



USAID
FROM THE AMERICAN PEOPLE

Environmental Compliance at USAID

Fun with the IEE and EMMP



*Everything you ever wanted to know
(Almost!)*

Initially USAID did NOT consider Environmental Issues



- In 1975, improper pesticide use by USAID-funded project in Pakistan results in 5 deaths and hundreds sickened
- Consortium of US NGOs successfully sued USAID to force consideration of environmental issues

USAID is Forced to consider Environmental Issues

- USAID settled out of court
- In 1980, USAID published Title 22 Code of Federal Regulations, Part 216 (**Reg. 216**) Environmental Compliance Procedures
- Reg 216 is a US law that is required

Reg. 216 Requires USAID to:

- Consider environmental consequences of financed activities before deciding to proceed *and adopt appropriate environmental safeguards*
- Define *environmental limiting factors* that may constrain development and identify and carry out activities that assist in restoring the renewable resource base upon which sustainable development depends
- Assist *host countries* to strengthen capabilities to appreciate and evaluate potential environmental effects of proposed strategies and projects, and to select, implement and manage effective environmental programs
- Document environmental review decisions *before funds are irreversibly committed* and maintain review-decision records
- USAID conduct an *Initial Environmental Examination (IEE)*

Initial Environmental Examinations (IEE)

- USAID examines **potential negative environmental impact** of an activity, with a focus on prevention and best practices which contributes to environmentally sound design and management.
- IEE is **drafted by the COR/AOR**, reviewed by activity team, signed by Office Director, submitted to BEO, who concurs with, or requests reconsideration, of recommended Threshold Decision.
- The IEE contains **legally binding requirements**, which can include **Conditions**.
- **Implementers MUST have a copy of the IEE** in order to understand project environmental issues and develop an effective EMMP.
- The IEE is required to be completed **prior to obligation of funds and activity initiation**.

Reg. 216 Determinations

If the IEE analysis finds...	The IEE recommends a . .	Implications (if IEE is approved)
No significant adverse environmental impacts	CATEGORICAL EXCLUSION	No conditions. Go ahead.
With specified mitigation and monitoring, no significant environmental impacts	NEGATIVE DETERMINATION WITH CONDITIONS	Specified mitigation and monitoring must be implemented
Significant adverse environmental impacts are possible	POSITIVE DETERMINATION	Do full EA or redesign activity. Conditions imposed by the EA must be implemented.
Not enough information to evaluate impacts	DEFERRAL	Rare. No activity implementation until the IEE is amended
Emergency/disaster funded with International Disaster Assistance money thru OFDA	EXEMPTION	Very Rare , can only be declared by Administrator

Applicability of a Negative Determination (with Conditions)

- The proposed action has only minor (not significant) environmental impacts that can be feasibly mitigated and controlled
- Applies only to *small scale projects*:
 - Small-scale controlled agricultural research
 - Limited construction
 - renovation and refurbishment
 - Small-scale water supply and sanitation
 - Small-scale road improvements

A Negative Determination with Conditions Require Implementers to:

- Incorporate **IEE conditions** and requirements into budgets and workplans
- Based on the IEE Conditions, develop the **Environmental Mitigation and Monitoring Plan (EMMP)**
- The **EMMP is an key part of project implementation**, reporting progress as appropriate to the activity
- **Report** environmental compliance findings in routine project reporting to USAID (quarterly reports, annual reports)
- Upon activity completion, show project was conducted according to the applicable EMMP

Environmental Mitigation Monitoring Plan

EMMP

EMMP

- TRANSLATES **IEE conditions** into **specific mitigation measures** to implement IEE conditions
- SETS OUT indicators/criteria for **monitoring implementation & effectiveness of mitigation**
- ESTABLISHES **Timing & responsible parties**

The EMMP

The EMMP sets out:

- 1. Mitigation actions.** Mitigating actions lessen possible negative environmental impacts resulting directly or indirectly from a project activity. The EMMP specifies the mitigating actions that will be taken based the IEE conditions.
- 2. Monitoring actions.** The EMMP sets out the indicators or criteria that will be used to monitor (1) whether the mitigation actions are being implemented, and (2) whether they are effective and sufficient.
- 3. Responsibility and Scheduling.** The EMMP specifies who is responsible for mitigation and monitoring actions and the schedule for these tasks.

