USAID FROM THE AMERICAN PEOPLE | XXXX

Instructions for environmental review of XXX Program Subprojects/Sub-grants

Note: *These instructions accompany the attached "Environmental Review Form for USAID/XXX Program/Project Activities" (ERF).* ***Follow, but DO NOT SUBMIT, these instructions.***

Who must submit the Environmental Review Form (ERF)?

ALL Implementing Partners seeking to implement [describe qualifying activities] under the XXX Program/Project must complete, sign and submit the ERF to [insert name & email of C/AOTR].

Authority: Use of the ERF for these activities is mandated by the governing Initial Environmental Examination (IEE) for the XXX Project/Program. The IEE can be downloaded at: *[insert URL]*.

No implementation without an approved ERF

The proposed activities cannot be implemented and no "irreversible commitment of resources" for these activities can be made until the ERF (including Environmental Review Report, if required, see Step 4, below) is cleared by the C/AOTR, the Mission Environmental Officer (MEO) and the Regional Environmental Advisor (REA).

NOTE: USAID may deny clearance to the ERF, or may require modification and re-submission for clearance.

Environmental management requirements resulting from the ERF

If the ERF requires preparation of an Environmental Review Report (see Step 4, below), any environmental management measures specified in the approved Environmental Review Report MUST be implemented.

Situations in which additional environmental review is required.

If the ERF finds that one of more of the proposed activities has the potential to cause significant adverse environmental impacts, the activities must be redesigned or an IEE or full Environmental Assessment must be conducted and approved prior to implementation.

If USAID determines that the proposed activities are outside the scope of activities for which use of this form is authorized, the activities must be redesigned or an IEE or IEE Amendment will be required.

In either situation, the C/AOTR will confer with the partner to determine next steps. Note: If an IEE or EA is required, all environmental management measures specified in the IEE or EA must then be implemented.

Step 1. Provide requested "Applicant information" (Section A of the ERF)

Step 2. List all proposed activities

In Section B of the form, list all proposed activities.

Activities are a desired accomplishment or output: e.g. seedling production, road rehabilitation, school construction. Each activities has entailed *actions*—for example, road rehabilitation includes survey, grading, culvert construction, compaction, etc. *Be aware of these entailed actions, but do NOT list them.*

List activities DESCRIPTIVELY. For example, "training" is not a sufficient activity listing. The listing must specify WHO is being trained, and in WHAT.

Step 3a. Screening: Identify low-risk and high-risk activities

For *each* activity you have listed in Section B of the form, refer to the list below to determine whether it is a listed low-risk or high-risk activity.

If an activity is specifically identified as "very low risk" or "high risk" in the list below, indicate this in the "screening result" column in Section B of the form.

