

**INITIAL ENVIRONMENTAL EXAMINATION
OR
CATEGORICAL EXCLUSION**

PROGRAM/ACTIVITY DATA:

Program: Strengthening Regional Conflict Management Systems
Country/Region: East Africa Regional Mission

PROGRAM/PROJECT DATA:

Program/Activity Number: 623-09
Country/Region: East Africa/East Africa
Program/Activity Title: Strengthening Regional Conflict Management Systems
Foreign Assistance Objective 1: PEACE AND SECURITY
Program Area 1.6: Conflict Mitigation and Reconciliation
Foreign Assistance Objective 2: GOVERNING JUSTLY & DEMOCRATICALLY
Program Area 2.2: Good Governance
Funding Begin: FY 2012 Funding **End:** FY 2017 LOP **Amount:** \$50,000,000
Sub-Activity Amount: N/A

IEE Prepared By: Rosa Wanyagi, Project Management Specialist, USAID/East Africa (EA) Regional Conflict Management and Governance Office, and David Kinyua, Regional Environmental Advisor, USAID/EA

Current Date: August 17, 2012

IEE Amendment (Y/N): N

IEE Expiration Date: October 1, 2017

ENVIRONMENTAL ACTION RECOMMENDED: (Place X where applicable)

Categorical Exclusion: X Negative Determination: X
Positive Determination: Deferral

ADDITIONAL ELEMENTS: (Place X where applicable)

CONDITIONS X PVO/NGO: X

SUMMARY OF FINDINGS:

This Initial Environmental Examination (IEE) is to provide threshold determination for the USAID/EA Strengthening Regional Conflict Management Systems project and ensure environmental compliance in accordance with the requirements of Regulation 22 CFR 216 (Reg. 216).

The Project Appraisal Document for this project is currently in development. The Strengthening Regional Conflict Management Systems project will be part of the upcoming USAID/EA Regional Cooperation and Development Strategy.

This IEE recommends the following determinations:

1. Categorical Exclusion

Activities including technical assistance, institutional capacity building, policy reforms, improved regional coordination, training programs, peace building meetings, conflict management mechanisms, policy harmonization, implementation of regional peace and security initiatives, regulation of the regional conflict mineral trade, knowledge management, support of civil society, awareness raising, and media and information campaigns are Categorically Excluded from further environmental review per 22 CFR 216.2 (c)(2)(i), education, technical assistance or training; 216.2 (c)(2)(iii): analyses, studies, academic or research workshops and meetings; 216.2 (c)(2)(v): document and information transfers

2. Negative Determination with Conditions

- 2.1 A Negative Determination with Conditions is recommended pursuant to 22 CFR 216.3(a) (2) (iii) for activities involving small scale construction, such as building and /or refurbishing maternity wards, class rooms, livestock markets, or water pans

Conditions:

For the rehabilitation of existing facilities and construction of new facilities in which the total surface area disturbed is less than 10,000 square feet and no protected or other sensitive environmental areas could be affected, the condition is that these activities shall be conducted following principles for environmentally sound construction, as provided in the Small Scale Construction chapter of the USAID Environmental Guidelines for Small-Scale Activities in Africa.

- 2.2 A Negative Determination with Conditions is recommended pursuant to 22 CFR 216.3(a) (2) (iii) for activities involving Sub-grants and sub awards:

Conditions:In the event that sub-grants and sub awards will support activities with the potential for impact on the environment, the Agreement/Contracting Officer Representative (A/COR) has the responsibility for assuring that an environmental screening process is introduced by implementing partners. The standards to achieve for these activities are presented in USAID's "Environmental Guidelines for Small-scale Activities in Africa" (EGSSAA), found on-line at <http://www.encapafrika.org/egssaa.htm>, specifically Part II Sector-specific Guideline.

Refer to the template "Environmental Review Form (ERR) Screening Form for New Activities Proposed under USAID/EA/RCMG, which can be adapted by partners.

<http://www.encapafrika.org/documents/AFR-EnvReviewForm-20Dec2010.doc>

The A/COR shall be responsible for clearing the implementing partner's category determination of sub-grant activities. Classifications of Moderate or unknown risk or higher will be referred to the Mission Environmental Officer along with any required Environmental Review Reports (ERRs). All classifications of High risk and their ERRs must be approved by the Bureau Environmental Officer (BEO).

When ERRs are necessary, implementing partners will observe recommendations in the Africa Bureau- EGSSAA for relevant sectors when developing mitigation actions and monitoring plans.

Once the ERRs are approved, project implementers should ensure mitigation measures and monitoring procedures described therein are in place as they will be considered requirements.

1. Environmental Responsibilities

- The A/COR is responsible for assuring that implementing partners have the human capacity necessary to incorporate environmental considerations into program planning and implementation and to fulfill their responsibilities in the Environmental Screening Process. Implementing partners should seek training as needed, such as through participation in the Africa Bureau's regional ENCAP training courses.
- All USAID-funded partners shall report to the A/COR on progress and status of implementing their Environmental conditions and mitigating measures, as determined under this IEE.
- USAID/EA will report to the Regional Environmental Advisor (REA) and the Bureau BEO on an annual basis on the status of implementation of mitigation and monitoring requirements. This report should draw upon implementing partners' progress and annual reports, as well as on periodic site visits by the REA.
- Periodic visits of the A/COR or other USAID/EA monitoring staff with, if possible, MEO, REA or other specialists as appropriate, will be encouraged to ensure environmentally sound implementation, mitigation and monitoring of activities.

