing of forestlands for agriculture, the over-harvesting of valuable forest species?		
Promote in-forest bee keeping?		
Lead to increased hunting, or the collection of animals or plant materials?		
Increase the risks to endangered or threatened species?		
Introduce new exotic species of plants or animals to the area?		
Lead to road construction or rehabilitation, or otherwise facilitate access to fragile areas (natural woodlands, wetlands, erosion-prone areas)?		

Will the activities…	**YES**	**NO**
Cause disruption of wildlife migratory routes?		
Agricultural and Forestry Production		
Have an impact on existing or traditional agricultural production systems by reducing seed availability or reallocating land for other purposes?		
Lead to forest plantation harvesting without replanting, the burning of pastureland, or a reduction in fallow periods?		
Affect existing food storage capacities by reducing food inventories or encouraging the incidence of pests?		
Affect domestic livestock by reducing grazing areas, or creating conditions where livestock disease problems could be exacerbated?		
Involve the use of insecticides, herbicides and/or other pesticides?		
Community and Social Issues		
Have a negative impact on potable water supplies?		
Encourage domestic animal migration through natural areas?		
Change the existing land tenure system?		
Have a negative impact on culturally important sites in the community?		
Increase in-migration to the area?		
Create conditions that lead to a reduction in community health standards?		
Lead to the generation of non-biodegradable waste?		
Involve the relocation of the local community?		
Potentially cause or aggravate land-use conflicts?		

Session 14.
Special Topic: ESDM for Construction Activities
Technical presentation and dialogue

Summary

Many types of development projects — housing, sanitation, water supply, roads, schools, community centers, storage silos healthcare, energy — involve some form of small-scale construction. This session will address these types of activities and any similar small-scale construction particularly relevant to the implementation of USAID programs in Kenya and East Africa.

Construction encompasses one or more of a set of diverse activities: demolition; site-clearing; grading, leveling, and compacting soil; excavating; laying pipe; installing equipment; or erecting structures. The development benefits of construction come not from the construction itself, but from the buildings and infrastructure that are its result. The details of the construction carried out in support of any particular development activity or site will have a number of specific characteristics. Construction activities in general, however, share a set of common features and potential adverse environmental impacts. This session addresses a number of these common elements.

Construction activities may cause both direct and indirect adverse environmental impacts. An example of a direct impact is the filling of a wetland to use as a project site. Indirect impacts are induced changes in the environment, population, and use of land and environmental resources. Examples of indirect impacts include:

- In-migration of population to take advantage of new infrastructure such as schools or health posts;
- Effects on fish spawning associated with siltation of streams from soil erosion at a construction site;
- The spread of disease from insect vectors breeding in flooded and abandoned quarries and borrow pits (areas from which construction materials were excavated, or “borrowed”).

USAID funded facilities, buildings, and infrastructure must be designed and constructed to appropriate engineering standards to minimize risk to humans and the natural environment. This briefing is intended to identify key issues and illustrate potential mitigation measures associated with the construction activities.

Objectives

Brief the environmental, economic, and human health concerns attendant to construction activities, and review requirements and procedures for USAID-supported construction activities.

Reference Documents

- USAID Small-Scale Construction Sector Environmental Guidelines (http://usaidgems.org/Documents/SectorGuidelines/SectorEnvironmentalGuidelines_Construction_2014.pdf)
- USAID Construction Visual Field Guide (http://usaidgems.org/Documents/VisualFieldGuides/ENCAP_VslFldGuide--Construction_22Dec2011.pdf)

Session 14 PowerPoint Placeholder

Session 15.
Environmental Compliance/ESDM Knowledge Game
Facilitated Team Competition

Summary

We have now examined, discussed, and/or practiced the following workshop topics:

1. The objectives of Environmentally Sound Design and Management (ESDM); the Environmental Impact Assessment (EIA) process and the development and application of fundamental EIA skills.
2. The implementation of USAID Environmental Procedures and purpose and structure of EMMPs.
3. The importance of environmental indicators and monitoring for environmental compliance.

