

FOOD FOR PEACE
INFORMATION BULLETIN (FFPIB)

Date: 12 May 2004

MEMORANDUM FOR ALL FOOD FOR PEACE OFFICERS

TO: USAID/W and Overseas Distribution Lists

FROM: DCHA/FFP, Lauren R. Landis, Director

SUBJECT: USAID Environmental Procedures (22 CFR 216)
Compliance and FFP Programs

FFPIB 04-04

Background:

Ensuring environmental quality is essential to accomplishing USAID's mission of reducing food insecurity and increasing resiliency in local populations. Over the years, FFP has demonstrated a high level of environmental responsibility in its strict adherence to and compliance with environmental regulations for programs funded with Title II resources. The purpose of this FFPIB is to clarify the requirements for application of USAID's Environmental Procedures (Title 22 of the Code of Federal Regulations, Part 216 (22 *CFR* 216, or "Reg. 216")) to FFP programs. Not only does the environmental stewardship resulting from Regulation 216 enhance the sustainability of our programs, but pursuant to Federal statute and Executive Order, it is our legal obligation to comply with 22 CFR 216.

All FFP programs involving PVOs and grantees must submit an Initial Environmental Evaluation (IEE) for clearance by both the FFP Director and the DCHA Bureau Environmental Officer (BEO) before funds can be obligated.

Preparation of FFP program IEEs is the responsibility of the PVO requesting Title II resources.

Programs implemented by the World Food Program (WFP) are not subject to the USAID Environmental Procedures. WFP has outlined, in a Policy Issues Paper on WFP and the Environment (1998), their commitment to environmentally sustainable interventions in relief, recovery and development, and provided an outline of their plan for enforcement and adoption of sound environmental practices in their operations. Of course, this must also be coupled with due diligence on the part of the FFP Country Backstop Officer

(CBO) and SO team to verify on a case by case basis that sound environmental standards are being upheld.

Almost all development and relief activities affect the environment in some way. The goal of USAID's environmental procedures is not to prevent all such impacts. Instead, the procedures are intended to assure that environmental issues receive adequate consideration in design and implementation ([*The USAID Environmental Procedures Training Manual*](#) (EPTM), (Africa Bureau, 2003).

An IEE is the first review of the reasonably foreseeable effects of a proposed action on the environment. Its function is to provide a brief statement of the factual basis for a threshold decision as to whether an Environmental Assessment or Environmental Impact Statement will be required. The determination is based on the types of proposed activities, their respective potential for causing adverse effects on the environment or human health, and the applicable mitigation measures detailed in a proposal.

Even activities that could qualify as *categorical exclusions* require compliance paperwork clearly stating the nature of the intended activities, their potential impact on the environment, and justification for a categorical exclusion based on a meaningful environmental threshold determination.

The primary *exemption* available is for international disaster assistance in which an immediate response is required and NO immediate alternatives are available (e.g., emergency relocation of flood victims, establishment of refugee camp for rural populations caught in civil strife, or emergency medical infrastructure for victims of war).

While in very few circumstances such an exemption would not require a formal written clearance, it is the policy of FFP that both Emergency and Non-Emergency programs will provide documentation of 22 CFR 216 compliance for their proposed program activities. Any other exemptions available under 22 CFR 216 are extremely rare, and would require formal written approval from the Administrator or Assistant Administrator, and consultation with the White House Council on Environmental Quality. The EPTM clarifies the formal requirements for an exemption to apply.

There will be no special documentation required in the event that the transfer of up to 10% of in country stocks takes place between approved Title II DAP programs to meet emergency disaster requirements or to improve efficiency of operation (as described in Regulation 11, Section 211.5 (o)). There is of course, the inherent responsibility to utilize best practices and sound program design to ensure environmental stewardship.

Responsibilities:

SO teams are responsible for ensuring full compliance with 22 CFR 216. This includes designing, monitoring and modifying all programs, results packages and activities to ensure that the environmental consequences of all actions taken by USAID are considered and that appropriate environmental safeguards are adopted. The SO team is

also responsible for keeping its relevant BEO informed on upcoming 22 CFR 216 actions through informal contacts, and for ensuring that all of its 22 CFR 216 environmental reviews are accomplished in a timely fashion, so as not to unnecessarily delay the implementation of any activities. (*ADS 204, Environmental Procedures.*)

For further clarification or guidance on 22 CFR 216 and IEE requirements, refer to the following:

- [ADS 204, 22 CFR 216](#),
- Guidance Notes, supplementary to this document
- [The Environmental Documentation Manual for PL 480 Title II Cooperating Sponsors](#),
- [“A Cooperating Sponsor's Field Guide to USAID Environmental Compliance Procedures”](#) (PDF, 165K), developed by Catholic Relief Services and FAM ([Food Aid Management](#)),
- [The USAID Environmental Procedures Training Manual](#) (AFR Edition, May 2003)
- Contact Paul des Rosiers, DCHA BEO or Lisa Witte, FFP/PTD.