

Participants' Sourcebook:

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

An Africa Regional Training Workshop for USAID Staff

Lake Naivasha, KENYA

24–28 January 2011

Hosts:

USAID/EA & USAID/Kenya

Co-sponsor:

USAID/AFR/SD

Technical Assistance provided by

Environmentally Sound Design and Management Capacity-Building Support for Africa (ENCAP), a program of USAID/AFR/SD (International Resources Group, prime contractor; The Cadmus Group, Inc., subcontractor.) *EPIQ Task Order EPP-I-00-03-00013-00, Task Order 11.*

Disclaimer: *This sourcebook contains materials produced by The Cadmus Group, Inc. under contract to International Resources Group for review by the United States Agency for International Development (USAID). The views expressed do not necessarily reflect the views of USAID or the United States Government.*

Acknowledgement: *Some of the training materials in this sourcebook are adapted from those developed (1) under the Environmental Management Capacity-Building Program of USAID/ME/TS EPIQ Task Order EPP-I-00-03-00014-00; and (2) for the March 2009 trainings on "Environmental Management of Socioeconomic Development Programs in Post-Conflict Sierra Leone" sponsored by USAID/DCHA, USAID/Sierra Leone, and a number of implementing partners and facilitated by Sun Mountain International.*

Agenda & Table of Contents

(replace this page with agenda in PDF assembly)

Acronyms

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

Session 1.

Workshop Objectives, Participant Introductions & Expectations

(0:40)

Session Summary & Objectives

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

- Overview of Course Objectives, Approach, Agenda and Materials (Facilitators).
- Participant & Facilitator Introductions: Please be prepared to introduce yourself briefly in one minute or less, noting professional background, institutional affiliation, and current responsibilities (All).
- Soliciting expectations and establishing a “learning agreement.”
- Logistical details (Course Organizers).
- Creating a “Parking Lot.”

Workshop Objectives, Structure, and Approach to Learning

This workshop will provide intensive training for USAID Staff in: (1) compliance with USAID’s environmental procedures over life-of-project, 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 sub-Saharan Africa by assuring that participants have the *motivation, knowledge and skills necessary to* (1) achieve environmental compliance over life-of-project, and (2) otherwise integrate environmental considerations in activity design and management to improve overall project acceptance and sustainability.

Structure & Objectives. Towards this goal, the agenda has four main components, each corresponding to key workshop objectives.

Agenda component	Corresponding objectives: By the end of the workshop, we will be able to:
<p>1. Motivating LOP environmental compliance. USAID’s mandatory environmental procedures exist to assure environmentally sound design and management (ESDM) of development activities. The workshop begins by defining ESDM and establishing why ESDM must be a necessary and explicit objective for successful development.</p>	<ul style="list-style-type: none"> • Articulate the ESDM concept and common causes of failure to achieve ESDM. • Explain why ESDM must be a necessary and explicit objective for successful development. • Articulate key action principles for achieving ESDM
<p>2. Building Core EIA Concepts & Skills. USAID’s environmental procedures are a specific implementation of the general environmental impact assessment (EIA) process. An understanding of the basic EIA process greatly facilitates understanding USAID’s procedures, and basic proficiency in a set of core EIA skills is required for effective compliance over life-of-project.</p>	<ul style="list-style-type: none"> • Explain the relationship between ESDM and the EIA process. • Describe the key elements of the EIA process. • Demonstrate basic proficiency in the core EIA skills of identifying significant impacts/issue of concern and design of mitigation and monitoring.

<p>3. Mastering LOP Compliance Requirements. The workshop first surveys LOP environmental compliance requirements. These requirements—and the compliance process—can be divided into “upstream” and “downstream” elements.</p> <p><i>Upstream</i> compliance consists primarily of the pre-implementation environmental review process defined by 22 CFR 216 (Reg. 216), which culminates in approved Reg. 216 documentation (RCEs, IEEs and EAs).</p> <p><i>Downstream</i> compliance consists primarily of <i>implementing</i> the environmental management conditions specified in approved 22 CFR 216 documentation, and <i>reporting</i> on this implementation. The <i>environmental mitigation and monitoring plan (EMMP)</i> is the key instrument for systematic implementation of these conditions—and thus for achieving ESDM.</p> <p>After surveying LOP environmental compliance and building needed core skills, we will split into two “streams” for a portion of the workshop: one focused on upstream compliance, and one on downstream compliance.</p>	<ul style="list-style-type: none"> • (All) Describe the basic elements of LOP compliance, and attendant roles and responsibilities. • (Upstream Participants) Demonstrate basic proficiency in the pre-implementation environmental review process established by Reg. 216. • (Downstream Participants) Develop and critique environmental mitigation and monitoring plans. Demonstrate basic proficiency in developing environmental mitigation and monitoring plans. Articulate the environmental compliance reporting requirements attendant to EMMP implementation.
<p>4. Understanding Key “Special Topics” in Compliance. Focused “special topic” sessions address the environmental compliance and management aspects of selected current, complex and emerging issues in the USAID portfolio and operating environment.</p>	<ul style="list-style-type: none"> • Explain the key compliance issues involved in each special topic, and articulate recommended best practice.
<p>5. Improving Compliance Processes. Achieving LOP compliance and ESDM requires both that individual USAID staff understand their roles and responsibilities and master key skills <i>and</i> that mission processes support and “mainstream” environmental compliance.</p>	<ul style="list-style-type: none"> • Evaluate strengths and weaknesses of environmental compliance processes in our team/mission against those in the region as a whole. • Undertake or propose improvements to these processes following the workshop.

Components 1 and 2 are sequential and occupy most of the first 1.5 days of the workshop. The remainder of day 2 and day 3 address the third component. Day 4 is focused on “special topics” (component 4). Day 5 (a half-day) focuses on improving compliance processes (component 5).

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 Core EIA skills and LOP compliance are built around field visits.
- *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!

Learning Agreement

As part of this session, we will collectively review the following principles and add or modify them as necessary to establish a “learning agreement”—an agreement about how we will work and learn together.

General Principles to consider are that each of us should:¹

1. Participate actively.
2. Ask questions.
3. Respect different points of view.
4. Share many thoughts & ideas.
5. Build upon the ideas presented by others.
6. Join in problem-solving.
7. Make "I" statements.
8. Respect the time—everyone shows up on time, and facilitators commit to end the sessions as scheduled.
9. Silence our cell phones and blackberries.
10. Have fun!

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

VALUING DIVERSITY	COMFORTABLE ATMOSPHERE	ACTIVE PARTICIPATION OF ALL MEMBERS	SHARED GOALS AND OBJECTIVES
BALANCED APPROACH TO PROCESS AND CONTENT	WHAT EFFECTIVE TEAMS NEED		EFFECTIVE COMMUNICATION
SHARED LEADERSHIP			CONSTRUCTIVE CONFLICT MANAGEMENT
ACTION ACCOUNTABILITY RESPONSIBILITY	MUTUAL TRUST	CRITICAL ANALYSIS AND PROBLEM-SOLVING	A PREFERENCE FOR CONSENSUS

(Adapted from Rees, "How to lead work teams in facilitation skills")

Notes for Working Group Chairs

The chair can be a workshop trainer or participant.

- _____

¹ adapted from Jawara Lumumba and John Petit, REDSO/WCA, 1995

The chair is neutral: she or he should not judge the ideas or contributions of others, but try to focus the group's energy on the common task.

The chair should encourage participation by all working group members, but prevent any one member from dominating. The chair should assist the group to function creatively, energetically, democratically and productively.

The chair must ensure that the group's tasks are accomplished in the time allotted.

When appropriate, the chair should try to achieve agreement or consensus on the task at hand. However, consensus is not required and if the group is unable to reach consensus, areas of agreement and disagreement may be reported.

Notes for Rapporteurs

The rapporteur is responsible for accurately and succinctly recording and reporting the results of group discussions.

Specific responsibilities include:

- **On a flip chart or laptop**, capturing all key points related to the specific theme, and noting comments on cross-cutting themes, as appropriate.
- Make sure that notes and charts are legible, understandable, and after reporting out, turned in to a facilitator.

Session 2.

(1:05)

What is Environment? & Why Environmentally Sound Design & Management (ESDM)?

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.

Format

Presentation, solicitation of participant experiences, and a segment from a recently produced ESDM video.

Summary

This session will:

- Develop a common understanding of the term “environment.”
- Highlight some of the “big picture” environmental trends affecting human health and livelihoods in Eastern and sub-Saharan Africa, including Global Climate Change; and show that much of USAID’s portfolio in the region 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 and Management (ESDM)**.

- Highlight the most common root causes of ESDM failures or lapses.
- Set out the basic rules or principles for achieving ESDM.
- Establish that ESDM is a necessary and explicit objective for effective development, and that ESDM requires systematic and explicit attention over life-of-project.

Key resource

“I.02 Environmentally Sound Design” in *Environmental Guidelines for Small Scale Activities in Africa*. (USAID/AFR/SD; available at www.encapafrika.org/egssaa.htm).

Session 3.