These components constitute the portion of the workshop dealing with core technical skills and knowledge. We will now play an environmental compliance/ESDM knowledge game to review key concepts related to core technical skills and knowledge. The game will take the form of a competition among small teams.

Further discussion of core content will occur in our "Parking Lot" session, in which outstanding technical issues will be resolved.

Game Briefing

Teams
Four (4) or five (5) teams with 6-8 persons/team; each team includes one non-participant recorder.

"Performance Assessment aligns with Programming Framework":
Three (3) rounds of five (5) multiple-choice/fill-in-the-blank questions each; questions in each round correspond to core agenda topics and assess the objectives of that component. Questions increase in difficulty as the rounds progress.

Democracy and Governance
Teams must operate by consensus, reaching unanimous agreement on each answer.

Monitoring and Evaluation
The recorder for each team will verify consensus for each answer by show of hands and record the answer on the answer sheet. Recorders will verify that no books, notes, laptop computers or other electronic devices are employed to assist in answering questions.

Each team's scores will be tabulated by an independent party (e.g., Assistant Emcee) at the conclusion of each around. Scoring by the independent party is final.

"Results Framework"

- First team to complete all questions in a round receives the most bonus points. Each subsequent team: 2 points less; last team receives no bonus. Any team working when time is called receives no bonus.
- Each correct answer: 5 points.
  [*NOTE: some questions have more than one element/choice. EACH correct element/response is worth 5 points*.]
- Each incorrect answer: 3-point DEBIT.
  [*NOTE: multiple wrong answers on a question result in multiple debits.*]
- No answer: 0 points.
- All answers in a round correct: 10-point bonus.
- Each round is time-limited at 12 minutes.
- Team scores will be posted to the front and updated after each round.

Implementation Procedures

1. MC briefs the game (contents of this session summary). Time pressure is part of the exercise!
2. Assistant MC assigns teams and recorders. Members of each team cluster together.
3. Deputize recorders.
4. Teams can briefly discuss strategy and elect captains.
5. MC asks recorders to confirm that all training materials and electronic aids are closed/off.
6. Distribute Round 1 questions to team recorders.
7. MC starts the 1st round; recorders open the envelopes and distribute questions. Teams begin.
8. Recorders blow their whistle/noisemaker when their team finishes.
9. Assistant MC records order in which teams finish.
10. Round concludes after 12 minutes, or when all teams are finished, whichever is first.
11. Assistant MC tabulates scores for each team; they are posted at the front.
12. Repeat steps 6-11 for the subsequent two rounds.
13. After three rounds, grand winner is declared and prizes are awarded.

In the event of a tie, a "sudden death" round of "special topic" questions will follow.

Session 16 Placeholder

Session 17.
Roles, Responsibilities and Resources

Technical presentation and dialogue

Summary

Now that we understand the importance of ESDM and environmental compliance in project implementation, we may wonder how our job or position fits into this process. This session explains key roles and responsibilities of USAID staff and IPs, and summarizes a number of important concepts introduced throughout the workshop. *All concern the processes, roles and responsibilities for environmental compliance in missions and operating units.*

Key topics are:

- How environmental compliance is mainstreamed (integrated throughout) Agency operations by the Automated Directives System (ADS).
- The roles and responsibilities of USAID staff and IPs with respect to the environmental compliance of USAID projects.
- The importance of incorporating best-practice Environmental Compliance Language (ECL) in solicitations and awards and the benefits of using the ECL tool for this purpose.
- Resources available to support environmental compliance and ESDM.

IP and USAID environmental compliance roles and responsibilities post-award are summarized in the following table:

Project stage	Implementing Partner	USAID
Workplan & PMP Development	Develops EMMP Integrates EMMP into budget and workplan Determines environmental compliance reporting	Review and approval of: 1. the EMMP (for responsiveness to IEE/EA conditions and sufficiency of monitoring); 2. the budget/workplan (to verify that EMMP implementation is planned and funded); and 3. the reporting framework to assure that environmental reporting requirements are met.
Implementation	Implementation of EMMP Reporting on EMMP implementation	Ongoing review of partner progress reports to monitor EMMP implementation Field visits—at a minimum, all visits should integrate a quick check for significant environmental design/ management problems. For environmentally sensitive activities, specific visits should be made to verify EMMP implementation.

