



ADS 204 - Environmental Procedures



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➤ 204.1 Authority

➤ 204.2 Objective

- ➔ Environmental sustainability integral to USAID's overall goal
- ➔ Env. considerations shall be incorporated into **results planning, achieving, and monitoring**



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204.3 Responsibility

- Operational Bureaus
 - ➔ Oversee Operating Units to ensure env. review fully integrated in decision making (including **planning** and **approval** of all programs and activities)
- Operational Units
 - ➔ **Allocate** adequate **staff** and financial **resources** to Teams to implement Agency's Env. Procedures
 - ➔ **Hold SO Teams accountable** for mtg reqs and monitoring results



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- SO, Strategic Support Objective, or Special Objective Teams (SO Teams) Responsibilities
- ➔ Ensure compliance in designing, monitoring, monitoring (for all programs, expected results, activities)
 - ➔ Ensure that env. Consequences of all actions are considered and approp. env safeguards adopted
 - ➔ SO Team also resp. for keeping BEO fully informed thru informal contacts and the R4 process
 - ➔ Timely completion of reviews (so as not to unnecessarily delay implementation)



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➤ MEO and REO Responsibilities

➔ Advising SO Teams on:

- ♣ how best to comply
- ♣ how SO Teams can effectively monitor implementation of mitigative measures
- ♣ how SO Teams can obtain additional environmental expertise to assist them

➔ Liaise with their relevant BEOs on Reg 216 issues affecting SO Teams in their Operating Units



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➤ BEO Responsibilities

➔ oversee effective implementation of Reg 216 thruout all Operating Units in their Bureau through

- ♣ timely decision making
- ♣ adherence to consistent and strong env principles leading to env sound dev.

➤ Agency Environmental Coordinator Responsibilities

➔ Oversee effective implementation of Reg 216 thruout the Agency

➔ Includes monitoring its implementation, resolving disputes, advising in selection of BEOs, and liaising with CEQ and public



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- **204.4 Definitions (See GLOSSARY [Word](#) | [PDF](#) | [HTML](#))**
- **204.5 Policy**



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➤ **204.5.1 MANDATORY COMPLIANCE WITH 22 CFR 216**

- ➔ USAID must fully comply with Reg 216, except that some terms in Reg are no longer used (i.e. PID, PP, etc.). Instead other terms are used in the ADS (intended to be as parallel as possible to the original terms)
- ➔ However, Reg 216 is controlling in the event of conflict between the ADS language and Reg. 216
- ➔ If there are questions, consult your BEO, the AEC, or Agency legal counsel



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➤ 204.5.2 OPERATIONAL BUREAUS

- ➔ shall review and approve the env. section in 204.5.3 within their R4 process w/ guidance of their BEO
- ➔ Shall provide each Operating Unit resources necessary to complete env. reviews for programs/activities in the Strategic Plan or modifications



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- Take necessary steps to ensure that each SO Team integrates timely, effective env rev. in decision-making process for programs/activities
- Ensure sufficient money and staff allocated to the SO Teams to accomplish the work
- Take necessary steps to ensure that no irreversible commitments of resources for programs/activities by any Teams before env review findings are considered
- Operating Units shall undertake the required environmental planning analyses for its strategic plan as outlined in chapter 201.5.10g.



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➤ 204.5.3 OPERATING UNIT

➔ Each Operating Unit shall submit an env. Section as integral part of R4. Two parts:

- ♣ A discussion of any issues raised by Operating Unit related to implementation of mitigation measures, monitoring provisions or other implementation requirements agreed to during design
- ♣ An illustrative schedule of upcoming activities that may require Reg 216 review (allows for BEO to better plan for workloads)
 - Also serves as planning doc. For budgeting time and \$ to ensure speedy action on meeting Reg. 216 reqs.