(0:30)

Environmental Impact Assessment (EIA) and ESDM

Objectives

- Achieve a common, basic understanding of the EIA process and key EIA concepts.
- Motivate the EIA process by establishing that EIA is the internationally accepted standard framework for achieving ESDM in project-based development.

Format

Presentation.

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 *means and measures to monitor & mitigate* these impacts.
- Show that the EIA process provides a systematic framework to achieve ESDM and establish that this process is the internationally accepted standard framework for achieving ESDM in project-based development.
- Outline how the EIA process is being used to address the effects of climate change on projects, and to inform mitigation planning.
- Explain that EIA-based environmental “safeguard” processes are now standard requirements of nearly all donors and governments, including the US Government/USAID.

Key resource

“IV.1: Topic Briefing—Introduction to EIA” in *Environmental Guidelines for Small Scale Activities in Africa*. (USAID/AFR/SD; available at www.encapafrica.org/egssaa.htm).

Session 4.

(0:40)

Overview of Life-of-Project Environmental Compliance for USAID/Kenya Staff & Partners

Objectives

Brief the origin of, mandate behind and purpose of USAID's mandatory, EIA-based environmental procedures.

Achieve a common understanding of the key LOP environmental compliance requirements set out by these procedures.

Specifically establish (1) that the primary environmental compliance responsibility of IPs is implementation of environmental conditions resulting from the pre-implementation environmental review process, and (2) that providing participants with the tools, skills and knowledge to do so is the primary purpose of this workshop.

Format

Presentation.

Important note

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

Summary

The preceding sessions make the case that:

- ESDM is a key objective for the ethical and effective practice of development.
- Achieving ESDM requires explicit and systematic attention to environmental issues in program/project development and implementation.
- The EIA process is the internationally accepted standard for achieving ESDM in project-based development activities.

USAID's mandatory, EIA-based Environmental Procedures are intended to assure that this 'explicit and systematic attention' actually occurs over life-of-project. USAID is *required by both court settlement and US law* to utilize an EIA-based process to "fully take into account" environmental sustainability in designing and carrying out its development programs:

- The procedures specify an EIA process that must be applied to all activities **before** implementation.
- The output of this process, defined by 22 CFR 216 (Reg. 216), is approved Reg. 216 documentation (Requests for Categorical Exclusion, Initial Environmental Examinations (IEEs), and Environmental Assessments (EAs)).
- Most IEEs and all EAs specify environmental management conditions (mitigative measures).

- These measures (“IEE/EA conditions”) must be implemented and monitored over the life of the activity (or life of project, LOP). Such implementation is the responsibility of the implementing partner.
- C/AOTRs have are required to actively manage and monitor compliance with IEE/EA conditions. This requires that IPs *report* on their implementation of these conditions.

This session will introduce —*but not go into detail regarding*—these key LOP compliance requirements and who is responsible for them. (MEOs, COTRs/AOTRs, Activity Managers, Implementing Partners, etc.).

This LOP process can be divided into “upstream compliance”—the pre-implementation environmental review process culminating in approved Reg 216 documentation—and “downstream compliance,” focused on implementation of IEE/EA conditions and associated reporting. Later, we will divide into two “streams,” with one stream focusing on building skills and knowledge for upstream compliance and one for downstream compliance.

In AFR mission and programs and across the agency, downstream compliance is weaker than upstream compliance. To strengthen downstream compliance, AFR IEEs and award documents are increasingly requiring IPs to develop, submit and implement environmental mitigation and monitoring plans (EMMPs) for their projects. EMMPs are a systematic vehicle to implement IEE and EA conditions. EMMPs are the focus of the downstream compliance stream.

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.

The Reg. 216 process results in environmental review documentation (a Request for Categorical Exclusion (RCE), an Initial Environmental Examination (IEE), an Environmental Assessment (EA)), that must be approved by the Mission Director and by the BEO. The IEE is USAID’s version of a preliminary assessment. The EA is a full EIA study.

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’s 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/AOTRS to REMEDY or HALT activities where IEE/EA conditions are not being implemented, or which are otherwise out of compliance.

Key resource

The *Environmental Procedures Briefing for Mission Staff* is a key reference to LOP environmental compliance. This training draws heavily from the *Briefing*. It is included in this Sourcebook and available at www.encapafrika.org/meoEntry.htm.

Session 5.

Core EIA Skills I: Baseline Characterization, Identifying Issues of Concern & Mitigation

(0:50)

Objectives

Become familiar with the principles and processes that constitute the core EIA skills of baseline characterization, identifying issues and impacts of concern, and mitigation design.

Establish that because effective mitigation design must be highly responsive to site conditions, effective mitigation design requires baseline characterization and issues identification skills.

Format

Presentation and worked examples.

Summary

The EIA process requires the following core skills:

- (1) characterizing the **baseline situation**;
- (2) identifying (and evaluating) the potential adverse **impacts** of planned development activities (issues of concern); and
- (3) developing mitigation and (4) monitoring measures to address these impacts.

(“Baseline situation,” “impacts” and “mitigation and monitoring” were defined in Session 3, “EIA and ESDM.”)

This session addresses core skills 1-3; the fourth (monitoring) is addressed in Session 8.

At first thought, characterizing the baseline situation and identifying issues of concern might seem relevant only to developing IEEs and EAs—not to implementing IEE and EA conditions (i.e. mitigation).

However, IEE and EA conditions are often very general. They require IPs to identify issues of concern particular to a site & respond with appropriate, specific mitigation measures. Thus effective mitigation requires a familiarity with all core EIA skills.

Part 1: Baseline Characterization & Determining Impacts of Concern

The first part of this session explains the basic, logical process behind baseline characterization and identifying issues of concern. We will illustrate the process with a worked example.

An example from a real project in the East Africa subregion will illustrate why the core EIA skills of baseline characterization and identifying issues of concern are directly relevant to effective mitigation.

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 full EIA study. But for most small-scale activities and preliminary assessments, the simple, logical process described here, supported by good judgment and the information contained in the *Small Scale Guidelines* (or similar resources), is sufficient.

Part 2: Mitigation.

The purpose of the EIA process is not simply to 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 (Session 8) is its essential complement, required to verify whether the mitigation measures are sufficient, effective—and actually implemented.

The second part of this session:

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

Key resources

The sector chapters of the *Environmental Guidelines for Small-Scale Activities in Africa* is a key resource for (1) identification of potential adverse environmental impacts and (2) design of mitigation and monitoring measures.

“IV.1: Topic Briefing—Introduction to EIA” in *Environmental Guidelines for Small Scale Activities in Africa*. (USAID/AFR/SD; available at www.encapafrika.org/egssaa.htm) is a general resource for core EIA skills.

Session 6.

(5:00)

Field Visit I: Practicing Baseline Characterization, Identifying Issues of Concern & Mitigation Design

Objectives

Conduct mentored field observations to build and apply the core EIA skills briefed in Session 5.

Further build and apply these core EIA skills by (1) synthesizing field observations, and (2) with reference to the *Small-Scale Guidelines*, identifying possible mitigation measures to respond to issues of concern.

Format:

0:30 classroom preparation/briefing

3:00 site visit (including transit)

1:30 classroom follow up (working groups) and synthesis (plenary)

Summary/Instructions

The previous session presented the basic theory of baseline characterization, impact evaluation, and mitigation. This session, which involves a field visit and classroom follow-up, practices these skills. We will:

1. Identify key elements of the baseline situation at the visited sites.
2. Identify and evaluate potential impacts/issues of concern of the ongoing activities at these sites.
3. Identify mitigation measures that have been put in place and their adequacy.
4. Identify mitigation measures that can improve the overall design/implementation of the activity and thus help reduce or alleviate potential adverse impacts.

By using sector guidance from the *Small-Scale Guidelines* as a key resource, the session also builds familiarity with the *Guidelines*.

Team Assembly and Site(s)

The training team will brief the site visit and divide us into working teams. The site(s) to be visited are briefed on the following pages.

1. Classroom Preparation (0:30)

As a team review the briefing for your site (following pages).

Identify the most critical potential environmental impacts of the activity(ies) you will encounter at your site, and other ways in which design and management of such activities can be environmentally UNsound.

(Key reference: relevant chapter of the EGSSAA).

Based on this discussion, **identify** together the most relevant elements of the baseline situation to observe and assess on our field visits.

(That is, what information does the team need to decide whether a *potential* impact or ESDM “deficit” is real and significant for the facility/site in question?)

For any sites that are already in operation or advanced construction, note that the baseline situation includes both the environment around the facility *and* the facility itself.

2. Field visit (3:00, including travel time)

Each team will visit their assigned site where they will receive a guided tour, have the opportunity for independent observation, and have a question and answer session with their host.

During the site visit:

- **Observe:** (1) What exists and what is happening at the site (the baseline situation); (2) How has the activity at the site affected the environment? Do the issues appear serious? (3) Are there any mitigation measure in place to mitigate adverse impacts and how adequate are they?

(If relevant, also be on the lookout for hygiene or occupational safety and health issues that may not, strictly speaking, be environmental issues but may affect staff or community health and safety.)