Objective

Understand environmental compliance roles and responsibilities of USAID staff and IPs and the tools and resources available to facilitate environmental compliance.

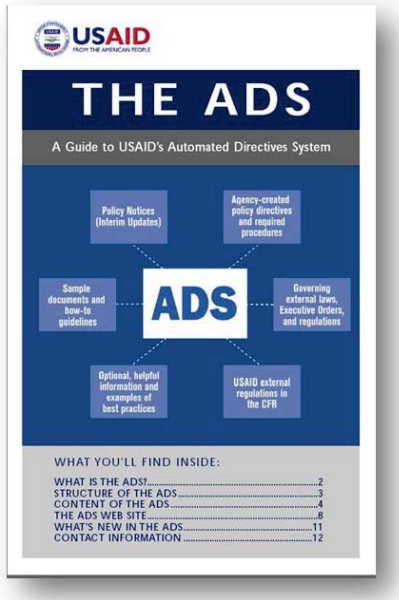
Roles, Responsibilities & Resources

GEMS Environmental Compliance-ESDM Training Series

Kenya ▪ June, 2016

ENVIRONMENTAL COMPLIANCE & THE AUTOMATED DIRECTIVES SYSTEM (ADS)

- USAID's Automated Directives System (ADS) sets out mandatory procedures, roles & responsibilities for:
  - "Upstream compliance:" Design & 22 CFR 216 process.
  - "Downstream compliance:" implementing IEE & EA conditions.



ENVIRONMENTAL COMPLIANCE & THE ADS

ADS 204 ("ENVIRONMENTAL PROCEDURES") IS THE CORE ADS REFERENCE. BUT ENVIRONMENTAL COMPLIANCE IS MAINSTREAMED THROUGHOUT THE ADS.

Overarching requirement: Operating units must have systems in place for environmental compliance over life of project & must make sufficient resources available for this purpose

(204.3.4)

COMPLIANCE REQUIREMENT	RESPONSIBLE PARTIES	ADS REFERENCE
Environmental considerations in activity planning	Team Leaders, Activity Managers	201.3.16.3.b 204.3.3
No activity implemented without approved Reg. 216 environmental documentation	COR/AOR/ Activity Manager	201.3.16.16.4.i 204.3.1 204.3.3.b 303.3.2.e
IEE & EA conditions incorporated into procurement instruments	COR/AOR/ Activity Manager; Agreement Officer	204.3.4.a.6 303.3.6.2e
IEE & EA conditions are implemented, and implementation is monitored & adjusted as necessary	COR/AOR	202.3.6; 204.3.4.b 303.2.f
Environmental compliance documentation is maintained	PO, COR/AOR, Team Leader, MEO	202.3.4.6

A NOTE ABOUT RECORD KEEPING

- Approved 22 CFR 216 documents are kept in two places
  - in official project files maintained by C/AOR
  - in official BEO files
- 22 CFR 216.10 makes all of these available to the public
  - Agency-wide searchable database of all Reg. 216 docs approved since 2000: http://gemini.info.usaid.gov/egat/envcomp/
- Annual reporting is required

MISSION ENVIRONMENTAL OFFICER

- At each USAID Mission …
  - *USAID/Kenya = Wilkister Magangi*
- Quality Assurance/Quality Control reviewer for Reg. 216 docs
- Clears Reg. 216 docs before they go to Mission Director
- Mission compliance advisor and coordinator; assists in compliance monitoring
- Mission point of contact to Regional Env. Advisor and Bureau Environmental Officer

REGIONAL ENVIRONMENTAL ADVISOR

- Based in regional Missions
  - *USAID/East Africa = David Kinyua*
- Environmental compliance technical assistance to Missions
- Provides quality assurance and quality control of Reg. 216 documentation before it goes to the Bureau Environmental Officer

BUREAU ENVIRONMENTAL OFFICERS

- Based in Washington, D.C.
  - *USAID/AFR = Brian Hirsch*
- Oversee environmental compliance in their Bureau
- Primary decision makers on 22 CFR 216 threshold decisions for activities under the purview of their Bureau

SECTOR TEAMS & MISSION MANAGEMENT

CORS/AORS & ACTIVITY MANAGERS

Ensure Reg. 216 documentation in place. Ensure IEE/EA conditions & compliance requirements incorporated into procurement instruments. Monitor compliance with IEE/EA conditions & modify or end activities not in compliance.