4. Operationalizing Provisions of the IEE

USAID/EA will make clear through RFA/Ps, APSS, contracts, cooperative agreements or grants, post-award briefings, implementation work plans, etc., as may be the case, that the determinations specified in this IEE need to be heeded and that project implementing partners must put in place appropriate systems or management tools to ensure that the recommended mitigation and monitoring actions are taken in to account as required.

5. Pesticides & GMO Biosafety

This IEE does not cover procurement, use, transport, storage or disposal of pesticides or other toxic materials, which would require an amended IEE, pursuant to 22 CFR 216.3(b), USAID's Pesticide Procedures. Likewise, any activities implicating the testing and use of genetically-modified organisms (GMOs) or life-modified organisms (LMOs) shall be subject to review under the Agency's Biosafety Procedures (see 2.4 above).

6. General Across-the-Board Conditions:

There are 18 sector-specific chapters in Part II of *Environmental Guidelines for Small-Scale Activities in Africa*, (2nd Edition) (<http://www.encapfrica.org/egssaa.htm#II>) which are expected to be applied across-the-board, as applicable.

In addition, there are certain requirements that apply to all activities falling under the threshold determination of "Negative Determination with Conditions" and "Positive Determination" as appropriate. These include:

6.1 Environmental Compliance Language in Procurements/Solicitations. The responsibility for implementing activities in accordance with the findings and conditions of this IEE must be incorporated

into all contracts and grants that serve to implement activities covered under this IEE. Refer to the fact sheet “Environmental Compliance: Language for Use in Solicitations and Awards” for help in assembling appropriate, ADS-mandated environmental compliance language for all solicitations and awards¹, which links to the appropriate ADS 204 Help file. The solicitation language will draw upon the determinations in this IEE.

6.2. Budget provisions will be made within USAID/EA and/or the partners to allow for the environmental reviews and EIAs to be accomplished appropriately.

6.3. Oversight and Field Monitoring. USAID/EA A/CORs and Activity Managers, working with the REA, will undertake field visits and consultations with implementing partners to jointly assess the environmental impacts of ongoing activities and the effectiveness of associated mitigation and monitoring plans.

Organizations receiving USAID/EA funds and transferring them through grants or other mechanisms to other organizations must incorporate provisions stipulating:

- The completion of annual EMMPs, and
- That, activities to be undertaken will be within the scope of the environmental determinations and recommendations of this IEE.

USAID/EA will ensure that implementing organizations have sufficient capacity to complete the environmental screening process and to implement monitoring and mitigation measures.

7. Monitoring, Evaluation and Reporting: As required by **ADS 204.3.4**, USAID/EA will use the attached Annex A **Environmental Mitigation and Monitoring Plan (EMMP)** to ensure programmatic compliance with 22 CFR 216 and ADS 204.5.4 by documenting that the conditions specified in this IEE have been met for all activities carried out under each bi-lateral award. The EMMP must be completed by each organization carrying out activities under a USAID/EA awards. The EMMPs will be reviewed and approved by the A/COR and the REA.

The EMMP consists of 3 parts:

1. The Environmental Verification Form
2. The Mitigation Plan for specific environmental threats carried out by the implementer
3. The Reporting Form

The EMMP Environmental Verification Form indicates the categories of activities carried out by implementing partners (or their sub-awardees).

The EMMP Mitigation Plan describes specific actions that will be undertaken under each category of activity when screening reveals potential environmental threats. In these cases, mitigations will be undertaken as described in this IEE. It also identifies the person responsible for monitoring compliance with mitigation and the indicator, method and frequency of monitoring.

The EMMP Reporting Form reports on the results of applying the mitigation measures described in the Mitigation Plan and identify outstanding issues with respect to required conditions. In some cases, digital photos will be the best way to document mitigation and should be included in the report.

¹ [http://www.encapfrica.org/meo_resources/ECL_Factsheet%20\(final\).pdf](http://www.encapfrica.org/meo_resources/ECL_Factsheet%20(final).pdf) .