Very low-risk activities (Activities with low potential for adverse biophysical or health impacts; including §216.2(c)(2))	**High-risk activities** (Activities with high potential for adverse biophysical or health impacts; including §216.2(d)(1))
Provision of education, technical assistance, or training. (Note that activities directly affecting the environment. do not qualify.) **Community awareness** initiatives. **Controlled agricultural experimentation** exclusively for the purpose of research and field evaluation confined to small areas (normally under 4 ha./10 acres). This must be carefully monitored and no protected or other sensitive environmental areas may be affected). **Technical studies and analyses** and other information generation activities not involving intrusive sampling of endangered species or critical habitats. **Document or information transfers**. **Nutrition, health care or family planning**, EXCEPT when (a) some included activities could directly affect the environment (construction, water supply systems, etc.) or (b) biohazardous (esp. HIV/AIDS) waste is handled or blood is tested. **Small-scale construction.** Construction or repair of facilities if total surface area to be disturbed is under 10,000 sq. ft. (approx. 1,000 sq. m.) (and when no protected or other sensitive environmental areas could be affected). **Intermediate credit.** Support for intermediate credit arrangements (when no significant biophysical environmental impact can reasonably be expected). **Maternal and child feeding** conducted under Title II of Public Law 480. **Title II Activities.** Food for development programs under Title III of P.L. 480, when no on-the-ground biophysical interventions are likely. **Capacity for development.** Studies or programs intended to develop the capability of recipients to engage in development planning. (Does NOT include activities directly affecting the environment) **Small-scale Natural Resource Management activities** for which the answer to ALL SUPPLEMENTAL SCREENING QUESTIONS (see *Natural Resources supplement*) is "NO."	**River basin development** **New lands development** **Planned resettlement** of human populations. **Penetration road building, or rehabilitation** of roads (primary, secondary, some tertiary) over 10 km length, and any roads which may pass through or near relatively undegraded forest lands or other sensitive ecological areas **Substantial piped water supply and sewerage** construction. **Major bore hole or water point construction.** **Large-scale irrigation; Water management structures** such as dams and impoundments **Drainage of wetlands** or other permanently flooded areas. **Large-scale agricultural mechanization.** **Agricultural land leveling.** **Procurement or use of <u>restricted use</u> pesticides**, or wide-area application in non-emergency conditions under non-supervised conditions. (Consult MEO.) **Light industrial plant production or processing** (e.g., sawmill operation, agro-industrial processing of forestry products, tanneries, cloth-dying operations). **<u>High-risk and typically not funded by USAID:</u>** **Actions affecting protected areas and species.** Actions determined likely to significantly degrade protected areas, such as introduction of exotic plants or animals. Actions determined likely to jeopardize threatened & endangered species or adversely modify their habitat (esp. wetlands, tropical forests) **Activities in forests, including:** ▪ **Conversion of forest lands** to rearing of livestock ▪ **Planned colonization of forest** lands ▪ **Procurement or use of timber harvesting equipment** ▪ **Commercial extraction of timber** ▪ **Construction of dams** or other water control structures that flood relatively undegraded forest lands ▪ **Construction, upgrading or maintenance of roads** that pass through relatively non-degraded forest lands. (Includes temporary haul roads for logging or other extractive industries)

(This list of activities is taken from the text of 22 CFR 216 and other applicable laws, regulations and directives)

Step 3b: Identifying activities of unknown or moderate risk.

All activities NOT identified as "very low risk" or "very high risk" are considered to be of "unknown or moderate risk." Common examples of moderate-risk activities are given in the table below.

Check "moderate or unknown risk" under screening results in Section B of the form for ALL such activities.

Common examples of moderate-risk activities

CAUTION:
If ANY of the activities listed in this table may adversely impact (1) protected areas, (2) other sensitive environmental areas, or (3) threatened and endangered species and their habitat, THEY ARE NOT MODERATE RISK. All such activities are HIGH RISK ACTIVITIES.

Small-scale agriculture, NRM, sanitation, etc. (You may wish to define what "small scale" means for each activity)

Agricultural experimentation. Controlled and carefully monitored agricultural experimentation exclusively for the purpose of research and field evaluation of MORE than 4 ha.

> **NOTE Biotechnology/GMOs:** No *biotechnology testing or release* of any kind are to take place within an assisted country until the host countries involved have drafted and *approved* a regulatory framework governing biotechnology and biosafety.
>
> All USAID-funded interventions which involve biotechnologies are to be informed by the ADS 211 series governing "Biosafety Procedures for Genetic Engineering Research". In particular this guidance details the required written approval procedures needed before transferring or releasing GE products to the field.

Medium-scale construction. Construction or rehabilitation of facilities or structures in which the surface area to be disturbed exceeds 10,000 sq. ft (1000 sq meters) but funding level is $200,000 or less. (E.g. small warehouses, farm packing sheds, agricultural trading posts, produce market centers, and community training centers.)

Rural roads. Construction or rehabilitation of rural roads meeting the following criteria:

- Length of road work is less than ~10 km
- No change in alignment or right of way
- Ecologically sensitive areas are at least 100 m away fr om the road and not affected by construction or changes in drainage.
- No protected areas or relatively undegraded forest are within 5 km of the road.

Title II & III Small-Scale Infrastructure. Food for Development programs under Title II or III, involving small-scale infrastructure with the known potential to cause environmental harm (e.g., roads, bore holes).

Quantity imports of commodities such as fertilizers

Sampling. Technical studies and analyses or similar activities that could involve intrusive sampling, of endangered species or critical habitats. (Includes aerial sampling.)

Water provision/storage. Construction or rehabilitation of small-scale water points or water storage devices for domestic or non-domestic use. Water points must be located where no protected or other sensitive environmental areas could be affected.