Primary Responsibility for Environmental Compliance

TEAM LEADERS

Oversee CORs/AORs. Ensure that their teams have environmental compliance system in place.

MISSION DIRECTOR

Ultimately responsible for environmental compliance. Mandatory clearance on all Reg. 216 environmental documentation.

The MEO is a member of every sector team (ADS 204.3.5)

Agency Environmental Coordinator, Office of the General Counsel

AGENCY ENVIRONMENTAL COORDINATOR (AEC)

Coordinates 22 CFR 216 implementation & advises regarding the application of Reg. 216 in new situations.

Concurs in AA's appointments of BEOs.

Coordinates EIS process for USAID (rare).

REGIONAL LEGAL ADVISORS (RLAS)

provide legal advice on environmental compliance to field staff. Some regions require RLA clearance on Reg. 216 documents.

ASSISTANT GENERAL COUNSELS (AGCS)

provide legal advice to BEOs & RLAs on environmental compliance in their regions.

When the BEO and MD cannot agree regarding a threshold decision, the issue goes to the Assistant Administrator (AA) with AEC consultation

REG. 216 DOCS: WHO WRITES? WHO CLEARS?

- **Who writes?**
  - AOR/COR responsible for ensuring that Reg. 216 documentation in place.
  - Can engage a consultant/contractor to develop—Environmental Assessments almost always developed by 3rd party consultants.
  - USAID is responsible for contents/determinations NO MATTER WHO DEVELOPS IT!
- **Who clears?**
  - COR/AOR, Activity Manager or Team Leader
  - MEO (for Mission)
  - REA (depending on Mission/regional policy)
  - **Mission Director** or **Washington equivalent** clears
  - **Bureau Environmental Officer** concurs. Responsibility/authority cannot be delegated.

Required by Reg. 216

WHO IS RESPONSIBLE?

USAID

Ensures Reg. 216 documentation in place. Establishes/approves environmental mitigation and monitoring conditions. Verifies compliance.

IN THE MISSION

Fundamental responsibility & accountability:

- Sector Team Leader
- Activity Managers & COR/AORs
- ultimately with the Mission Director

MEO: quality and completeness reviewer for Reg. 216 documentation; compliance advisor and coordinator; assists in compliance monitoring.

IMPLEMENTING PARTNERS

ALWAYS Implement mitigation and monitoring conditions that apply to their project activities & report to USAID.

ALWAYS responsible for design of detailed environmental mitigation and monitoring plan (EMMP) in response to mitigation and monitoring conditions established by the Reg. 216 documentation.

SOMETIMES develop Reg. 216 documentation (IEEs, EAs)* for new project components; develop subproject env. review reports (for subgrants/subprojects).

*Title II CSs develop IEEs as part of their MYAPs.

ENVIRONMENTAL COMPLIANCE VERIFICATION/OVERSIGHT BY USAID

1. Prior review/approval of partner-developed:
   - **EMMP** → ensure responsive to IEE/EA conditions
   - **Project budgets and workplans** → ensure EMMP implementation planned and funded
   - **Project Reporting Framework** → ensure environmental compliance reporting requirements are met

- **Primary responsibility for ensuring compliance lies with COR/AOR**
- MEO will also review/clear where activities are environmentally sensitive and/or IEE/EA conditions are complex.

2. Ongoing review of **partner progress reports** to monitor EMMP implementation

- MEO on distribution list for IP's quarterly/semi-annual project reports

3. Field visits:
   - at a minimum, all visits integrate a quick check for significant env. design/management problems
   - For environmentally sensitive activities, specific visit(s) to audit against EMMP

- Most field visits are by COR/AOR or M&E Officer
- MEO should visit the most environmentally sensitive activities (REA may assist)

ENVIRONMENTAL COMPLIANCE & PROCUREMENT INSTRUMENTS

ADS Requires…

"Incorporating environmental factors and mitigative measures identified in IEEs, EAs, and EISs, as appropriate, in the design and the implementation instruments for programs, projects, activities or amendments."