APPROVAL OF THE RECOMMENDED ENVIRONMENTAL ACTION:

CLEARANCE:

USAID/East Africa
Mission Director: _____

Jeff Ashley

Date: _____

CONCURRENCE:

Bureau Environmental Officer: _____

Brian Hirsch

Date: _____

Approved: _____

Disapproved: _____

Filename: _____ (USAID/AFR BEO)

CLEARANCE:

ADDITIONAL CLEARANCES: (Add as appropriate; type name under signature line)

USAID/EA/RCMG Office Director: _____

Wendy Marshall

Date: _____

USAID/EA Regional Environmental
Advisor: _____

David Kinyua

Date: _____

USAID/EA Deputy Mission Director: _____

John Power

Date: _____

**INITIAL ENVIRONMENTAL EXAMINATION
OR
CATEGORICAL EXCLUSION**

Program/Activities: Strengthening Regional Conflict Management Systems

Country/Region: East Africa Regional Mission

1.0 BACKGROUND AND ACTIVITY/PROGRAM DESCRIPTION

1.1 Purpose and Scope of this Initial Environmental Examination

The purpose of this Initial Environmental Examination (IEE) is to provide threshold determination for the activities of under the USAID/EA project “Strengthening Regional Conflict Management Systems” in accordance with the requirements of Regulation 22 CFR 216 (Reg. 216). This IEE will assist in ensuring environmental compliance and also permit the implementation of the proposed activities in accordance with USAID Environmental Policy and Procedures (22 CFR Part 216). This IEE evaluates all activities under the subject project.

Background

The Strengthening Regional Conflict Management Systems project is a five year project focused on two regional conflict issues: cross-border conflict management in the Horn of Africa; and responsible mineral (and natural resources) trade in the Great Lakes.

The project includes multiple components. Under strengthening cross-border conflict management in the Horn of Africa, the project will seek to increase the responsiveness of regional and national institutions to cross-border conflict issues and to strengthen community cross-border conflict management. Under developing a responsible mineral (and natural resources) trade in the Great Lakes, the project will strengthen implementation and management of regional initiatives and strengthen non-state stakeholder engagement in those initiatives.

1.2 Description of Activities

Cross-Border Conflict Management in the Horn of Africa

Improve Responsiveness of Regional and National Institutions to Cross-Border Conflict

This aspect of the project will build on the 10 year USAID partnership with the Conflict Early Warning and Response Mechanism (CEWARN) of the Intergovernmental Authority on Development (IGAD).

Activities will support implementation of CEWARN’s 2012-2019 Strategic Framework, such as:

- Contribute to CEWARN organized policy seminars.
- Support development of a CEWARN “facilitator/ analyst” corps to improve quality of local conflict analysis and functioning of local peace committees.
- Fund expanded technical and analytical expertise at CEWARN headquarters to enable more sophisticated policy analysis.
- Support CEWARN efforts to harmonize regional and national conflict prevention, mitigation, and response policies.
- Build the institutional capacity of the CEWARN secretariat in areas such as designing and implementing a system-wide monitoring and evaluation system.

Strengthen Local Cross-Border Conflict Management

The primary focus of this aspect of the project will be improving conflict management at the community level.

Communities are more open to social reconciliation

- Support community thought leaders (e.g. religious, traditional, women) reflection on cultural/traditional practices that condone or promote violence and possibility of changing those practices.
- Support community thought leaders (e.g. religious, traditional, women) efforts to change attitudes in communities regarding traditional/cultural practices that condone or promote violence.
- Support peace and trauma education to increase stakeholder understanding of cycles of violence, broken relationships, and trauma caused by conflict.
- Support cross-border peace projects activities jointly implemented by cross-border communities to build a foundation for cooperation. These may include small-scale development activities such as building and /or refurbishing maternity wards, class rooms, livestock markets, or water pans, etc.

Community peace-building capacities mobilized

- Support stakeholder exploration of local conflict causes, what binds communities together, and opportunities to manage disputes before they erupt into violence.
- Support establishment and strengthening of cross-border sector response networks including peace committees, youth, women, religious mediation councils, civic participation in community policing, business and professional associations, and livestock market mediators.
- Support women and youth conflict management and transformation leadership trainings and activities.
- Support documentation of, and implementation modalities for, community peace accords.
- Support revitalization and awareness-raising of inter-communal conflict management agreements.
- Promote the use of traditional conflict resolution approaches through sensitization and information programs in communities.

Local governments partner with communities in conflict management

- Support training to understand cross-border governance systems, conflict dynamics, cycles of violence, and option for mitigating conflict.
- Establish/strengthen cross-border local government conflict management and coordination mechanisms.

Responsible Mineral (and natural resource) Trade Regulation in the Great Lakes.

The aspect of the project will support development and implementation of regional tools to regulate trade in tin, tantalum, tungsten, and gold, commonly referred to as “conflict minerals.” In later years, it may expand to regulation of trade in other natural resources should conflict actors start using other such resources for financing conflict.

Strengthen Implementation and Management of Regional Initiatives

This aspect of the project will have two foci: 1) organizational development for the International Conference on the Great Lakes Region (ICGLR) as a critical intergovernmental peace and security

institution; and 2) support for the implementation of key regional peace and security initiatives, beginning with regulation of the regional conflict mineral trade. As the project develops, it is possible that some additional conflict-relevant natural resources may be targeted and/or that related conflict issues, such as SGBV, may be targeted.

- Build institutional capacity of ICGLR in areas such as financial and administrative management, financial planning, and linking finances to strategy implementation
- Support implementation and coordination of the ICGLR Regional Initiative against Illegal Exploitation of Natural Resources (RINR)
- Support nations in adopting and implementing responsible minerals trade regulation tools
- Promote cross-country learning and knowledge management through regional exchanges and fora among ministries and government officials responsible for implementing RINR tools

Strengthen Non-State Stakeholder (civil society, private sector) Engagement

This aspect of the project will facilitate and strengthen engagement of private sector and civil society organizations in the development and implementation of RINR and related initiatives.