- **Talk with & Listen to people at/around the site.** This will be accomplished through informal interviews with those you find around the site. Those to be consulted will include: the local community, government officers, some of your colleagues who may have had experiences with that project or similar ones). Remember to talk to both men and women and any disadvantaged groups.

We may observe ESDM deficits at each site. But please remember that we visit as observers and invited guests, not auditors or inspectors. We should observe, listen, and by all means ask questions— but not offer criticism to our hosts.

Also, we must not give the impression that additional assistance will follow from our visit!

3. Classroom follow-up (1:15)

Each team will re-convene in the classroom at the beginning of Day 2. Using the information from the site visit, each team will:

- Organize and analyze the information/ data collected from the field to summarize (1) the most relevant elements of the baseline situation and (2) ongoing environmental management efforts and measures (if any).
- On this basis, decide which of the potential adverse impacts and other potential “ESDM failures” are real and present serious concerns.
- Of these, which are not being addressed with mitigation/environmental management measures? (Or are being inadequately addressed?)
- Suggest corrective measures (mitigation) to address these issues.

Teams should record their findings in bullet form. The relevant chapter of the *Small-Scale Guidelines* will be the key reference for potential impacts and mitigation measures. Facilitators will serve as resources throughout the process.

Note that:

- This session is intended to practice basic observation, impact identification and mitigation design skills—*not* to practice development of Reg. 216 environmental documentation.
- For any sites that are already in operation or advanced construction, this will not be a pre-implementation environmental review process; rather we are examining facilities already in place, and suggesting corrective measures.

Thus (for those who may already know these terms), team outputs are *not* expected to be in the form of an IEE outline or phrased in terms of “recommended determinations.”

4. Synthesis (0:15)

Teams will not present their findings, but the facilitator will lead a brief synthesis session, soliciting a sample of individual and group comments and observations.

Session 7.

Core EIA Skills II: Principles of Environmental Monitoring

(0:45)

Objective

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

Format

Presentation

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, **ground-water 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.

Key resource

The *Environmental Guidelines for Small-Scale Activities in Africa* is a key resource for design of mitigation and monitoring measures.

Session 8.

Small Group Indicators Exercise

(1:15)

Objective

Build and apply indicator selection skills (a key constituent skill for EMMP development) in a scenario-based small group exercise centered on the ENCAP Visual Field Guides.

Format

0:10 Briefing

0:55 Small Group Exercise

0:10 De-brief

Instructions

In this exercise, we work in small teams to build and practice indicator selection skills. Each team will:

- 1. Be given a brief project scenario & the IEE conditions that apply (below).**
 - There are three project scenarios: **water supply, sanitation & small clinics.**
 - In each scenario, the team is a prime contractor supervising a number of local contractors.
 - In each scenario, the prime must put in place environmental monitoring to assure that the mitigation being carried out fulfills the IEE conditions, and is generally sufficient and effective.
- 2. Review their project scenario and then the relevant ENCAP Visual Field Guide.**
 - The **ENCAP Visual Field Guides** provide a mix of simple environmental conditions indicators and mitigation implementation indicators that can be “measured” (in a yes/no response) during a quick field inspection.
- 3. Identify an appropriate set of indicators for their project** by (1) adding, (2) removing, and/or (3) changing the indicators provided in the Visual Field Guides.
 - Note that the guides provide indicators for quick field inspections only. Is there desk monitoring you would add? More detailed environmental conditions monitoring?
 - You may wish to consult the relevant chapter of the *Environmental Guidelines for Small-Scale Activities in Africa*, which provide more detailed information on impacts, issues and good practice for these sectors.

Facilitators will serve as a resource for and provide feedback within each team. At the end of the exercise, we will not have a formal report-out, but the lead facilitator will ask for quick reactions from teams/individual participants.

Team 1 Scenario:

Small-Scale Wat/San Activity—Sanitation Component

You are implementing a small-scale water and sanitation project. Among other components, the project is:

- Building and rehabilitating latrines in rural communities, as well as in schools and clinics serving these communities.
- Working with community associations, school authorities, and clinic management to put in place effective, latrine management systems. The project hands over the latrines after a period of mentored local management.

You supervise a number of local contractors who are carrying out the actual construction and local capacity-building work, and must put in place environmental monitoring to assure that the mitigation being carried fulfills the IEE conditions, and is generally sufficient and effective.

During the period of project direct control, the IEE imposes the following conditions.

1. Insects and other disease vectors shall not have “in and out” access to latrine pits.
2. Latrines shall not contaminate surface soil, surface waters or any groundwater tapped for domestic use. This shall include assuring at least 30m separation between latrines and any shallow well or surface water tapped for domestic use.
3. Latrines shall be maintained in clean condition, and any latrine wastes (such as toilet papers/leaves) disposed of by burial at least 30m from any shallow well or surface water tapped for domestic use)
4. Latrines shall include hand-washing stations, and all reasonable efforts made to encourage their use.
5. Latrines shall be sited, designed and maintained to minimize risk factors for poor use, including inadequate provision for gender privacy and inadequate provision for children,
6. Latrine management systems developed with community associations, schools, and clinics shall specifically address the foregoing conditions.

Team 2 Scenario: Small-Scale Wat/San Activity—Water Supply Component

You are implementing a small-scale water and sanitation project. Among other components, the project is:

- Building and rehabilitating water points (shallow wells and boreholes) in rural communities, as well as in schools and clinics serving these communities.
- Working with community associations, school authorities, clinic management to put in place effective water supply management systems. The project hands over the water points after a period of mentored local management.

You supervise a number of local contractors who are carrying out the actual construction and local capacity-building work, and must put in place environmental monitoring to assure that the mitigation being carried fulfills the IEE conditions, and is generally sufficient and effective.

During the period of project direct control, the IEE imposes the following conditions.

1. Before water is provided for human consumption, it shall be tested for both arsenic & fecal coliform. Testing will continue quarterly for 4 quarters. Arsenic testing must use the Hach Arsenic test kit (www.hach.com).

If arsenic is over 10ppb, the project will not supply borehole water to the public

If fecal coliform is detectable in any 100ml sample, it must be filtered or treated until non-detectable in a 100ml sample before being provided for public use
2. All tanks shall be covered; all wells shall either have a raised cover or be capped with a pump.
3. Water points shall feature concrete aprons and drainage. Water points shall neither cause soil erosion nor result in standing water.

4. Shallow wells shall be sited at least 30m from pit latrines, waste dumps, and/or contaminated surface waters.
5. Livestock shall be excluded from all supply points intended for human use.
6. Water supply management systems developed with community associations, schools, and clinics shall specifically address the foregoing conditions.

Team 3 Scenario: Small Clinics

You are implementing a rural health sector project that includes:

- Construction and rehabilitation of small clinics.
- Operation of these small health facilities during a capacity-building period, after which the clinics are turned over to the local authority.

You supervise a number of local contractors who are carrying out the actual construction and local capacity-building work, and must put in place environmental monitoring to assure that the mitigation being carried out fulfills the IEE conditions, and is generally sufficient and effective.

During the period of project direct control, the IEE imposes the following conditions with respect to handling of healthcare waste.

1. Infectious waste (including sharps, bloody bandages and pathological wastes) shall be segregated from general waste at the point of generation. Sharps shall be collected in separate containers in each treatment area.
2. Waste storage shall be in secure, tightly closed containers at least 20m from treatment areas, wards, kitchens and canteens. No more than 7 days accumulation of waste shall be maintained on-site
3. Infectious waste shall be incinerated if possible or at minimum burnt, and the ash/residue then buried in a fenced burial pit. The pit must not contaminate surface waters or any groundwater tapped for domestic use. This shall include assuring at least 30m separation between the pit and any shallow well or surface water tapped for domestic use.
4. Open disposal of general waste is not permitted on-site. Burning of general waste containing > 10% plastics by volume is not permitted.
5. Individuals handling infectious waste shall be trained in and follow safe handling practices, including wearing appropriate personal protective equipment when handling this waste.
6. Clinic management systems developed during the period of direct operation shall specifically address the foregoing conditions.

Key resources:

ENCAP Visual Field Guides

Relevant sector chapters of the *Environmental Guidelines for Small-Scale Activities in Africa*.

Session 9.

Introduction to EMMPs

(0:40)

Objective

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

Format

Presentation with mini case study

Summary

The concept. Environmental Mitigation and Monitoring Plans (EMMPs) are a framework for specifying and organizing mitigation and monitoring, and assuring that it responds systematically to IEE/EA conditions.

In their most basic form, EMMPs are 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.
- Who is responsible for both mitigation & 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.

AFR IEEs requiring EMMPs. USAID's environmental procedures require that environmental mitigation required by IEEs and EAs is implemented and monitored, but do not require EMMPs *per se*. However, all new AFR IEEs do require that EMMPs be developed and implemented. This requirement can be operationalized either as technical direction from the C/AOTR 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 world-wide 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.

EMMP requirements written into agreements and contracts. 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 C/AOTR; sometimes there is additional review by the MEO or REA. C/AOTRs should require that they 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.]