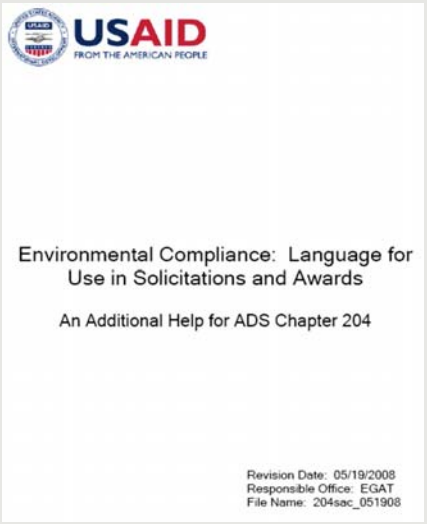
(204.3.4(a)(6)

- **Critical to IP compliance with IEE/EA conditions**
- **BUT: historically, problems in implementation:**
  - Many USAID procurement instruments have NOT adequately addressed environmental compliance
  - Lack of guidance required A/CORs, COs to repeatedly "reinvent the wheel"
  - Partners/contractors fail to budget for environmental requirements

THE SOLUTION…

ENVIRONMENTAL COMPLIANCE: LANGUAGE FOR USE IN SOLICITATIONS AND AWARDS (ECL)

- Step-by-step guidance and boilerplate language.
  - For RFAs/ RFPs/ agreements/ grants/ contracts
  - Optional, not required
  - ADS Help Document.
  - Approved by General Counsel.



Available from www.usaid.gov/policy/ads/200/204sac.pdf

THE ECL GENERATES…

Best practice solicitation language

Requiring that:

Proposals address **qualifications and proposed approaches to compliance/ ESDM** for environmentally complex activities.

Best practice award language

Requiring that:

IP verifies current & planned activities annually against the scope of the RCE/IEE/EA.

The **necessary mechanisms and budget** for IP implementation of IEE/EA conditions are in place.

To assure that projects do not "creep" out of compliance as activities are modified and added over their life.

Specifically:

1. Complete **EMMP** exists or is developed
2. Workplans & budgets integrate the EMMP
3. Project reporting tracks EMMP implementation

THE ECL STRENGTHENS ENVIRONMENTALLY SOUND DESIGN & MANAGEMENT, AND…

- Provides cost & efficiency benefits to both Mission Staff & Implementing Partners.

USAID STAFF	IMPLEMENTING PARTNERS
Avoids the effort, costs and loss of good will that come from imposing "corrective compliance" measures on IPs after implementation has started. Reduces USAID cost and effort of env. compliance verification/oversight by assuring that IPs integrate environmental compliance reporting into routine project performance reporting.	Provides clarity regarding environmental compliance responsibilities Prevents "unfunded mandates"– USAID requirements to implement M&M after implementation has started & without additional budget.

WHO CAN HELP

- MEOs in every bilateral Mission AND the BEOs and REAs:

AFR: Brian Hirsch (Walter Knausenberger/Alexis Erwin); Asia & ME: Will Gibson; BFS: Bill Thomas; DCHA: Erika Clesceri; E&E: Mark Kamiya; E3: Teresa Bernhard; GH: Rachel Dagovitz; LAC: Jessica Rosen (interim); M/ODP: Dennis Durbin; OAPA: Gordon Weynand; GDL: Dan Evans.

