

Getting IEEs Submitted/Approved

Objectives: Understand Reg. 216
and make it work for you in the
design-procure-implement
process

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www.usaid.gov/our_work/environment/compliance
ane-environment.net www.encapafrika.org

Common Concerns

- **Environmental review/compliance** - before, after, during project design and fund obligation
- **How far** to think through impacts
- **Categorical Exclusion, Negative Determination, ND with Conditions, Positive Determination, Deferral, Exemption**
- **Flow down** to implementers
- **Dollops** of later funds
- **Environmental assessment screening checklist**
- **Scoping Statement** and **Environmental Assessment**
- **Monitoring/evaluation**
- **The Mission can appeal the ETD or ROD by contacting the BEO with the rationale for the appeal**

THIS YOU ALREADY KNOW

- What and why is 22 CFR 216
- Who is responsible
- Why bother
- What does 22 CFR 216 say
- How does it work
- Can a clever person avoid it
- Outcome

What kind of IEEs are there?

- Checklist is not an IEE but it might be useful
- Categorical Exclusion requests (IEE preferred)
- **Project-level** Initial Environmental Examinations (IEE)
- **Programmatic or umbrella** IEEs (often with *environmental assessment checklists*)
- **Strategic Objective** level IEEs
- **Amended** IEE, when scope, budget or administration changes *significantly*
- Typically, **the Missions chose** the IEE type
- **A project may have several different decisions**

Who drafts IEEs?

- *Usually* - Program/Project Managers (P/PM), Strategic Objective Managers (SOM), Cognizant Technical Officers (CTO), contractor
- Mission Environmental Officers (MEO)
- Regional Environmental Officers (REO)
- Environmental Specialists or Advisors (ES/A)
- Environmental Protection Specialists (EPS)
- *Rarely* - Bureau Environmental Officer (BEO)

Who approves IEEs?

- Mission Director
- Deputy Mission Director
- P/PM, SOM, CTO
- Regional legal advisor (RLA), if necessary
- MEO
- ANE BEO, hopefully

The *Typical* IEE Process

- Mission *usually* drafts the IEE from the project or program description, or strategic objective statement
- Mission obtains appropriate Mission and regional signatures, and submits the signed IEE with *recommendations* to BEO (or submits draft for feedback)
- BEO has the EPS review the ETD
- EPS prepares an Environmental Threshold Decision (ETD) and submits the IEE and ETD to the BEO
- ANE BEO reviews the IEE and ETD, modifies, and approves (hopefully)
- EPS scans documents, sends by email to Missions and web master for posting on ane-environment.net; dec.usaid.gov
- ***Mission implements compliance with the ETD, and monitoring and evaluation; may need to train contractors/partners***

Some caveats

- Most USAID activities are TA of some sort and qualify for **Categorical Exclusion** in the ETD and IEE if they don't have adverse environmental impact
- Some for **Negative Determination** (often with **Conditions**) - small-scale on built-up land
- Few for **Positive Determination** (scoping statements and EAs) which require Records of Environmental Decision (ROD) – new construction
- New water supplies, pesticides, genetically modified food/seeds, logging in protected areas, re-dipped pesticide-impregnated bednets, medical waste generation, biodiversity
- Phase out **acutely hazmats** like chlorine gas

Activities usually for CE if they have no adverse impacts

1. Education, technical assistance, training
2. Small-scale controlled research or field experimentation
3. Analysis, studies, academic or research workshops and meetings
4. USAID is a *minor* donor
5. Document and information transfers
6. General contributions to international, regional or national organizations
7. Grants to US research/educational institutions

Activities usually for CE (2)

8. Nutrition, health care, population, family planning
9. Commodity Import Program
10. Intermediate credit institutions
11. Maternal or child feeding
12. Food for development
13. Matching support and institutional grants where USAID has no control over details
14. Studies to develop recipient countries' planning
15. Application of USAID-developed/approved design criteria

Some things to watch for in IEEs

- Define abbreviations and acronyms on first use
- Avoid flags, vague terms, triggers – agriculture (pesticides), infrastructure (construction?), logging (protected areas?), water supply (new supply needs testing? wastewater to treat?), medical waste (disposal?)
- Be clear and specific
- Avoid ambiguous words that might be misinterpreted
- Clearly identify names and titles of signatories
- No lengthy, laudatory, sales-pitchy, boiler plate
- If you cite a document like scope or project description or checklist, include it (other than Reg. 216)
- Give *specific* conditions for Negative Determination with Conditions, not just “best management practices...”

