

CONTEXT OF ANE's IMPLEMENTATION OF 22 CFR 216

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CONTEXT OF USAID'S NEPA IMPLEMENTATION

- In addition to environmental impact assessments, NEPA created the White House Council on Environmental Quality (CEQ) to oversee NEPA compliance.
- CEQ is one the 5 White House “Councils” in the Executive Office of the President: CEQ, NSC, CEA, DPC & NEC.
- CEQ’s Chair, Jim Connaughton, is the President’s principal advisor on environment.

NEPA in USAID

- Every Federal agency has a NEPA federal regulation.
- USAID's is Title 22 of the Code of Federal Regulations, Part 216 (22 CFR 216).
- CEQ has determined that 22 CFR 216 meets NEPA standards.
- USAID is required to report to CEQ on our implementation of 22 CFR 216.

CEQ NEPA Liaisons

- Each federal agency has a CEQ NEPA liaison who is the contact point between CEQ and their agency
- Larger agencies have a principal liaison for their department and additional liaisons for each major agency.
- USAID, being a smaller agency, has a single liaison in the person of the Agency Environmental Coordinator

CEQ's NEPAnet

- <http://ceq.eh.doe.gov/nepa/nepanet.htm>
- NEPAnet is CEQ's basic public information web page.
- Links include legislation, regulations, liaisons, new developments, etc.
- Improvements planned

CEQ's NEPA Task Force Report

- Task force created to write a report on how to improve and strengthen NEPA implementation across the government
- The draft report is available at:
<http://ceq.eh.doe.gov/ntf/report/index.html>

Task Force Preliminary Findings – Possible Future NEPA Expansion

- Technology and information management and security
- Federal and intergovernmental collaboration
- Programmatic analyses and tiering
- Adaptive management and monitoring
- Categorical exclusions
- EAs vs. EISs (USAID's IEEs vs. EAs)

Role of the Agency Environmental Coordinator (AEC)

- AEC is USAID's NEPA liaison to CEQ
- Oversees 22 CFR 216 (NEPA) implementation in USAID
- Interprets 22 CFR 216 in new situations
- Writes and manages relevant sections of ADS

AEC's Role (cont)

- Concurs in AA's appointments of BEOs
- Decides appeals to BEO decisions (rare)
- Presents appeals of AEC decisions to CEQ (very rare)
- Coordinates EIS process for USAID (rare)

Role of a BEO

- Each operational Bureau has a Bureau Environmental Officer (BEO).
- BEOs oversee 22 CFR 216 compliance in their Bureaus and are the primary decision makers on requests from SO teams and Mission Directors for 22 CFR 216 determinations.

BEO's Role (cont)

- BEOs have exceptionally difficult jobs and must make hard decisions. They need your support.
- LAC BEO position to be re-filled soon

22 CFR 216 Implementation Status Across USAID

- 400 to 500 22 CFR 216 actions per year.
- If not properly done, any could result in another disaster and/or lawsuit against the Agency.
- 22 CFR 216 implementation- adequate but room for improvement in parts of the agency.
- Recent NEPA foreign aid agency lawsuit (still being litigated) did not include USAID as a defendant (ExIm and OPIC only).

Environmental Soundness is Essential to our New Strategic Plan

- Secretary Powell and Administrator Natsios released the new joint STATE-USAID Strategic Plan.
- 4 Joint Strategic Objectives and 12 Joint Strategic Goals.

New Strategic Plan (cont)

- The 4 Strategic Objectives are:
 - Achieving Peace and Security
 - **Advance Sustainable Development and Global Interests**
 - Promote International Understanding
 - Strengthen Diplomatic and Program Capabilities

12 new STATE-USAID Joint Strategic Goals are:

- Regional Stability
- Counterterrorism
- Homeland Security
- Weapons of Mass Destruction
- International Crime and Drugs
- American Citizens
- Public Diplomacy and Public Affairs
- **Democracy and Human Rights**
- **Economic Prosperity and Security**
- **Social and Environmental issues**
- **Humanitarian Response**
- Management and Organizational Excellence

Social & Environmental (S/E) Issues

Improve Health, Education, Environment and Other Conditions for the Global Population:

- Improved global health, including child, maternal, and reproductive health, and the reduction of abortion and disease, especially HIV/AIDS, malaria, and tuberculosis.
- **Partnerships, initiatives, and implemented international treaties and agreements that protect the environment and promote efficient energy use and resource management.**

S/E Issues (cont)

- Broader access to quality education with emphasis on primary school completion.
- Effective and humane international migration policies and systems

S/E Issues (cont)

- State/USAID S/E Joint Policy Council
- Co-Chaired by DAA/EGAT, Jackee Schafer and PDAS/OES, Bud Rock
- Developing plans for closer cooperation on S/E issues, policies and budgets