- Promote cross-country learning and knowledge management through regional exchanges and fora among civil society organizations, artisanal and semi-industrial miners, and traders officials with roles in implementing and providing oversight for RINR and related initiatives
- Support media and information campaigns to increase awareness on natural resource certification schemes, related RINR tools, and impacts on local populations.

2 SUMMARY OF COUNTRY ENVIRONMENTAL INFORMATION

2.1 Locations Affected

Horn of Africa Cross-Border Conflict Management: This project will cover IGAD Member States, including Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan, and Uganda. Eritrea's membership is currently suspended, however, should Eritrea reactivate its membership, it would be covered in this project.

Great Lakes Response Mineral (and natural resource) Trade Regulation: The project will cover ICGLR Member States, including Angola, Burundi, Central African Republic, Democratic Republic of Congo, Kenya, Uganda, Republic of Congo, Rwanda, Sudan, Tanzania, and Zambia. South Sudan is currently applying for membership and would be covered by the project should membership be granted.

2.2 National Environmental Policies and Procedures

Activities under this project will be implemented across the USAID/EA region. USAID/EA relies on the engagement of USAID Bilateral Missions with respective national governments for the relevant environmental policies and procedures. USAID/EA implementing partners will be required to adhere to relevant and applicable host government policies and procedures where necessary.

3.0 EVALUATION OF PROJECT/PROGRAM ISSUES WITH RESPECT TO ENVIRONMENTAL IMPACT POTENTIAL

The activities evaluated in this IEE are summarized below according to their potential impacts on the environment.

A) Activities without biophysical interventions

A large number of the activities under the Strengthening Regional Conflict Management Systems project do not have direct adverse environmental impacts. The activities not likely to involve biophysical interventions cut across the entire spectrum of the portfolio. Activities not involving biophysical interventions include: technical assistance, institutional capacity building, policy reforms, improved regional coordination, training programs, peace building meetings, support for conflict management mechanisms, awareness creation, policy harmonization, implementation of regional peace and security initiatives, regulation of the regional conflict mineral trade, knowledge management, support of civil society, and media and information campaigns.

B) Activities with potential to affect the biophysical environment

Cross-border community peace projects activities may involve small scale biophysical activities including small-scale development activities likely to involve small scale construction such as building and /or refurbishing maternity wards, class rooms, livestock markets, or water pans. Some environmental impacts are possible with these interventions, depending on the local circumstances, including:

- Damage to sensitive or valuable ecosystems from construction of infrastructure, associated temporary worker dwelling, or construction storage units for personnel or equipment
- Removal of vegetation and/or compaction of the soil and grading of the site, altering drainage patterns and water tables, changing access to water by animals, people and vegetation, or degrading water resources
- Sedimentation of surface waters through removal of natural land cover, excavation, extraction of construction materials and other construction-related activities that result in soil erosion
- Contamination of groundwater and surface water supplies through improper disposal of human and other biological wastes during the construction period
- Contamination of ground and surface water supplies through improper disposal or handling of toxic materials used in construction (e.g., solvents, paints, vehicle maintenance fluids (oil, coolant), and diesel fuel)
- Damage to aesthetics of site/area
- Improper extraction of construction materials such as wood, stone, gravel, or clay that damages terrestrial ecosystems (e.g., wood may come from relatively intact or natural forests)
- Use of toxic materials during construction

In addition to small scale biophysical activities, some activities under this project may be implemented through sub-grants or sub-awards.

4.0 RECOMMENDED THRESHOLD DETERMINATIONS AND MITIGATION MEASURES

4.1 Determinations

1. Categorical Exclusion

Activities including technical assistance, institutional capacity building, policy reforms, improved regional coordination, training programs, peace building meetings, conflict management mechanisms, policy harmonization, implementation of regional peace and security initiatives, regulation of the regional conflict mineral trade, knowledge management, support of civil society, awareness raising, and media and information campaigns are Categorically Excluded from further environmental review per 22

CFR 216.2 (c)(2)(i), education, technical assistance or training; 216.2 (c)(2)(iii): analyses, studies, academic or research workshops and meetings; 216.2 (c)(2)(v): document and information transfers

2. Negative Determination with Conditions

- 2.1 A Negative Determination with Conditions is recommended pursuant to 22 CFR 216.3(a) (2) (iii) for activities involving small scale construction, such as building and /or refurbishing maternity wards, class rooms, livestock markets, or water pans

Conditions:

For the rehabilitation of existing facilities and construction of new facilities in which the total surface area disturbed is less than 10,000 square feet and no protected or other sensitive environmental areas could be affected, the condition is that these activities shall be conducted following principles for environmentally sound construction, as provided in the Small Scale Construction chapter of the USAID Environmental Guidelines for Small-Scale Activities in Africa.