Key Resources

Simple EMMP Template (included in Sourcebook)

EMMP Template with Monitoring Log and Budget (included in Sourcebook)

Environmental Compliance: Language for Use in Solicitation and Awards (ADS 204 Help Document) (included in Sourcebook)

PARALLEL SESSION BLOC: UPSTREAM COMPLIANCE

Session 10a-upstream.

(0:45)

Introduction to Reg. 216 & Screening Activities Under Reg. 216

Objective

Understand Reg. 216 as USAID's mandatory pre-obligation EIA process, and further understand that environmental mitigation and monitoring conditions established by this process become required elements of activity design and implementation. Become familiar with the entire Reg. 216 process and in particular the first step in this process: screening.

Format

Presentation and demonstration/discussion Summary

Summary

Reg. 216 (22 CFR 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.

The Reg. 216 process results in environmental review documentation (a Request for Categorical Exclusion (RCE), an Initial Environmental Examination (IEE), an Environmental Assessment (EA)), that must be approved by the Mission Director and by the BEO. The IEE is USAID's version of a preliminary assessment. The EA is a full EIA study.

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.)

This session briefs Reg. 216 as a specific implementation of the EIA process, with particular attention to (1) the *screening process and criteria* established by the Regulation, and (2) the nature of the environmental documentation determined by this screening process.

Reg. 216 documentation is developed both by Mission staff, Partners and contractors, depending on the situation. Most IEEs that cover a sector portfolio in a mission (SO- or FO-level IEEs) are developed by Mission staff or 3rd-party contractors. (Note: such IEEs are being phased out in some missions (e.g. USAID/Sudan) and in some regions (e.g. Asia and the Middle East).

Partners are often asked to develop Reg. 216 documentation for new project components. 3rd-party contractors are almost always engaged to undertake EAs.

Reg. 216 Screening and the IEE Assistant. The on-line *IEE Assistant* is introduced as a key resource to facilitate the screening process and Reg. 216 documentation development. To show the use of the tool and

to practice the screening process, we will work together to screen one or more of the following example activities:

1. An NGO will sponsor training in rodent control.
2. A group of transporters and two villages have formed a cooperative association and plan to rehabilitate a 20 km road, passing through cultivated fields, a wetland, and several smaller communities, in order to link the villages to a market town.
3. Open-ended grants are to be given to district councils, who will determine various projects to be funded with the grant monies. The principal criteria are that the projects must be designed in a participatory manner; respond to a broad range of community interests and concerns; target a community in need; and provide for the repair of war-torn infrastructure.
4. An NGO with USAID funding will drill 200 boreholes and install hand pumps to provide water for 200 schools in a province

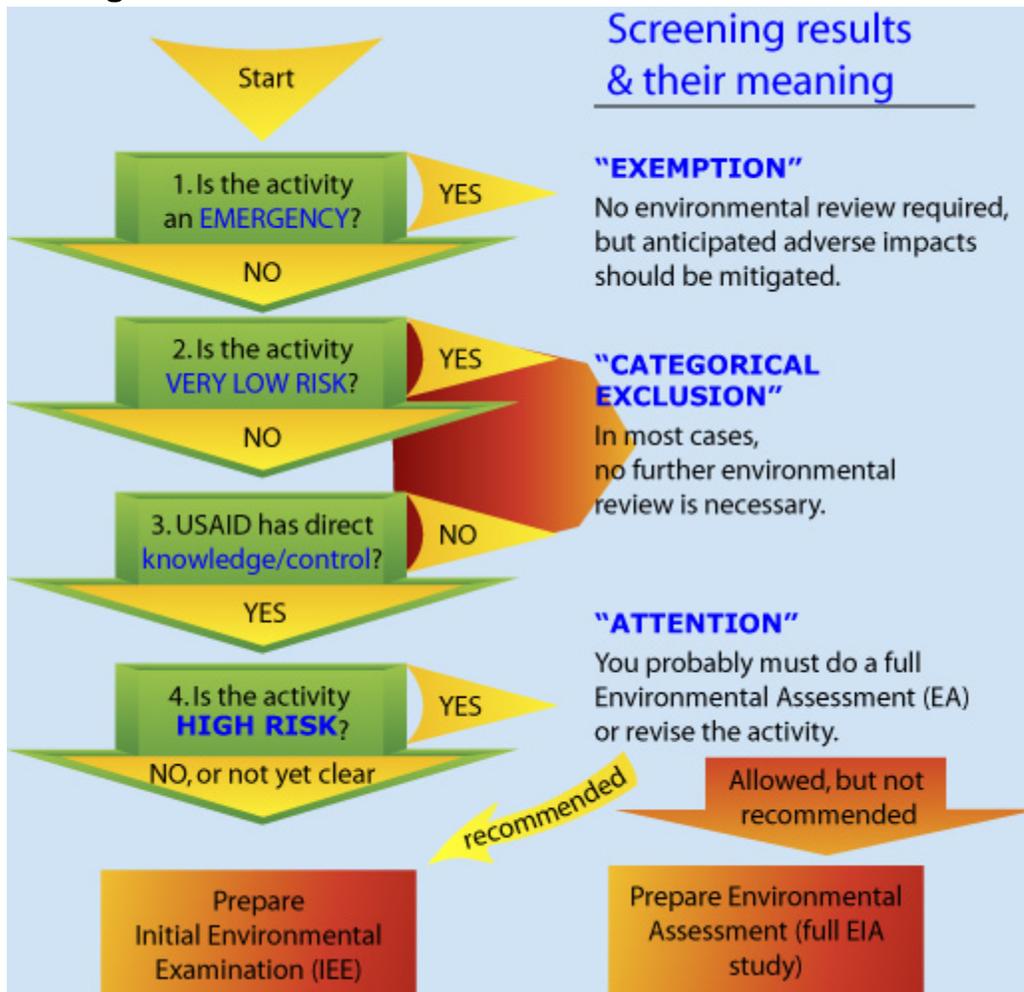
(Not all screening decisions are obvious. For some of these examples, we will discuss what additional information is required to make a well-informed decision.)

Initial Environmental Examinations. The most frequent result of the screening process is that an *IEE is required*. This session presents the basic structure of the IEE and the nature of the *recommended determinations* it may reach regarding the environmental impact of the proposed activities. The IEE is briefed in more detail in Session 13.

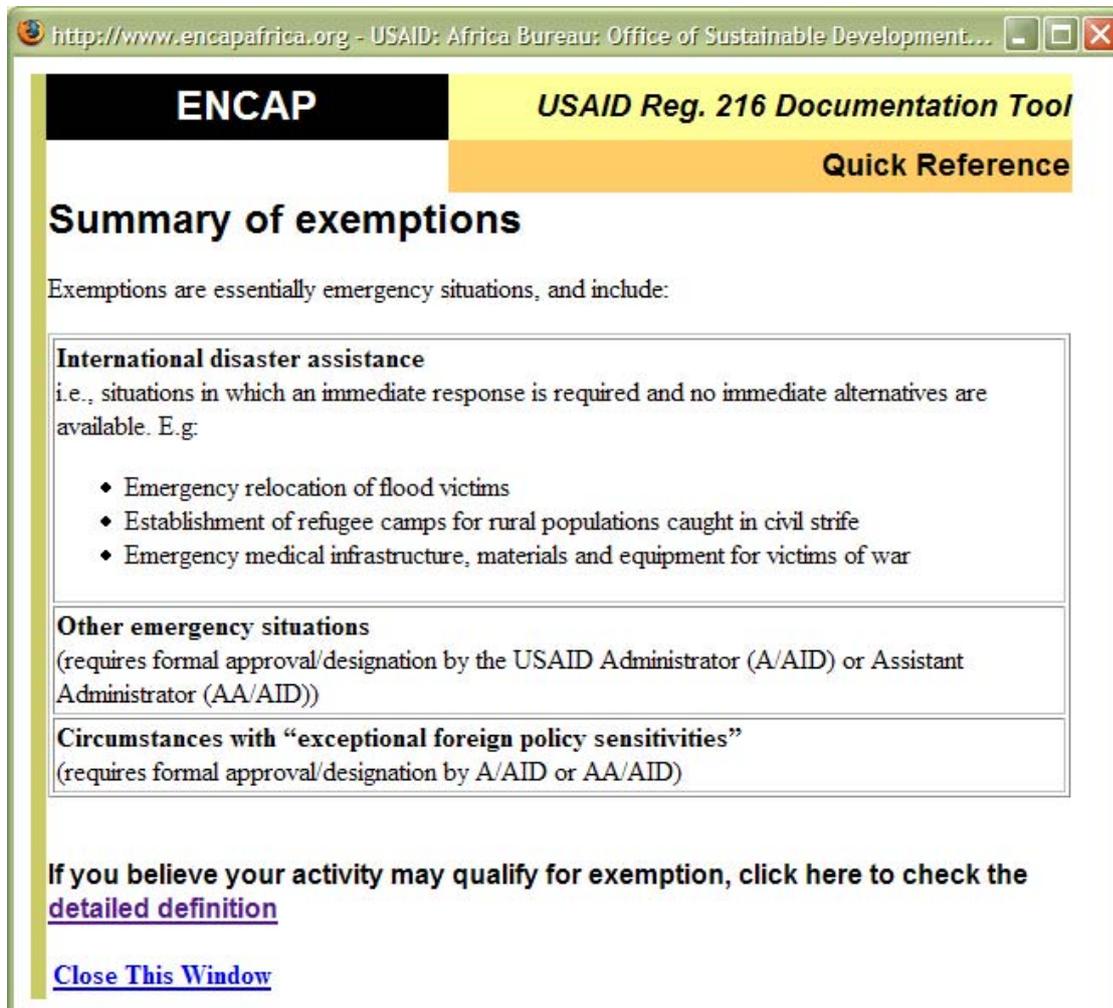
Key resource:

The on-line *IEE Assistant* (www.encapafrika.org/assistant.htm). The key screening guidance from the *IEE Assistant* is reproduced on the following pages.