REFERENCES & USEFUL INFORMATION

- USAID Environmental Compliance & Related Links www.usaid.gov/our_work/environment/compliance
- 22 CFR 216 www.usaid.gov/our_work/environment/compliance/22cfr216
- ADS Series 200 (with link to Chapter 204) www.usaid.gov/policy/ads/200
- Plain-language overview of USAID's environmental procedures & the EIA process
- Sector Environmental Guidelines + many other resources www.usaidgems.org

- Wilkister Magangi
  USAID/Kenya Mission Environmental Officer (MEO)
  wmagangi@usaid.gov
- David Kinyua,
  USAID/East Africa Regional Environmental Advisor (REA)
  dkinyua@usaid.gov
- Global Environmental Management Support (GEMS) Project
  GEMSCORETeam@cadmusgroup.com

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Session 18.
Resolving the "Parking Lot":
Final General Q&A Session

Facilitated Discussion

Summary

Through the technical presentations, group work and discussions we have identified a number of "parking lot" items—questions and issues that could not be easily addressed at the time they arose, but which are important to answer and resolve before the end of the workshop.

As we prepare to conclude the workshop, we will use this session to discuss—and hopefully resolve—these parking lot issues in a facilitated discussion that draws on assembled expertise of USAID staff, the consultant trainers, and participants.

Objective

Conclude the "core technical skills and knowledge" portion of the workshop by resolving parking lot issues.

Key Resource

- List of "parking lot" issues compiled during the workshop.

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 concerns[3]
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

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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
Ex. Lead Environmental Compliance Session in upcoming staff training. (Develop short presentation using slides from this workshop.)	*2nd week of August*	*Contact training coordinator.*
1.		
2.		
3.		
4.		

Workshop Evaluation

Environmental Compliance + Environmentally Sound Design & Management in Project Implementation

A Workshop for USAID/Kenya & East Africa Staff and Implementing Partners

Naivasha, Kenya ▪ June 2016

Your frank and honest feedback will help strengthen future trainings and help prioritize ESDM and environmental compliance support to USAID programs and missions in Africa and globally. Thank you for your time!

Learning approach

For each issue, please check or circle the assessment you most agree with.

Issue	Assessment					Comments
Balance of time in classroom to time in field	Much more time in field needed	A bit more time in field needed	About right	A bit more time in classroom needed	Much more time in classroom needed	
In the classroom, balance of presentations to exercises, group work & discussions	Much more emphasis on presentations needed	A bit more emphasis on presentations needed	About right	A bit more emphasis on exercises/ discussions needed	Much more emphasis on exercises/ discussions needed	
Technical level & pace	Much too heavy	A little too heavy	About right	A bit too light	Much too light	
Opportunities for peer exchange & learning	Needed to hear and learn much more directly from facilitators	Needed to hear and learn more directly from facilitators	About right	Some more opportunities for peer learning/ exchange are needed	Many more opportunities for peer learning/exchange are needed	

Highest/Lowest-rated sessions

Please identify the 1 or 2 sessions that you rate most highly (for content, usefulness, approach or for other reasons). Please also identify the 1 or 2 sessions that you found least engaging/useful/relevant. Please briefly indicate the reasons for your choice. (You may wish to refer to the agenda to refresh your memory.)

	Session	Comment (Please explain why you made this choice.)
HIGH-RATED		
HIGH-RATED		
LOW-RATED		
LOW-RATED		

Overall evaluations

Please check the assessment you most agree with.

Issue	Assessment					Comments
	Very poor	Poor	Acceptable	Good	Excellent	
Technical quality (Program & Content)						
Facilitation						
Logistics						
Venue						
Field Visits						

Impact

Please circle the characterization you most agree with.

Question	Characterization			Comments
Baseline Knowledge In light of what you have learned in this workshop, how would you rate your understanding of ESDM and USAID's Environmental Procedures BEFORE this workshop?	Had poor or limited understanding	Understood the basics, lacked some details	Had a strong and detailed understanding	
Empowerment To what extent has this workshop increased your knowledge and capabilities to address environmental compliance requirements in the context of your job function/professional responsibilities?	Not at all	Moderately	Strongly	
Motivation To what extent has this workshop increased your motivation to *proactively* address environmental compliance and ESDM in the context of your job function/professional responsibilities?	Not at all	Moderately	Strongly	

Key topics not covered

Were there any topics of key important to you that were not covered/given very limited attention?	

Support needs

Are there particular environmental compliance/ESDM support needs or resources that you require?	

Additional comments welcome on any topic.