- 2.2 A Negative Determination with Conditions is recommended pursuant to 22 CFR 216.3(a) (2) (iii) for activities involving Sub-grants and sub awards:

Conditions:In the event that sub-grants and sub awards will support activities with the potential for impact on the environment, the Agreement/Contracting Officer Representative (A/COR) has the responsibility for assuring that an environmental screening process is introduced by implementing partners. The standards to achieve for these activities are presented in USAID's "Environmental Guidelines for Small-scale Activities in Africa" (EGSSAA), found on-line at <http://www.encapafrica.org/egssaa.htm>, specifically Part II Sector-specific Guideline.

1. Any grants or other monetary transfers of USAID funds (e.g., sub-grants) to support this program's activities must incorporate provisions that the activities to be undertaken will comply with the environmental determinations and recommendations of this IEE. This includes assurance that the activities conducted with USAID funds fit within those described in the approved IEE or IEE amendment and that any mitigating measures required for those activities be followed. This applies also to business association, civil society and private sector partners, involving support for activities with the potential for impact on the environment, i.e. those that would not qualify for Categorical Exclusion. The A/COR, together with the REA, is responsible for determining whether the activities intended for support warrant an environmental screening process.
2. Implementing partners will screen proposed activities according to the Africa Bureau Environmental Report Form Review Process, [Africa Bureau Environmental Review Form \(DEC 2010\)](#). When ERRs are necessary, implementing partners will observe recommendations in the Africa Bureau- EGSSAA for relevant sectors when developing mitigation actions and monitoring plans. Once the ERRs are approved, project implementers should ensure mitigation measures and monitoring procedures described therein are in place as they will be considered requirements.

As described there, the screening categories include the following:

- **Category 1 (Very low risk);** activities with low potential for adverse biophysical impacts including §216.2(c)(1));

- **Category 2 (High Risk risk);** activities with high potential for adverse biophysical impacts including §216.2(d) (1). Activities that would normally qualify for a negative determination under Reg. 216:
 - **Category 3 (Moderate or Unknown Risk):** All activities NOT identified as “very low risk” or “very high risk” are considered to be of “unknown or moderate risk.”
3. The proposed activity cannot be approved and no funds may be committed until the environmental documentation, including mitigation measures, is cleared by the A/COR and approved by the USAID/EA Regional Environmental Advisor (REA) and the USAID/EA Mission Environmental Officer (MEO). USAID may request modifications or reject the documentation. If the activities are found to have significant adverse impacts, a full Environmental Assessment must be conducted.
 4. All Environmental Review Forms with any activities categorized as “high risk” must be immediately referred to the BEO, unless the MEO rejects them and thereby denies implementation of the subject activities.
 - The implementing partners will take into consideration potential environmental impacts and their mitigation and monitoring measures, including avoidance during the design process to achieve an environmentally-sound project design and for program sustainability.
 - Implementing partners will take into account the Africa Bureau [Environmental Guidelines for Small-Scale Activities in Africa](#) and other appropriate Africa Bureau and generic environmental assessment sources, to assist in determining what potential projects impacts should be of concern for different types of development activities in various settings, and which impacts to mitigate and monitor for a particular development activity.

Implementing partners must identify in the environmental review reports all proposed environmental mitigation and monitoring requirements. Once the environmental review reports are approved, mitigation measures and monitoring procedures stated in the environmental review report should be considered as a requirement. Additionally, project implementers should ensure that the agreed-upon mitigation and monitoring measures are in place.

4.3 General Across-the-Board Conditions:

There are 18 sector-specific chapters in Part II of *Environmental Guidelines for Small-Scale Activities in Africa*, (2nd Edition) and (<http://www.encapafrica.org/egssaa.htm#II>) which are expected to be applied across-the-board, as applicable.

In addition, there are certain requirements that apply to all activities falling under the threshold determination of “Negative Determination with Conditions” and “Positive Determination” as appropriate. These include:

4.3.1. Environmental Compliance Language in Procurements/Solicitations. The responsibility for implementing activities in accordance with the findings and conditions of this IEE must be incorporated into all contracts and grants that serve to implement activities covered under this IEE. Refer to the fact

sheet “Environmental Compliance: Language for Use in Solicitations and Awards” for help in assembling appropriate, ADS-mandated environmental compliance language for all solicitations and awards², which links to the appropriate ADS 204 Help file. The solicitation language will draw upon the determinations in this IEE.

4.3.2. Budget provisions will be made within USAID/EA and/or the partners to allow for the environmental reviews and EIAs to be accomplished appropriately.

4.3.3. Oversight and Field Monitoring. A/CORs and Activity Managers, working with the REA, will undertake field visits and consultations with implementing partners to jointly assess the environmental impacts of ongoing activities, and the effectiveness of associated mitigation and monitoring plans.

Organizations receiving USAID/EA funds and transferring them through grants or other mechanisms to other organizations must incorporate provisions stipulating:

- The completion of annual EMMPs, and
- That, activities to be undertaken will be within the scope of the environmental determinations and recommendations of this IEE.

USAID/EA will ensure that implementing organizations have sufficient capacity to complete the environmental screening process and to implement monitoring and mitigation measures.