Screening Flow Chart from the IEE Assistant



Summary of exemptions (IEE Assistant)



The screenshot shows a web browser window with the address bar displaying "http://www.encapfrica.org - USAID: Africa Bureau: Office of Sustainable Development...". The page has a header with "ENCAP" on a black background and "USAID Reg. 216 Documentation Tool" on a yellow background. Below the header is a "Quick Reference" section titled "Summary of exemptions". The text states: "Exemptions are essentially emergency situations, and include:". This is followed by three boxed sections: "International disaster assistance" (i.e., situations in which an immediate response is required and no immediate alternatives are available. E.g. with a bulleted list of three items), "Other emergency situations" (requires formal approval/designation by the USAID Administrator (A/AID) or Assistant Administrator (AA/AID)), and "Circumstances with 'exceptional foreign policy sensitivities'" (requires formal approval/designation by A/AID or AA/AID). At the bottom, there is a link to check the detailed definition and a "Close This Window" button.

ENCAP *USAID Reg. 216 Documentation Tool*
Quick Reference

Summary of exemptions

Exemptions are essentially emergency situations, and include:

International disaster assistance
i.e., situations in which an immediate response is required and no immediate alternatives are available. E.g:

- ◆ Emergency relocation of flood victims
- ◆ Establishment of refugee camps for rural populations caught in civil strife
- ◆ Emergency medical infrastructure, materials and equipment for victims of war

Other emergency situations
(requires formal approval/designation by the USAID Administrator (A/AID) or Assistant Administrator (AA/AID))

Circumstances with "exceptional foreign policy sensitivities"
(requires formal approval/designation by A/AID or AA/AID)

If you believe your activity may qualify for exemption, [click here to check the detailed definition](#)

[Close This Window](#)

Summary of categorical exclusions (IEE Assistant)

http://www.encapafrika.org - USAID: Africa Bureau: Office of Sustainable Development...

USAID Reg. 216 Environmental Documentation Tool

Quick Reference

Summary of categorical exclusions

Categorical exclusions include 2 types of activities:

1. activities which, by their nature pose very low risks of causing significant adverse environmental impacts
2. activities in which USAID has no direct control over the activity

Examples are given in the table below.

<p>Activities normally qualifying for categorical exclusions because they pose inherently low risks of adverse environmental impacts</p> <ul style="list-style-type: none">• Education, training or technical assistance• Limited experimental research• Analysis, studies, workshops, meetings• Documents or information transfer• General institutional support• Capacity building for development• Nutrition, health, population and family planning activities (except for construction)
<p>Activities normally qualifying for categorical exclusions because USAID has no direct control over or knowledge of the activity</p> <ul style="list-style-type: none">• Support to intermediate credit institutions if USAID does not review or approve loans• Commodity Import Programs (CIPs), when USAID has no knowledge of or control over use;• Support to intermediate credit institutions if USAID does not review or approve loans; Projects where USAID is a minor donor;• Food for development programs under Title III, when USAID has no specific knowledge or control; and• Grants to PVOs where USAID has no specific knowledge or control.

If you believe your activity may qualify for a categorical exclusion, confirm by checking the [detailed definition](#), including the proper regulatory citation.

[Close This Window](#)

Done

Summary of activities usually requiring an EA (IEE Assistant)

http://www.encapafrika.org - USAID: Africa Bureau: Office of Sustainable Development...

USAID Reg. 216 Environmental Documentation Tool

Quick Reference

Summary of activities normally having significant adverse impacts on the environment

Regulation 216 lists the following as activities that typically have significant adverse impacts on the environment and therefore are likely to require an ENVIRONMENTAL ASSESSMENT (EA). An EA is the fullest form of environmental review.

- ♦ Irrigation or water management including dams
- ♦ Agricultural land leveling & Drainage
- ♦ Large scale agricultural mechanization
- ♦ New land development
- ♦ Resettlement
- ♦ Penetration road building or road improvement
- ♦ Power plants
- ♦ Industrial plants
- ♦ Potable water and sewage, unless small scale
- ♦ Activities jeopardizing endangered and threatened plant and animal species, biodiversity or critical habitat
- ♦ Use or procurement of pesticides
- ♦ Activities adversely affecting relatively un-degraded tropical forest

If you believe your activity falls into this category, confirm by checking the [detailed definition](#), including the proper regulatory citation.

[Close This Window](#)

PARALLEL SESSION BLOC: UPSTREAM COMPLIANCE

Session 10b-upstream.

(1:00)

Case Study: Screening Activities per Reg. 216

Objective

Via a case study, master the Reg. 216 screening process, including identifying discrete activities for environmental review from project descriptions.

Format

0:05 Briefing

0:45 Small Group Exercise

0:10 De-brief

Scenario

You are USAID program supervisory staff and will be adding a major new program component not covered by the existing IEE. You are aware that Reg. 216 documentation must be developed *prior to implementation*. You therefore meet with your team to review the proposed activities and determine the type and scope of the Reg. 216 documentation required.

Instructions

We will divide into working groups.

Each group will review the case study brief (see next page) and use the screening guidance from the *IEE Assistant* reproduced in the previous section of this sourcebook to:

- (1) Determine the set of activities that must be screened.
- (2) Screen these activities according to Reg. 216 criteria.

Feedback will be provided within the working groups by facilitators. Activities should be listed and screening results recorded in the table below.

Activity	Screening Result			
	Exempt	Categorical Exclusion	IEE Required*	IEE Required and high risk*

*EA likely required

Key resource:

The on-line *IEE Assistant* (www.encapafrika.org/assistant.htm). The key screening guidance from the *IEE Assistant* is reproduced in the previous (Session 12a) section of this sourcebook.

PARALLEL SESSION BLOC: UPSTREAM COMPLIANCE

Session 11a (upstream).

(0:30)

Effective IEEs: Well-written, Well-considered

Objective

Understand the basic structure of an IEE and the characteristics of well-written, well-considered IEEs.

Format

Presentation

Summary

A well-considered, well-written IEE is the basis of good mitigation and monitoring and the foundation of the LOP compliance process.

The responsibility for assuring that good-quality environmental documentation is developed lies with team leaders, A/COTRs, and activity managers—this is true even when a 3rd-party contractor or the implementing partner develops the IEE.

Again, **Reg. 216 documentation is developed by Mission staff, Partners or contractors**, depending on the situation:

- Most IEEs that cover a Mission's sector portfolio (SO- or FO-level IEEs) are developed by Mission staff or 3rd-party contractors.
- Partners are often asked to develop Reg. 216 documentation for new project components.
- 3rd-party contractors are almost always engaged to undertake EAs.

In the Mission, the MEO should serve key roles as (1) a resource for Reg. 216 documentation development; (2) reviewer/gatekeeper for this documentation.

This session will brief the structure and content of the IEE. The rules for effective IEEs will be illustrated using examples of actual IEE language:

1. Make a determination for each activity.
2. Specify a mitigation for each impact.
3. Make mitigation commensurate to impacts.
4. Use clear, uncluttered language.
5. DON'T copy blindly.

We close by noting some key tools and resources to help with writing the IEE.

Key Resources

Presentation: Writing the IEE. (ENCAP EA-ESDM training; day 2. Available on flashdrive & www.encapafrica.org)

Environmental Procedures Training Manual, Chapter 3.

PARALLEL SESSION BLOC: UPSTREAM COMPLIANCE

Sessions 11b-d (upstream)

(4:45)

Effective IEEs: IEE Review Case Study

Objective

Apply the principles outlined in the previous section to evaluate IEE quality, including whether recommended determinations and conditions are appropriate.

Format

0:15 briefing & field visit preview
3:15 field visit (including travel time)
1:00 small group work
0:15 plenary discussions

Summary/Scenario

This session continues the case study begun in Session 10b. You are again USAID program supervisory staff in the process of adding a new program component. Following the internal screening exercise (session 10b), you engaged a contractor to develop the IEE for this new component.

Your team has now received the draft IEE and must evaluate/critique it with respect to the following:

- Does the IEE address the full scope of the activities you identified in Part 1?
- Does it characterize the most critical elements of the baseline situation?
- Are potential impacts evaluated logically and appropriately?
- Are mitigation measures (1) *adequate* and (2) *within the scope of your reasonable authority*? (For example, you cannot impose conditions on actors not involved in the project.)
- Are recommended determinations reasonable? (If categorical exclusions differ from your screening results, do you agree?)