Environmental Assessments

- Checklist is not an EA but may be useful
- BEO-approved SS is required with stakeholder input as a ROD
- Discuss specific project, site conditions, potential impacts, potentially significant adverse environmental impacts, mitigation measures
- Rap-up table of impacts/mitigations
- Document stakeholder and agency involvement
- Can be one EA for one project at one site or for multiple activities at a single site or at multiple sites
- Mission-approved EA submitted to BEO for review/approval ROD
- ***Mission implements compliance with the ROD, and monitoring and evaluation; may need to train contractors/partners***

Activities Usually Requiring EA

1. River development
2. Irrigation or water management, dams, impoundments
3. Agricultural land leveling
4. Drainage
5. Large-scale agricultural mechanization
6. New lands development
7. Resettlement
8. Penetration road building or road improvements
9. Power plants
10. Industrial plants
11. Large-scale potable water and sewerage

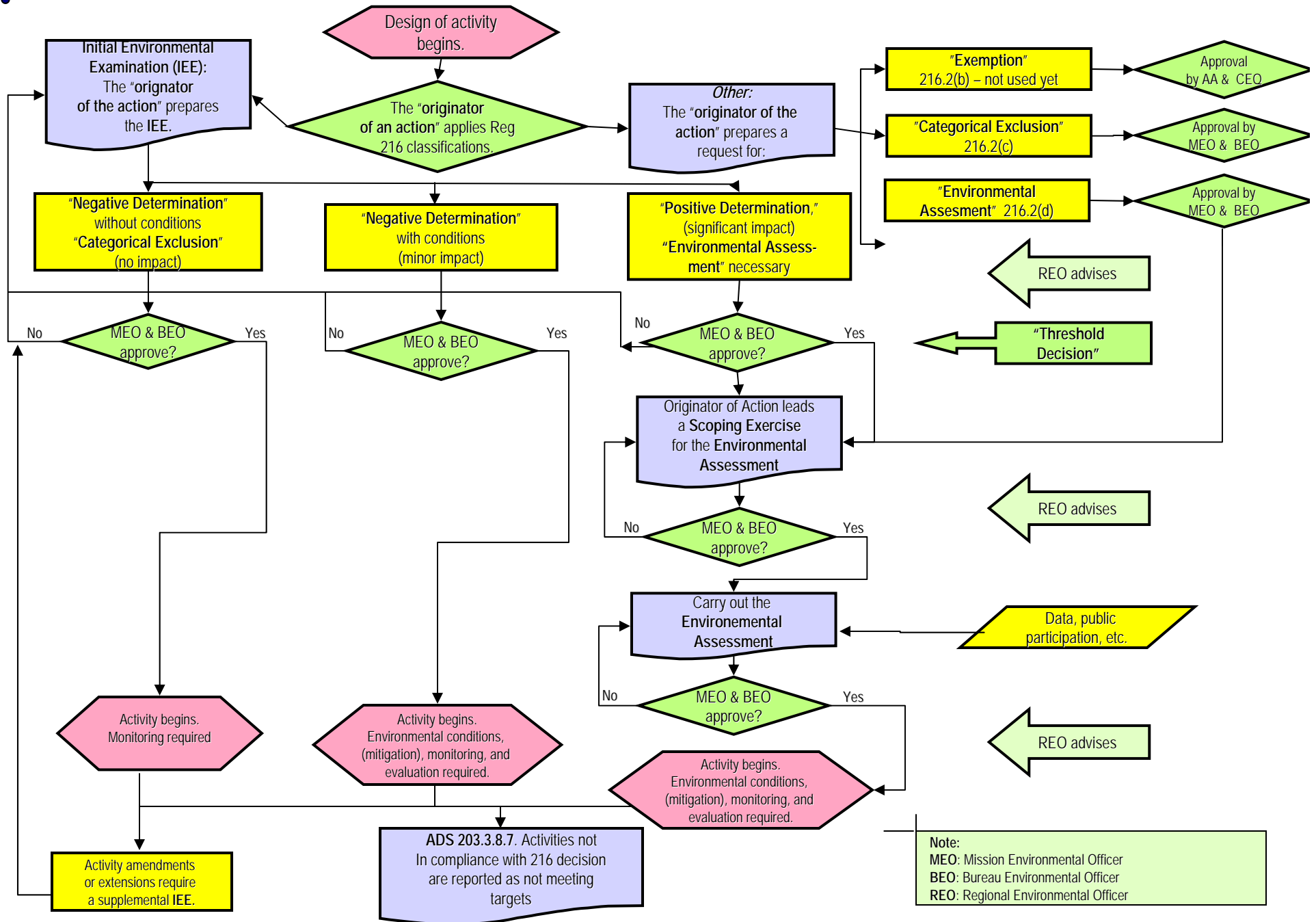
Good EAs

- Clear project descriptions, environmental baseline conditions, anticipated impacts, mitigation measures
- Site- and project- specific
- Stakeholder and local agency participation in its SS
- Respond to the approved SS
- Help project designs and decisions
- End in sustainable development we are proud of
- Approvable by Mission and BEO

Let's classify these cases

1. Training in clothing manufacturing, including fumigation
2. Large-scale housing construction on new land
3. Funds will be given for training in voting
4. Small-scale school construction on already developed sites
5. Budget, scope, timeframe or administration of an existing activity changes significantly
6. Water treatment plant design calls for use of chlorine gas
7. Training school teachers
8. Training mid-wives (aka barefoot doctors)
9. Energy plant design calls for diesel generators
10. Sesame Street TV comes to your host-country
11. Cattle are to be vaccinated to reduce disease incidents
12. Existing medical clinic will be given a new laboratory

USAID Environmental Procedures (22 CFR 216)



Queries?