> **NOTE**: USAID guidance on water quality requires testing for arsenic, nitrates, nitrites and coliform bacteria.

Support for intermediate credit institutions when indirect environmental harm conceivably could result.

Institutional support grants to NGOs/PVOs when the activities of the organizations are known and may reasonably have adverse environmental impact.

Pesticides. . Small-scale use of USEPA-registered, least-toxic general-use pesticides. Use must be limited to NGO-supervised use by farmers, demonstration, training and education, or emergency assistance.

> **NOTE**: Environmental review (see step 5) must be carried out consistent with USAID Pesticide Procedures as required in Reg. 16 [22 CFR 216.3(b)(1)].

Nutrition, health care or family planning, if (a) some included activities could directly affect the environment (e.g., construction, supply systems, etc.) or (b) biohazardous healthcare waste (esp. HIV/AIDS) is produced, syringes are used, or blood is tested.

Step 4. Determine if you must write an Environmental Review Report

Examine the "screening results" as you have entered them in Table 1 of the form.

i. If ALL the activities are "very low risk," then no further review is necessary. In Section C of the form, check the box labeled "very low risk activities." Skip to Step 8 of these instructions.

ii. If ANY activities are "unknown or moderate risk," you MUST complete an ENVIRONMENTAL REVIEW REPORT addressing these activities. Proceed to Step 5.

iii. If ANY activities are "high risk," note that USAID's regulations usually require a full environmental assessment study (EA). Because these activities are assumed to have a high probability of causing significant, adverse environmental impacts, they are closely scrutinized. *Any* proposed high-risk activity should be discussed in advance with USAID. Activity re-design is often indicated.

In some cases, it is possible that reasonable, achievable mitigation and monitoring can reduce or eliminate likely impacts so that a full EA will not be required. If the applicant believes this to be the case, the Environmental Review Report must argue this case clearly and thoroughly. Proceed to Step 5.

Step 5. Write the Environmental Review Report, if required

The Environmental Review Report presents the environmental issues associated with the proposed activities. It also documents mitigation and monitoring commitments. Its purpose is to allow the applicant and USAID to evaluate the likely environmental impacts of the project.

For a single, moderate risk activity, the Environmental Review Report is typically a SHORT 4–5 page document. The Report will typically be longer for (1) multiple activities; (2) activities of high or unknown risk; and/or (3) when a number of impacts and mitigation measures are being identified and discussed.

The Environmental Review Report follows the outline below. Alternate outlines are acceptable, so long as all required information is covered.

A. **Summary of Proposal.** Very briefly summarize background, rationale and outputs/results expected. (Reference proposal, if appropriate).

B. **Description of Activities.** For all moderate and high-risk activities listed in Section B of the ERF, succinctly describe location, siting, surroundings (include a map, even a sketch map). Provide both quantitative and qualitative information about actions needed during all project phases and who will undertake them. (All of this information can be provided in a table). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these.

C. **Site-specific Environmental Situation & Host Country Requirements.** Describe the environmental characteristics of the site(s) where the proposed activities will take place. Focus on site characteristics of concern—e.g., water supplies, animal habitat, steep slopes, etc. With regard to these critical characteristics, is the environmental situation at the site degrading, improving, or stable?

Also note applicable host country environmental regulations and/or policies. (For example, does the project require host country environmental review or permitting? Building approval? Etc.)

NOTE: provide site-specific information in this section, NOT country-level information. General information about country level conditions should already be contained in the IEE governing the XXX project/program.

D. Environmental Issues, Mitigation Actions, and Findings. For ALL proposed activities

i. Briefly note the potential environmental impacts or concerns presented by the proposed activities (if any). *For guidance, refer to Africa Bureau's Environmental Guidelines for Small-Scale Activities; available at www.encapafrica.org/egssaa.htm.*

As per the *Small-Scale Guidelines*, consider direct, indirect and cumulative impacts across the activity lifecycle (i.e. impacts of site selection, construction, and operation, as well as any problems that might arise with abandoning, restoring or reusing the site at the end of the anticipated life of the

facility or activity). Note that "environment" includes air, water, geology, soils, vegetation, wildlife, aquatic resources, historic, archaeological or other cultural resources, people and their communities, land use, traffic, waste disposal, water supply, energy, etc.)

ii. Assess the extent to which these *potential* impacts and concerns are significant in the context of the specific activity design and site.

iii. Set out the mitigation actions to be employed to address these issues.