To help you evaluate the IEE and the proposed IP workplan and PMP, you undertake a field visit to either (1) the site of the proposed project, or (2) a similar activity already in implementation/implemented. In both cases, your field observations should allow you to make a more informed critique/evaluation of the IEE.

Note: Sadly, your consultant did not submit a quality product. The draft IEE has some clear deficiencies and some deficiencies that are more subtle or debatable.

Instructions

11b. Briefing (0:15) (end of Day 2)

The training team will brief both the overall IEE review exercise and the field site(s).

11c. Field Visits (beginning of day 3)

We will travel to the field to visit either (1) the site of the proposed project, or (2) a similar activity already in implementation/implemented. In both cases, our field observations should allow us to make a more informed critique/evaluation of the IEE.

This field exercise is intended to further sharpen observational and impact-prediction skills, give us practice/experience in implementing these skills within the IEE framework, *and sharpen our* understanding of what constitutes a good quality/poor quality IEE.

11d. Team Working Sessions (1:15)

We will then divide into teams. Each team will critique their draft IEE (beginning on the next page), being sure to review (1) the project description provided in Session 10b, and (2) the screening results, also from session 10b.

Key sections of the *Small-Scale Guidelines* are provided as impacts and mitigation design references.

The groups will then evaluate/critique the IEE using the criteria listed above. Key points from the discussion should be recorded on flip charts in bullet-point form. Feedback will be provided within the working groups by facilitators.

Follow-up plenary discussions may feature either working group de-briefs, or a discussion of issues such as:

When are IEE amendments required? How should sector/SO-level IEE conditions be “mapped” to the activity level? What are typical IEE conditions for common classes of activities? etc.

Key Resources

Virtual site visit presentations

Small Scale Guidelines excerpts

PARALLEL SESSION BLOC: UPSTREAM COMPLIANCE

Session 11e (upstream). Effective IEEs: Follow-thru

(1:15)

Objective

Practice our USAID staff role as receivers and reviewers of EMMPs by attending EMMP presentations by teams acting in the role of an IP.

Format

EMMP Plenary Presentations by “downstream” teams with feedback from the training team and Q&A.

Summary/Scenario & Instructions

This session concludes the case study we began in session 12b and continued in session 13b.

You are again USAID program supervisory staff in the process of adding a new program component. The problems you identified with the IEE (session 13b) have been corrected and the IP has developed an EMMP for the activity responding to the final IEE conditions. (See below)

You ask the IP to come and present their workplan and EMMP to your team. Listen to the presentation, evaluate it critically, and ask questions.

Final IEE Conditions

After problems with the draft IEEs were fixed, selected final conditions are as listed on the following page.

Session 10 (downstream).

(0:30)

Translating General IEE Conditions Into Specific Mitigation Actions: Key Principles

Objective

Understand by example basic principles and approaches for translating general IEE conditions into specific mitigation actions.

Format

Presentation and discussion

Summary

IEE conditions are often written very generally. For example, an IEE might specify that “wells shall be sited to minimize the possibility of contamination.” (Or even more generally: wells shall be sited and constructed consistent with good practices.”)

Implementing this IEE condition (which begins with developing an EMMP) requires that it be translated into specific mitigation actions.

In this case, the project would need to develop or adopt a set of specifications for well location that can then be referenced in the EMMP.

For example, the project might adopt the following, based on the *Small Scale Guidelines*:

The following MINIMUM distances from potential sources of contamination will be observed for well siting:

- 150 ft (45.7 m) from a preparation area or storage area of spray materials, commercial fertilizers, or chemicals that may cause contamination of the soil or groundwater.
- 100 ft. (30.5 m) from a below-grade manure storage area.
- 75 ft (22.9 m) from cesspools, leaching pits, and dry wells.
- 50 ft (15.2 m) from a buried sewer, septic tank, subsurface disposal field, grave animal or poultry yard or building, privy, or other contaminants that may drain into the soil.
- The distance between a septic tank leach field and a down-gradient well should be greater than 100 ft (30.5 m) if the soil is coarser than fine sand and the groundwater flow rate is greater than 0.03 ft/day (0.01 m/day).²

The EMMP could then list the concrete mitigation action as “compliance with project well siting criteria,” and attach those criteria as an Annex.

In this session, we will work through a set of actual examples of “general IEE conditions” and discuss as a group how to translate them into specific mitigation actions.

■ _____

² Source: Driscoll, *Groundwater and Wells*, Second Edition, as cited in the *Small Scale Guidelines*.

PARALLEL SESSION BLOC: DOWNSTREAM COMPLIANCE

Session 11a-e (downstream). EMMP Development (includes 2nd Field Visit)

(8:30)

Objectives

Integrate, build and apply all skills required for EMMP development using mentored field observations as the basis for a practical EMMP design exercise.

Format

- 0:30 11a. Exercise & field visit briefing (day 2)
- 1:30 11b. EMMP development group work (end of day 2)
- 3:15 11c. Field visit (day 3)
- 2:00 11d. EMMP Development group work (day 3)
- 1:15 11e. Team presentations of EMMPs (time limit per team provided by facilitators)
& wrap-up discussions

Summary

From session 9, we understand the EMMP concept and its critical function as an organizing framework for systematic implementation of IEE and EA conditions. In earlier sessions, we developed the core EIA skills required for development of an EMMP.

In this session, we will integrate and further strengthen these skills by developing an EMMP in a scenario-based, small-team exercise. The session includes a field visit, which provides the observations that inform EMMP development.

Teams and Sites. The training team will brief the site visit and divide us into working teams. The site(s) to be visited are briefed on the following pages.

Exercise/Scenario. Each team plays the role of a prime contractor (IP) that has just been awarded a project and is now in the workplan /PMP development stage. The project is subject to IEE conditions that the IP must implement. Per USAID/XXX policy, the IP must submit an EMMP with the PMP, and the workplan and budget must provide for EMMP implementation.

After initiating EMMP development “at the office”, the team has the opportunity to visit either the site for this hypothetical project or a *similar project already in implementation*. (Visiting a similar project helps to understand the likely impacts of your hypothetical project, the typical environmental management practices involved, and the environmental management challenges posed by this type of activity.)

Informed by its field observations, each team will return to the “office” and develop an EMMP responsive to IEE conditions. Each team will then present this EMMP in plenary.

Instructions

A. Briefing (0:30)

The training team will brief the overall EMMP development exercise, the project scenario(s), and the field visit(s).

B. Group Work: EMMP Development (1:30)

Teams will initiate development of their EMMP, using the *Small-Scale Guidelines* as a reference. **Teams will work on laptops, using the EMMP template provided.**

Before the end of the session, teams should discuss and agree on their strategy for the site visit, including:

- Identification of key baseline conditions to observe at the site. (I.e. the conditions that will affect the design and implementation of mitigation measures.)
- Assignment of roles and responsibilities.

Please Note:

1. The IEE conditions are quite general. Therefore, as part of EMMP development, the team must translate them into more specific mitigation measures that are responsive to field conditions.

2. Because time will not be sufficient to develop a full EMMP, teams will need to focus on carrying at least a few IEE conditions thru to completion. That is, translating the measure into specific mitigation conditions, identifying appropriate monitoring, and estimating budget and resource requirements both for the mitigation and the monitoring.

Homework

Before the start of Day 3, all participants and facilitators should review these instructions, the site visit briefing material (following pages), and read through the relevant chapter of the *Environmental Guidelines for Small-Scale Activities in Africa*.

C. Field Visit (3:15)

The field visit is intended to provide a “reality check” on initial EMMP development, thus making sure that the final EMMP is well-grounded in field reality.

Towards this end, in the field each team should:

- Observe baseline conditions at the site, particularly those that could affect the significance of impacts and the design of mitigation (for example, are people living in close proximity to the site? Is there domestic use of groundwater or discharge? Etc.)
- Understand the different sub-activities that happen at the site, and who is responsible for them—with particular emphasis on the sub-activities most responsible for adverse environmental impacts.
- Understand the environmental management procedures currently in place, and look for evidence that they are effective (or not).

It is possible that we will observe certain ESDM deficits at the site. But please remember that we visit as observers and invited guests, not auditors or inspectors. We should observe, listen, and by all means ask questions—but not offer criticism to our hosts.

D. Group Work: EMMP Development, continued (2:00)

Back in the classroom, each team will continue their work to develop an EMMP responsive to (1) the provided IEE conditions, and (2) the realities observed in the field.

Teams should use the last portion of this session to finalize their presentation

E. EMMP Presentations & Wrap-up discussion (1:15)

Each group will present its EMMP in plenary. Participants in the "upstream compliance" bloc will attend these presentations, practicing their USAID staff role as receivers and reviewers of EMMPs.

Facilitators will provide the time limit for the presentations.

Session 12.

(0:30)

IP Reporting on Environmental Compliance

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.

Format

Presentation.

Summary

ADS 204 requires that C/AOTRs 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, C/AOTR 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.