4.4 Environmental Responsibilities

USAID/EA is responsible for assuring that implementing partners have the human capacity necessary to incorporate environmental considerations into program planning and implementation and to take on their role in the Environmental Screening Process. Implementing partners should seek training as needed, such as through participation in the Africa Bureau’s Regional ENCAP training courses.

All USAID-funded partners shall report to the A/COR on progress and status of implementing the environmental conditions, as determined under this IEE.

USAID/EA will report to the Regional Environmental Officer (REO) and the Bureau Environmental Officer (BEO) on an annual basis on the status of implementation of mitigation and monitoring requirements. This report should draw upon implementing partners' progress and annual reports, as well as on periodic site visits by the MEO and REA.

Periodic visits of the A/COR or other USAID/EA monitoring staff with, if possible, MEO, REA or other specialists as appropriate, will be encouraged to ensure environmentally sound implementation, mitigation and monitoring of activities.

As required by **ADS 204.3.4**, the A/COR must actively monitor ongoing activities for compliance with approved IEE recommendations, and modify or end activities that are not in compliance. If additional activities not described in this document are added to this program, then amended or new environmental documentation must be prepared. The A/COR will also ensure that provisions of the IEE concerning mitigating measures and the conditions specified herein along with the requirement to monitor will be incorporated in all contracts, cooperative agreements, grants and sub-grants.

² [http://www.encapfrica.org/meo_resources/ECL_Factsheet%20\(final\).pdf](http://www.encapfrica.org/meo_resources/ECL_Factsheet%20(final).pdf).

ANNEX 1.

Regulation 216 Compliance for the USAID/East Africa Strengthening Regional Conflict Management Systems Project,

Environmental Mitigation and Monitoring Plan (EMMP)

July 2012

The EMMP must be completed by each organization carrying out activities under the USAID/EA, Strengthening Regional Conflict Management Systems Project. It will include the organization's own report plus the EMMPs of any sub-awardees, to capture the entire range of activities funded by USAID/EA, Strengthening Regional Conflict Management Systems Project, under the bi-lateral award. The prime USAID/EA, Strengthening Regional Conflict Management Systems Project, implementing partners are responsible for ensuring that each sub-awardee completes and submits the EMMP to the prime in a timely fashion. The EMMPs are reviewed and approved by the CTO and the Mission Environmental Officer.

The EMMP consists of 3 parts:

1. The Environmental Verification Form
2. The Mitigation Plan for specific environmental threats carried out by the implementer,
3. The Reporting Form

The EMMP Environmental Verification Form

This form indicates the categories of activities carried out by implementing partners (or their sub-awardees) and serves to 'trigger' USAID expectations of mitigation measures.

The EMMP Mitigation Plan

Implementing partners will use the Mitigation Plan to describe the specific actions they will undertake under each category of activity when screening reveals potential environmental threats as outlined in Section 3 of this IEE. In these cases, mitigation will be undertaken as described in section 4 of this IEE. The Mitigation Plan also identifies the person responsible for monitoring compliance with mitigation and the indicator, method and frequency of monitoring.

The EMMP Reporting Form

This form reports on the results of applying the mitigation measures described in the Mitigation Plan and identifies outstanding issues with respect to required conditions. In some cases, digital photos will be the best way to document mitigation and should be included in the report.

Annex A: Environmental Mitigation and Monitoring Plan

USAID/East Africa Strengthening Regional Conflict Management Systems Project

EMMP Part 1 of 3: Environmental Verification Form

USAID/East Africa, Strengthening Regional Conflict Management Systems Project, Award

Date of Screening: _____

Funding Period for this award: FY_____

Name _____

Current FY Resource Levels: FY_____

Name of Prime Implementing Organization:

This report prepared by:

Name of Sub-awardee Organization (if this EMMP is for a sub): _____

Name: _____ Date: _____

Geographic location of USAID-funded activities (Province, District): _____

Date of Previous EMMP for this organization: _____ (if any)

Indicate which activities your organization is implementing under this funding.

Key Elements of Program/Activities Implemented		Yes	No
1	• education, technical assistance or training programs • analyses, studies, academic or research workshops and meetings; • document and information transfers;		
2	Construction and renovation of facilities		
3	Sub grant activities or sub awards		

USAID/East Africa Strengthening Regional Conflict Management Systems Project

EMMP Part 2 of 3: Mitigation Plan

<i>Category of Activity from Section 4 of IEE</i>	<i>Describe specific environmental threats of your organization's activities (based on analysis in Section 3 of the IEE)</i>	<i>Description of Mitigation Measures for these activities as required in Section 5 of IEE</i>	<i>Who is responsible for monitoring</i>	<i>Monitoring Indicator</i>	<i>Monitoring Method</i>	<i>Frequency of Monitoring</i>
1. Education, technical assistance, training, etc.	No environmental impacts anticipated as a result of these activities.	Education, technical assistance and training about activities that inherently affect the environment include discussion of prevention and mitigation of potential negative environmental effects.	COTR/AOTR continually monitors to ensure that categorical exclusion applies throughout life of grant	Discussion of environmental impact included in education, technical assistance, training and other materials	Review of materials	Annual
2. Construction and renovation of facilities						
3. Sub grant activities		Must use the Environmental Review Form (ERF) first				