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➤ 204.5.4 STRATEGIC OBJECTIVE, STRATEGIC SUPPORT OBJECTIVE AND SPECIAL OBJECTIVE TEAMS (SO TEAMS)

➔ Each Team shall:

- ♣ actively plan how it will comply with 22 CFR 216 for all interventions
- ♣ actively monitor ongoing activities for compliance with approved IEE, EA, or EIS recommendations or mitigative measures
- ♣ modify or end activities that are not in compliance

➔ SO Team may delegate implementation of above responsibilities to Results Package (RP) Teams. In these cases SO Team must ensure that RP Teams have adequate time, staff, authority, and money to implement



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- Each Operating Unit and SO Team shall develop effective essential procedures to:
 - ➔ ensure adequate time/resources available to complete all required Reg. 216 env work **before funds are obligated** , including IEEs, CEs, requests for deferrals or exemptions of environmental reviews and
 - ➔ if appropriate, Scoping Statements and their related EAs or EISs)



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➤ More specifically these environmental reviews include;

➔ completing an IEE or justification for a CE or Exemption, in accordance with Reg 216, for each intervention at earliest time in planning/design process when sufficient information is known to permit an environmental threshold determination;

♣ essential that this be done as early as possible in design process to:

- allow time for more detailed subsequent environmental review and concurrence,
- integrate environmental mitigations into the design process, should this be required;

➔ completing Scoping Statements and EAs or EISs (if required) at the earliest stage in design process when sufficient information is known/ being developed to undertake these analyses;



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- forwarding each env doc to BEO for concurrence, allowing time for process;
- providing reasonable notification to **affected public and, as feasible, encouraging public participation**, review and comment on Scoping Statements and their related EAs or EISs. Public is defined for EAs to include
 - ♣ directly affected people in host country, host country governments.
 - ♣ USAID's policy to involve U.S. parties when they show an interest.
 - ♣ For EISs, inclusion of U.S. public is a regulatory requirement.



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- considering the content/findings of env documents in design and approval of each intervention before irreversible commitment of resources;
- incorporating env features and mitigative measures from IEEs, EAs, and EISs, as appropriate, in final design/implementation of interventions
- actively monitor/evaluate whether the designed env features are being implemented
- determine possible environmental consequences arising during implementation not identified/reviewed in accordance with Reg 216
- Based on the above initiate, modify or end activities as appropriate



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→ Provide the Operating Unit with any issues on environmental compliance and a schedule for any activities which must be reviewed under 22 CFR 216 to facilitate advance planning and provide information for the environment section of the R4.



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➤ 204.5.5 MEO and REO

- ➔ Mission Director shall appoint an MEO
- ➔ MEO serves as core member of each SO Team on Operating Unit
- ➔ MEO frequently takes the lead in overseeing Reg 216 doc prep on new activities and monitoring compliance for ongoing activities

HOWEVER, ULTIMATE RESPONSIBILITY FOR MEETING REG 216 BELONGS TO EVERY MEMBER ON THE TEAM (AND THE TEAM LEADER, in particular).



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→ In some cases a regional support mission may exist and have a REO supporting a cluster of Operating Units. In these cases the REO provides tech support and regional coordination to MEOs



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➤ 204.5.6 BUREAU ENVIRONMENTAL OFFICER (BEO)

- ➔ After consultation with the AEC, the Assistant Administrator (AA) for each operational Bureau in Washington shall appoint a qualified BEO (based in Washington)
- ➔ All regional Bureaus plus all operational Central Bureaus (i.e. G and BHR) have BEOs
- ➔ The BEO:
 - reviews and provides guidance on the environmental section of the R4;
 - monitors Reg 216 compliance of all Operating Units in the Bureau;
 - approves all Reg 216 documents, and
 - performs the other specific functions described in 22 CFR 216.
- ➔ When staffing patterns permit, each AA shall also appoint a qualified Deputy BEO who can act on official Reg 216 actions



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204.5.7 AGENCY ENVIRONMENTAL COORDINATOR (AEC)

- Oversees Agency-wide implementation of Reg 216
- Advises the Administrator, AAs, and other senior Agency management about issues that arise under Reg 216, and
- with advice from the Office of the General Counsel, interprets how 22 CFR 216 should be applied to new or unusual situations
- Specific additional responsibilities are described in 22 CFR 216