Best practice for IP environmental compliance reporting consists of two elements:

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

Generally, IP's quarterly or semiannual 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 large projects 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 "mainstreamed" into the project results framework. 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 of road rehabilitated under environmentally sound practices" rather than "km of road rehabilitated."

In both cases, the “environmentalized indicator” demonstrates the core project activities are being executed with attention to environmental soundness/compliance. It is NOT necessary 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 small-scale wat/san or health care activities, use the ENCAP Visual Field Guides). 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 & workplan. Determine environmental compliance reporting	Review and approval of: <ol style="list-style-type: none"> 1. the EMMP (for responsiveness to IEE/EA conditions & 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.

Session 13: Environmental Compliance/ESDM Knowledge Game

(1:15)

Objective

Review key workshop content and concepts via a small-team competition.

Format:

Briefing and team assembly	0:10
Team competition	0:50
Debrief	0:15

Summary

We have now completed agenda components 1-4:

1. Motivating LOP Environmental Compliance
2. Building Core EIA Concepts and Skills
3. Mastering LOP Compliance Requirements
4. Understanding Key “Special Topics” in compliance.

These components constitute the portion of the workshop dealing with core technical skills and knowledge. Before we turn to the fifth and final agenda component (“Strengthening environmental compliance processes in Missions and teams”), we will review this core technical content in two sessions:

- In this session, we will play an environmental compliance/ESDM knowledge game to review key concepts contained in components 1-3. The game will take the form of a competition among small teams.
- In the following session, we will take time to resolve any outstanding technical issues in our “parking lot.”

Game Briefing

Teams.

5 teams (6-8 persons/team), each with one non-participant recorder.

“Performance Assessment aligns with Programming Framework”:

3 rounds of 5 multiple-choice/fill-in-the-blank questions each. Each round corresponds to one of the 3 core agenda components and assesses the objectives of that component.

Democracy and Governance

Teams must operate by consensus, reaching unanimous agreement on each answer.

Monitoring and Evaluation

Recorders will verify consensus by show of hands for each answer and record the answer.

Recorders will verify that no books, notes, laptops or other electronic devices are employed to assist in answering questions.

Scores will be tabulated by an independent party (MC) in each around.

“Results Framework”

- First team to complete all questions in a round: 8 point bonus. 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 pts
[NOTE: some questions have more than 1 element/choice. EACH correct element/response is worth 5 points.]
- Each incorrect answer: 3 pt DEBIT
[NOTE: multiple wrong answers on a question result in multiple debits.]
- No answer: 0 pts
- All answers in a round correct 10 pt bonus.
- 12 minute limit on each round.
- Team scores will be posted to the front and updated after each round.

Implementation Procedures

1. MC briefs the game (contents of this sheet). Time pressure is part of the exercise!
2. MC’s assistant assigns teams and recorders. Members of each team cluster together.
3. Swear in recorders.
4. Teams have 7 minutes to 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. MC’s assistant records order in which teams finish.
10. End of the round occurs after 12 minutes or when all teams are finished, whichever is first.
11. MC’s assistant tabulates scores; they are posted at the front.
12. Repeat steps 6-11 for the subsequent 2 rounds.
13. After 3 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 14.

Resolving the “Parking Lot”: Final Technical Q&A

(0:30)

Objective

Conclude the “core technical skills and knowledge” portion of the workshop by resolving parking lot issues.

Format:

Facilitated discussion

Summary

Over the course of 4 days, we have identified a number of “parking lot” items—questions and issues that could not easily be addressed at the time they arose, but which are important to answer and resolve before the end of the workshop. Additional issues may have been raised by the environmental compliance/ESDM knowledge game.

We will conclude the “core technical skills and knowledge” portion of the workshop by discussing—and hopefully resolving—these parking lot issues in a facilitated discussion that draws on assembled expertise of the BEOs, REAs, the consultant trainers, and participants.

Note that parking lot issues concerning mission and team compliance processes will be reserved for Day 5, which focuses on process issues.

Key Resource

“Parking lot” issues list compiled during the workshop.

Session 15: Resources for ESDM & Compliance

(0:10)

Objective

Review the key ESDM/environmental compliance resources introduced during the workshop; introduce the offline version of the ENCAP website.

Format

Short presentation & demonstration of offline version of ENCAP website

Summary

This session familiarizes us with the ESDM and environmental compliance resources available on the ENCAP website (www.encapafrika.org) and on the flashdrives provided to each participant. (The flashdrives contain a full off-line copy of the site.)

These resources include:

- The *Small-Scale Guidelines*
- A number of other sectoral resources
- Training Materials
- The searchable Africa IEE and EA Archive, and the
- *MEO Resource Center*.

The session also summarizes the environmental compliance & ESDM support services available to Missions via USAID/AFR/SD's ENCAP program.

Key Resources

As referenced above.

Session 16.

(0:40)

State of Environmental Compliance in AFR Missions: Results of BPRs to Date

Objective

Survey the Mission and team compliance processes and capacities required for compliance. Review typical gaps and shortfalls and examples of mission good practices identified by Mission Environmental Procedures Best Practices Reviews (BPRs) conducted across the region.

Format

Presentation and participant reactions

Summary

This workshop has set out LOP environmental compliance requirements, and how the responsibilities for fulfilling these requirements are allocated among IPs, C/AOTRs and MEOs.

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 staff understand their roles and responsibilities and master key skills; mission and team processes must be in place that support (and require) the exercise of these responsibilities.

This is well-illustrated by the results of 10 Environmental Procedures Best Practices Reviews (BPRs) conducted in AFR missions over the past 3 years.³ The BPR is a voluntary audit that examines both environmental compliance status AND the policies, procedures, and capacities that support LOP compliance. Specifically, the BPR assesses the mission and its portfolio against the Africa Bureau *Environmental Compliance Best Practice Standard* (included in this section).

In this session, we will:

- Examine the *AFR Best Practice Standard* to better understand the mission processes and capacities required for LOP environmental compliance;
- Review the results of BPRs to date and take a straw poll to compare these findings to participant's views of their own missions.; and
- Highlight mission good practices.

With this information, we will be ready to begin Session 17's discussion on ways forward: how to strengthen mission and team compliance processes and capacities to improve LOP environmental compliance and better achieve ESDM.

³ In addition, USAID's Office of the Inspector General conducted formal Environmental Compliance audits of the Kenya and DRC missions as part of a global effort.

Key Resources

ENCAP BPR Factsheet
AFR Environmental Compliance Best Practice Standard
Synthesis of BPR Findings

AFR Environmental Compliance Best Practice Standard

A) Environmental documents are in place, including:	
1) Environmental Compliance Mission Order	
2) MEO Appointment Memo	
3) Up-to-date ETOA or FAA 118/119, prepared with MEO involvement or review	
4) IEEs at SO level, updated as necessary	
5) IEEs at activity level, updated as necessary (if not included in SO-level IEE)	
B) Staff and implementing partners have capacity to ensure environmental compliance:	
1) Staff and implementing partners have been trained in Regulation 216/environmental compliance	
2) MEO has knowledge of country level environmental assessment legislation and country environmental issues	
3) MEO has skills and expertise to identify potential environmental components for Mission SOs and activities;	
4) A “Deputy” or “Alternate” MEO has been appointed to assist when the MEO is unavailable	
5) Opportunities for ongoing training in environmental compliance are provided to staff and implementing partners	
C) Processes are in place to ensure environmental compliance:	
1) MEO reports directly to Mission Director or senior management on matters pertaining to compliance with USAID Environmental Procedures	
2) MEO has mission-wide tracking process for IEE status, which is readily available to all mission staff. (BEO request: use Environmental Compliance Status Report format, an example of which is being sent as an attachment.)	
3) MEO and CTOs/Activity Managers have process for collaborating on activities with potential environmental impacts (from design to closure)	
4) Process exists to identify activities that need amended IEEs (not already covered by the SO level IEE)	
5) Process exists for ensuring IEE conditions are incorporated into Request for Proposals/Request for Applications (RFP/RFA), or process exists for ensuring activity-level IEE will be undertaken by the contractor (and included as a task in the RFA/RFP)	
6) Process exists for incorporating IEE conditions into contracts; and including mitigation and monitoring costs into project budgets	
7) Process exists for ensuring mission or implementing partner develops and implements an Environmental Management Plan/Mitigation and Monitoring Plan (EMP/MMP)	
8) Process exists for reporting to USAID on implementation of mitigation measures and continued assessment of potential environmental impacts (in project semi-annual or quarterly reports);	
9) Financial resources available to support mission environmental compliance processes, including training, analytical support, MEO travel to assist CTOs with field monitoring, etc. When the MEO reports to a sectoral team (Economic Growth, etc.), these resources would ideally be provided by the Program Office, since the MEO duties support the mission as a whole.	
D) The following mission contracting, project, and review/status documents include environmental compliance language:	
1) Strategic Objective Agreement (SOAg) approvals	3) Modified Acquisition and Assistance Request Documents (MAARDs)
2) Activity Approval Documents (AAD)	4) RFPs/RFAs
5) Contracts and cooperative agreements with budget that reflects mitigation and monitoring costs;	
6) Quarterly or semi-annual reports, submitted by project staff to the CTO	
7) Most recent Annual Report submitted by Mission to USAID/W	
8) Portfolio reviews, conducted semi-annually	
9) Closure report, where lessons learned regarding ESDM and Reg. 216 should be documented; and	
10) Federal Management Financial Information Act (FMFIA) review, wherein, on an annual basis, every mission conducts a review of all their systems (financial and otherwise, including ADS 204)	

Synthesis of BPR Findings (all BPRs thru August 2010)

(note: findings characterize Mission compliance status at the time of the BPR; they do NOT reflect changes resulting from the BPR.)