Mitigation actions are means taken to avoid, reduce or compensate for impacts. Mitigation measures must be reasonable and implementable by field staff. They should be consistent with the good practice guidance provided in Africa Bureau's Environmental Guidelines for Small-Scale Activities; (www.encapafrica.org/egssaa.htm.) Cite this or other guidance used for mitigation design.

iv. Reach one of three findings regarding the potential impacts:

a. Significant adverse impacts are very unlikely. Of its nature, the activity in question is very unlikely to result in significant, adverse environmental impacts. Special mitigation or monitoring is not required.
Note: this conclusion is rarely appropriate for high-risk activities.

b. With implementation of the specified mitigation and monitoring, significant adverse impacts are very unlikely.

c. Significant adverse impacts are possible. That is, it is not possible to rule out significant adverse environmental impacts even given reasonable, attainable mitigation and monitoring.

In this case, USAID and the partner will consult regarding next steps. If the activity is to go forward in its current form, additional analysis in the form of an IEE or EA will be required.

Format and structure of this section. Choose a format and structure that presents the necessary information clearly and succinctly.

Table formats can be used. In the example below, the proposed activity was construction of an institutional facility on a 7500m3 plot bisected by a seasonal stream providing drainage to the local area. One potential impact of the activity was reduction of or alteration to the drainage eco-service provided by the seasonal stream.

Issue or cause for concern	Analysis	Finding and conditions/mitigation actions
The seasonal stream running through the plot drains an area of at least 2 km^2 to the WNW. Diminution or alteration to this drainage "service" could result in increased upstream pooling & flooding during the rainy season, with associated property damage and increased breeding habitat for disease vectors.	As indicated at left, this impact only arises if the drainage "service " provided by the seasonal stream is diminished or altered in some adverse manner. So long as compound design maintains the existing service level and construction is managed without disruption to stream flow, actual adverse impact will be negligible or zero.	Per analysis at left, this potential impact is not significant, so long as the following mitigations are implemented: 1. Total stream capacity cannot be diminished by the development of the compound. (Stream channel on average is 3m x 1m.) 2. The stream must remain substantially in the same channel and cannot, e.g., be re-routed around the property. 3. If construction will result in an interruption to stream flow, provision must be made to provide a temporary bypass. Temporary damming of stream flow is not permissible. 4. Post-construction, the stream bed within the property, including point-of-entry (e.g. via culvert under perimeter wall) must be maintained free of obstructions to flow.

E. Environmental Mitigation and Monitoring Plan (EMMP). Set out how compliance with mitigation actions will be monitored/verified. This includes specifying **WHO** will be responsible for the various mitigation actions, and **HOW** implementation of the mitigation actions will be tracked/verified.

Also specify how you will report to USAID on the implementation of mitigation actions. (You are REQUIRED to provide your C/AOTR with sufficient information on the status of mitigation implementation for USAID to effectively fulfill its oversight and performance monitoring role.)

Again, choose a format and structure that presents the necessary information clearly and succinctly. EMMPs are typically in table format, and often include a compliance log or "monitoring record" section that records implementation status of the various mitigation actions. The EMMP with current monitoring log can then simply be submitted to the C/AOTR with the quarterly or 6-month project report, satisfying the environmental compliance reporting requirement. .

The most basic EMMP format is

Mitigation action	Responsible Party	Monitoring/Verification Method	Monitoring Record (date, result, corrective actions taken, if any)

For additional EMMP formats and examples, see the ENCAP EMMP factsheet, available at www.encapafrica.org/ (provide exact URL.)

F. **Other Information**. Where possible and as appropriate, include photos of the site and surroundings; maps; and list the names of any reference materials or individuals consulted.

(Pictures and maps of the site can substantially reduce the written description required in parts B & C)

Step 6. Transcribe findings from the Environmental Review Report to the ERF

For each high-risk or unknown/moderate-risk activity, transcribe your finding from the environmental review report to the last column of Section B of the ERF.

Step 7. Sign certifications (Section C of form.)

Step 8. Submit form to USAID C/AOTR. Be sure to attach the Environmental Review Report, if any.