USAID/East Africa Strengthening Regional Conflict Management Systems Project

EMMP part 3 of 3: Reporting form

List each Mitigation Measure from column 3 in the EMMP Mitigation Plan (EMMP Part 2 of 3)	Status of Mitigating Measures	List any outstanding issues relating to required conditions	Remarks

Certification

I certify the completeness and the accuracy of the mitigation and monitoring plan described above for which I am responsible and its compliance with the IEE:

Signature

Date

Print Name

Organization

BELOW THIS LINE FOR USAID USE ONLY

USAID/East Africa, Strengthening Regional Conflict Management Systems Project, Clearance of EMMP:

Contracting/Agreement Officer Technical Representative: _____ Date: _____

Mission Environmental Officer: _____ Date: _____

As appropriate: REA, BEO [depending on nature of activity, which potentially may require an EA]

Note: if clearance is denied, comments must be provided to applicant

APPENDIX B

AFRICA BUREAU ENVIRONMENTAL REVIEW FORM AND ENVIRONMENTAL REVIEW FORM INSTRUCTIONS

Note to individuals adapting the:

*** Africa Bureau Environmental Review FORM &**

*** Environmental Review Form INSTRUCTIONS**

for use on a particular program/activity:

- The Environmental Review Form and its instructions are for use in the review and approval of subproject proposals that are (1) carried out under an “umbrella” project AND (2) defined and reviewed *after* approval of the overall or “umbrella project.” Typical subprojects include microfinance activities or sub grants for small-scale development.
- For primarily NRM-oriented programs, consider and use the Supplemental Environmental Review Form for NRM sector activities, especially those considering NRM-based enterprises, CBNRM, ecotourism, etc..
- Text in **UNDERLINE & BLUE HIGHLIGHT** MUST be modified to reflect project and mission name.
- **Yellow** highlighted text is only put emphasis on the points highlighted, and can also be dropped
- Both the form AND instructions should be reviewed and modified in general to reflect the needs of the specific umbrella project.
- Both form and instructions must be appended to the Initial Environmental Examination for the overall project.

Revision history:

Last revised April 13, 2004, to include biosafety considerations and better reflect the Supplemental Environmental Review Form for NRM sector activities. Formatting and presentation revised 17 Jan 2005.

DELETE THIS PAGE BEFORE MODIFYING/DISTRIBUTING THIS FORM

Program logo
here, if desired

PROGRAM/PROJECT NAME
USAID/Mission or Bureau Name

**Instructions for environmental
review of XXX Program/Project activities**



Note:

These instructions accompany the “Environmental Review Form for Program/Project Activities.”

Follow, but DO NOT SUBMIT, these instructions.

Who must submit the Environmental Review Form?

ALL implementing Partners applying to implement activities under the XXX Project must complete the “Environmental Review Form” form UNLESS the project or activity is carried out to address an emergency (e.g., international disaster assistance). *Emergencies are determined by the US Ambassador or USAID, not by the applicant.*³

Importance

The proposed activity cannot be approved and no “irreversible commitment of resources” can be made until the environmental documentation, including any mitigation measures, is approved by the Mission Environmental Officer (MEO). Approval by other authorities in USAID may also be required.

NOTE: USAID may request modifications, or reject the documentation.

If the activities are found to have significant adverse impacts, a full Environmental Assessment must be conducted. RAMP, USAID, and the applicant will confer in any such case to determine next steps.

Step 1. Provide requested “Applicant information” (Section A of the form)

Step 2. List all proposed activities

In Section B of the form, list all proposed activities. Include all phases: *planning, design, construction, operation & maintenance*. Include ancillary activities. (These are activities that are required to build or operate the primary activity. Examples include building or improving a road so that heavy vehicles can reach the project site, excavation of fill material or gravel for construction, provision of electricity, water, or sewage facilities, disposal of solid waste, etc.)

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))
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³ See 22 CFR §216.2(b)(1). Most activities carried out under emergency circumstances are considered EXEMPT from USAID environmental procedures, except for the procurement or use of pesticides

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. Rehabilitation of water points for domestic household use, shallow, hand-dug wells or small water storage devices. Water points must be located where no protected or other sensitive environmental areas could be affected. NOTE: USAID guidance on potable water requires water quality testing for arsenic, coliform, nitrates and nitrites. 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	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 extractin of tiber ▪ Construction of dams or other water control structures that flood relatively

(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 <i>biotechnology testing or release</i> of any kind are to take place within an assisted country until the host countries involved have drafted and <i>approved</i> 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 from the road and not affected by construction or changes in drainage. ▪ No protected areas or relatively undegraded	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. (Covers activities NOT included under “Very low risk activities” above.) 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.

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.

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

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

Examine the “screening results” as they are entered in Table 1 of the form.

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

In some cases, it is possible that effective 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 moderate risk activities, the Environmental Review Report is typically a SHORT 2–3 page document. The Report will typically be longer when (1) activities are of higher or unknown risk, and (2) when a number of impacts and mitigation measures are being identified and discussed.