1. **“upstream” compliance** (i.e. Reg. 216 documentation coverage for the Mission Portfolio) is generally reasonable, but not perfect:
 - Approval delays, especially for PERSUAPs, are a problem
 - Some but not all missions verify IEE coverage for new activities
2. However, **poor IEE Quality & Lack of Specificity** adversely affect the ability of IEEs to serve as a clear basis for project mitigation actions and project compliance.
 - In part, the problem is intrinsic to sector program level IEEs (SO-level IEEs), particularly those put in place when the sector program is in the early design stage.
 - Problem is not that there are a few notably bad IEEs, but that the current standard of IEE practice in AFR is not adequate.
3. In almost every mission, **a few project examples of good “downstream” compliance** exist. (that is, IEE/EA conditions are being implemented and reported on.)
 - But these examples of strong compliance are person-driven (a proactive C/AOTR, a diligent partner), not systems-driven.
 - Compliance seems to be better for Title II CSs (who write their own, project-level IEEs)
4. Generally though, **IP reporting on environmental compliance is very, very limited**. That is, there is no auditable, verifiable record of IEE implementation (or lack thereof)
5. This makes determining the extent of IEE conditions implementation difficult. Different BPRs have had differing levels of success in truly verifying the extent of IEE conditions implementation on a project-by-project basis—depends on level of team cooperation, partner availability.
6. However, in the large majority of cases where we have successfully “drilled down” to the project level, **implementation of IEE/EA conditions is POOR**:
 - Partners and C/AOTRs unaware of conditions
 - Contractual requirements for conditions implementation not in place.
7. **C/AOTR awareness of environmental compliance responsibilities is generally poor**—and where present, is often limited to “upstream compliance.” (Of well-informed/pro-active A/COTRs, almost all have attended ENCAP trainings.)
8. Effective **sector team compliance planning as mandated by ADS is almost non-existent**.
9. **MEO position is chronically under-resourced**. In some cases MEO authority and reporting lines are adequate—in some cases not.
10. **Environmental compliance verification is seldom part of the Mission M&E function**.

Session 17.

Strengthening Compliance Systems and Processes: Charting a Way Forward

(2:00)

Objective

Identify key messages to communicate to mission management and sector team leaders to prioritize and strengthen LOP environmental compliance; develop an individual plan for workshop follow-up to strengthen LOP environmental compliance in your projects, team, or mission/operating unit.

Format

1:00 17a. Separate focus sessions: (1) MEOs; (2) A/COTRs & other functions

1:00 17b. Plenary discussion

Summary

Informed by the previous session (Synthesis of BPRs findings; examples of Mission good environmental compliance practices) this session will consist of discussions and individual planning on “ways forward”—i.e., how to strengthen mission and team compliance processes and capacities to improve LOP environmental compliance and better achieve ESDM:

17a. Focus Groups.

For the first part of the session we will divide into two focus groups: (1) MEOs and (2) A/COTRs and other functions. Each group will engage in a facilitated discussion

Focus Group Questions:

- What elements of LOP compliance are well-implemented in your mission? Why?
- Have you/your team/the mission implemented compliance strengthening measures you would like to share? is working well?
- Key LOP environmental compliance gaps within your team/Mission? What are the causes of these gaps?
- Do you see feasible remedies? What are they?
- What do the Sector Teams (and A/COTRs specifically) need to do differently? Do they need additional resources, support or training to implement these changes?

17b. 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, what are the key points to convey to prioritize and strengthen LOP environmental compliance? Key recommendations to make?

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

These points will also serve as input to a planned communiqué to Mission Directors regarding LOP environmental compliance. The motivation and starting point for the communiqué will be the results of BPRs to date.)

- The last 20 minutes will be reserved for development of individual workshop follow-up plans, using the template on the following page. We will for volunteers to share some of their follow-up items.

Key resources

AFR Environmental Compliance Best Practice Standard (previous session)

Synthesis of BPR Findings (previous session)

Environmental Compliance Action Plan template (following page).



USAID

FROM THE AMERICAN PEOPLE

Life-of-Project Environmental Compliance & Environmentally Sound Design and Management *An Africa Regional Training Workshop for USAID Staff*

INDIVIDUAL WORKSHOP FOLLOW-UP PLAN

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

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

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

Action item	Proposed timeline	Immediate step
1.		
2.		
3.		
4.		
5.		

Session 18: Workshop Evaluation

(0:15)

Format

Fill in workshop evaluation form.

Summary

In response to comments received on the previous workshops in this series and in response to evolving AFR programming, a number of changes to agenda and session content were implemented in this workshop. Your feedback is essential to strengthen materials and agenda—and to draw attention to Mission and Program TA and support needs for ESDM and environmental compliance.

Key Resource

Evaluation form (following pages)

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

IEE/EA Conditions and Environmental Compliance Best Practice for “Tricky Activities”

Objective

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

Format

Presentation and Q&A

Summary

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

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

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

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

Special Topic: Subproject Review

(1:00)

Objective

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

Format:

Presentation and Q&A.

Summary

Many USAID programs and large projects include *subprojects*—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—but subprojects are not specifically defined/designed when the IEE is written.

The solution is typically that the IEE contains a *negative determination with conditions* for these activities. The condition is that a simplified EIA process is established to review subprojects and establish mitigation and monitoring conditions. This is generally only allowable if:

- The *general nature* of sub-project activities is known
- 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 the subproject screening and preliminary assessment processes.

The Africa Bureau ERF is being updated to make appropriate use more clear, and to reflect changes in AFR best practice over the past five years. This session will highlight the changes being made.

Under the ERF screening process, 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.

Key resource

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

Special Topic. Environmental Assessments & Programmatic Environmental Assessments

(0:50)

Objective

Understand the requirements that Reg. 216 establishes for EAs and PEAs and the circumstances that indicate development of a PEA.

Format:

Presentation and Q&A.

Summary

This module summarizes the requirements that Reg. 216 establishes for EAs and PEAs and the circumstances that indicate development of a PEA. It provides “getting started” guidance for the EA/PEA process.

Special Topic.

Incorporating GCC Adaptation and Mitigation in Project Design

(1:45)

Objective

Understand the basic concepts of GCC adaptation and GHG mitigation in design of typical sectoral activities; practice identifying needs or opportunities for GCC adaptation and GHG mitigation in such activities.

Format:

Brief presentation and small group exercise

Summary

Global Climate Change is expected to have very significant impacts in Africa, with disproportionate impacts on the most vulnerable. USAID is increasingly designing and implementing projects and programs whose primary objective is GCC-related:

- adaptation programming to help communities and countries build resilience to climate change impacts;
- clean energy programming to support low emission economic growth; and
- sustainable landscapes programming focused on conserving forests and reducing deforestation to reduce emissions)

But beyond programming centered on GCC objectives, robustness to GCC has become a key dimension of environmentally sound design and management for almost all projects and activities.

For example as discussed in session 2 of this workshop: are the crop varieties to be promoted by a project appropriate given likely changes in precipitation? Are structure siting and designs appropriate given likely changes in storm frequency/intensity and flood probabilities?

Assuring that *all* designs are robust to anticipated GCC-driven changes in local environmental conditions is one way in which USAID programming should support the concept of *resilience* and *adaptation* to GCC.

USAID-funded activities rarely have significant effects ON climate change in the sense of being significant contributors to global GHG emissions. However, climate change is driven by the sum of many small actions. So even small-scale projects should, while operating within their development objectives, implement feasible *emissions mitigation*. That is, means and measures to reduce their direct or indirect GHG emissions and/or increase sequestration.

Special Topic/Sectoral Best Practice. Water: Special ESDM and Environmental Compliance Considerations

(0:45)

Objective

Brief the special ESDM and Environmental Compliance Considerations that apply to water; stimulate discussion and exchange on water as a cross-cutting issue in many AFR mission portfolios.

Format

Presentation and discussion.

Summary

Special environmental compliance requirements apply to water activities. Beyond this, in the context of much of sub-Saharan Africa, water is a cross-cutting development issue.

This session will brief the environmental compliance requirements that pertain to water and highlight these ESDM issues. We will also bring to completion the water testing portion of our site visits by reading the coliform test results.

Special Topic/Sectoral Best Practice. Pesticides, Safer Use & USAID's Pesticide Procedures

(0:45)

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 & procurement, and of the key elements of safer pesticide use.

Format:

Presentation and Q&A.

Summary

This module 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 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 satisfied via 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.

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

Special Topic/Sectoral Best Practice. Health Care Waste

(0:45)