EMMPs may also include a log of monitoring results and budget estimates for EMMP activities.

What does an EMMP look like?

Activity [name of activity]
[briefly describe activity]

IEE Condition	Mitigation	Monitoring	Timing and Responsible Parties
From IEE	Specific actions to be taken to comply with the condition.	How to know mitigation is being implemented and is both effective and sufficient?	Who is responsible for mitigation, monitoring, & reporting. What will be the timing or frequency of these actions?

What is the purpose of environmental monitoring?

Environmental monitoring:

1. Determining whether mitigation is being implemented as required by IEE

2. Determining whether mitigation is working

Environmental monitoring is achieved through the EMMP



Environmental monitoring should be a normal part of project monitoring and evaluation

Environmental Monitoring

- Tells you clearly and cost-effectively if **mitigation is sufficient and effective.**



- **But, what about CRM??**

Why Care About Pesticides?



- Poor pesticide use practice is wide-spread
 - Overuse accelerates pest resistance which induces increased use
 - Significant resistance requires switching to less safe and more costly pesticides
- As potent killing agents, pesticides have intrinsic dangers attached to their use
 - Misuse kills the “good bugs” that are essential to pollination or that naturally control the “bad bugs”
 - Misuse can result in acute poisoning, chronic sickness, birth defects, cancers, and even death
 - Misuse can seriously impair a country’s ability to export to the US, Europe, Japan and other major markets
- The lack of quality control in the production in some developing countries represents a hazard with non-US manufactured pesticides

Pesticide Procurement & Use

Procurement:

- 1. Direct purchase of pesticides**
- 2. Payment in kind, donations, provision of free samples and other forms of subsidies**
- 3. Guarantee of credit to banks or other credit providers / provision of credit to borrowers specifically for pesticides**

Use:

- 1. Sale**
- 2. Handling, transport, storage,**
- 3. Mixing, loading, application**
- 4. Disposal**
- 5. Provision of fuel to transport pesticides**
- 6. Technical assistance in pesticide management, including training**

The “PERSUAP”

Pesticide Evaluation Report & Safer Use Action Plan

The “Pesticide Evaluation Report” directly respond to the 22 CFR 216 Pesticide Procedures requirements.

The “Safer Use Action Plan” identifies actions for mitigation & monitoring, including compliance with host country procedures

The “PER” 12 Factors

1. US EPA registration status of recommended pesticides;
2. Basis for selection of the pesticide;
3. Extent to which the proposed pesticide use is part of an IPM plan;
4. Pesticide availability and application method;
5. Any toxic hazards;
6. Effectiveness of the requested pesticide for the proposed use.
7. Compatibility of pesticides with the local ecosystems;
8. Environmental conditions where the pesticide is used;
9. Availability & effectiveness of other pesticides or non-toxic controls;
10. Host country's ability to regulate the requested pesticides;
11. Provisions for training users and applicators
12. Provision for monitoring the use and effectiveness of the pesticide.

SAFER USE ACTION PLAN

An adequate SUAP should, at minimum, do the following:

- **Monitoring plan and reporting;**
- **Training, development and distribution of appropriate information, education and communication;**
- **Establish pesticide quality standards and control procedures;**
- **Require good packaging and clear and adequate labeling;**
- **Define and assure safe use practices;**
- **Define appropriate methods of pesticide handling, storage, transport, use and disposal;**
- **Assure accessibility of protective clothing and equipment needed;**
- **Discussion of proper handling, use, and disposal of pesticides;**
- **Identify Roles and Responsibilities.**

Thank You!!

Questions?



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