The Environmental Review Report follows the outline below:

- A. **Summary of Proposal.** Summarize background, rationale and outputs/results expected. (Reference to proposal, if appropriate).
- B. **Description of activities.** For all moderate and high-risk activities listed in Table 1 of the form, 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. **Environmental Situation & Host Country environmental 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? In this section, also describe applicable host country environmental regulations, policies and practices.

- D. **Evaluation of Activities and Issues with Respect to Environmental Impact Potential.** Include impacts that could occur before construction starts, during construction and during 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.

Explain direct, indirect, induced and cumulative effects on various components of the environment (e.g., 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.)

- E. **Environmental Mitigation Actions (including monitoring).** Provide a workplan and schedule identifying the following:

Mitigation measures. Identify the means taken to avoid, reduce or compensate for impacts. (For example, restoration of borrow or quarry areas, replanting of vegetation, compensation for any relocation of homes and residents.) If standard mitigation or best practice guidance exists and is being followed, cite this guidance.

Monitoring Indicate how mitigation measures will be monitored to ensure that they accomplish their intended result. If some impacts are uncertain, describe the monitoring which will be conducted to identify and respond to these potential impacts.

Responsible parties. Identify *who* will undertake mitigation and who will conduct the monitoring, and at what frequency.

- 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. Based on the environmental review, reach a recommended determination for *each* high-risk or unknown/moderate-risk activity

For each high-risk or unknown/moderate-risk activity, the environmental review will help you decide between one of three recommended determinations:

- **no significant adverse impacts.** The activity in question will not result in significant, adverse environmental impacts. Special mitigation or monitoring is not required. Typically, this conclusion is not appropriate for high-risk activities.
- **no significant adverse impacts given specified mitigation and monitoring** With mitigation and monitoring as specified in the Environmental Review Report, the activities in question will not result in significant adverse environmental impacts.
- **significant adverse impacts.** The activities in question is likely to cause significant adverse environmental impacts and cannot be mitigated with best practices or other measures. A full environmental assessment will be required.

For each high-risk or unknown/moderate-risk activity, indicate your “recommended determination” in Section B of the form.)

Step 7: Summarize recommended determinations

In section C of the form, summarize your recommended determinations by checking ALL categories indicated in Table 1.

Step 8. Sign certifications (Section D of form)

Step 9. Submit form to USAID project officer. Attach Environmental Review Report, if any.

Program logo
here, if desired

PROGRAM/PROJECT NAME
USAID/Mission or Bureau Name

**Environmental Review Form
for XXX Program Activities**



but do not submit, the attached instructions.
and information

Organization	Parent grant or project
Individual contact and title	Address, phone & email (if available)
Proposed activity (brief description)	Amount of funding requested
Location of proposed activity	Start and end date of proposed activity

B. Activities, screening results, and recommended determination

Proposed activities (continue on additional page if necessary)	Screening result (Step 3 of instructions)			Recommended Determinations (Step 6 of instructions. Complete for all moderate/unknown and high-risk activities)		
	Very Low Risk	High-Risk*	Moderate or unknown risk*	significant adverse impact	mitigation, no significant	Significant Adverse impact
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						

*These screening results require completion of an Environmental Review Report

C. Summary of recommended determinations (check ALL that apply)

The proposal contains. . .	<i>(equivalent Regulation 216 terminology)</i>
☐ Very low risk activities	<i>categorical exclusion(s)</i>
☐ After environmental review, activities determined to have no significant adverse impacts*	<i>negative determination(s)*</i>
☐ After environmental review, activities determined to have no significant adverse impacts, given specified mitigation and monitoring*	<i>negative determination(s) with conditions*</i>
☐ After environmental review, activities determined to have significant adverse impacts*	<i>positive determination(s)*</i>

*for these determinations, the form is not complete unless accompanied by Environmental Review Report

D. Certification:

I, the undersigned, certify that:

- the information on this form is correct and complete
- the following actions have been and will be taken to assure that the activity complies with environmental requirements established for this Project:
 - Those responsible for implementing this activity have received training in environmental review AND training and/or documentation describing essential design elements and best practices for activities of this nature.
 - These design elements and best practices will be followed in implementing this activity.
 - Any specific mitigation or monitoring measures described in the Environmental Review Report will be implemented in their entirety.
 - Compliance with these conditions will be regularly confirmed and documented by on-site inspections during the activity and at its completion.

(Signature) _____ (Date) _____

(Print name) _____

Note: if screening results for *any activity* are “high risk” or “moderate or unknown risk,” this form is not complete unless accompanied by an environmental review report.

BELOW THIS LINE FOR USAID USE ONLY**Clearance record**

USAID Project Officer (print name)	(signature)	(date)
☐ Clearance given		
☐ Clearance denied		
USAID MEO (print name)	(signature)	(date)
☐ Clearance given		
☐ Clearance denied		

USAID REO ☐ Clearance given ☐ Clearance denied	(print name)	(signature)	(date)
USAID BEO* ☐ Clearance given ☐ Clearance denied	(print name)	(signature)	(date)

* BEO approval required for all “high risk” screening results and for determinations of “significant adverse impacts”

Note: if clearance is denied, comments must be provided to applicant (use space below & attach sheets if necessary).