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GEMS Training Delivery Report:

Life of Project Environmental Compliance and
Environmentally Sound Design and Management:

A USAID/Uganda Training Workshop

Held 09 – 12 September 2014 at
Sheraton Hotel, Kampala, Uganda



22 September 2014

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GEMS Training Delivery Report:

Life-of-Project Environmental Compliance and Environmentally Sound Design Management: *A Training Workshop for USAID/Uganda Staff*

**Held 09 – 12 September, 2014 at
The Sheraton Hotel, Kampala, Uganda**

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ATTACHMENTS

1. Final Agenda
2. Participant List
3. Evaluation Form
4. Case site descriptions
5. BPR report

ACRONYMS

AAD	Activity Approval Document
AFR	USAID Bureau for Africa
AFR/SD	USAID Bureau for Africa, Office of Sustainable Development
AOR	Agreement Officer's Representative
BEO	Bureau Environmental Officer
CFR	Code of (US) Federal Regulations
COR	Contracting Officer's Representative
DO	Development Object (Formerly SO)
EA	Environmental Examination or
EA	East Africa
ERF	Environmental Review Form
ERR	Environmental Review Report
EIA	Environmental Impact Assessment
EMMP	Environmental Mitigation & Monitoring Plan
ENCAP	Environmentally Sound Design and Management Capacity-Building Support for Africa
ESDM	Environmentally Sound Design & Management
GB	gigabyte
GEMS	Global Environmental Management Support (Program)
GH	USAID Bureau for Global Health
IEE	Initial Environmental Examination
IP	Implementing Partner
IRS	Indoor Residual Spraying
LOP	Life-of-Project
M&E	Monitoring & Evaluation
MEO	Mission Environmental Officer
NEMA	National Environmental Management Agency
PDO	Program Development Officer
REA	Regional Environmental Advisor
REO	Regional Environmental Officer
Reg. 216	22 Code of Federal Regulations, Section 216
US	United States
USG	United States Government
USAID	United States Agency for International Development

1. Background

An Environmental Best Practices Review (BPR) for USAID/Uganda Mission conducted in July of 2010 found that SO (DO)-level IEEs existed and were current, but essentially “shelved” after approval by the BEO. For the most part, IEE conditions were not being communicated to the respective IPs, consequently were neither implemented, monitored, nor reported on by IPs to USAID C/AORs.

The net effect is that the objectives of USAID’s Environmental Procedures were not being achieved i.e. ensuring environmentally sound design and management to sustainably safeguard environmental resources, ecosystems, and the health and livelihoods of beneficiaries and other groups against adverse impacts from USAID funded Activities..

This finding was attributed largely to the fact that C/AORs were neither aware of their Environmental Compliance responsibilities nor did they have the skills and confidence to discharge the same. So in essence, “downstream” environmental compliance (implementation, monitoring of and reporting back on environmental conditions) did not occur except for IRS, which has special sensitivities, LEAD, and Title II (See attached BPR report).

Environmental Compliance is a mandatory requirement for all USAID funded programs and activities. The Foreign Assistance Act of 1961 requires that impacts arising from USAID activities on the environment are considered, and that USAID includes environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is spelt out in 22 CFR 216 and ADS 201 and 204.

Training of staff and implementing partners came as one of several recommendations of the above mentioned BPR. Since the training in environmental compliance last held in 2005, there has been staff turnover and recruitment of new staff for an expanded mission portfolio, resulting in many of the current staff having little or no knowledge of the USAID environmental compliance requirements and process.

The USAID Environmental compliance is a shared responsibility between the environment unit, Contracting Officer Representatives / Agreement Officer Representatives and respective implementing partners.

Equally important is that IPs are trained in the USAID Environmental Compliance requirement, developing motivation and skills to enable them to effectively execute their roles and responsibilities in this regard.

To help bridge the identified gaps, Global Environment Management Support (GEMS), in collaboration with and with funding from USAID/Uganda, , delivered a 3.5-days Life-of-Project Environmental Compliance and Environmentally Sound Design Management (ESDM) training workshop for about 45 USAID/ Uganda CORs/AORs, program officers, and contracting officers drawn from the Economic Growth; Democracy, Governance and Conflict; Health, HIV/AIDS and Education offices, Office of Acquisition and Assistance (OAA), and the Gulu Office.

The training workshop was deemed timely as there are 16 new projects in the pipeline under DO 3: Health, HIV/AIDS and Education.

Primary Training Objectives

The primary objectives of the training were to assist USAID/Uganda mission staff to:

- A. Better understand and apply USAID Environmental Procedures (22 CFR 216, ADS 201, 204), and documentation and review requirements;
- B. Design and implement environmentally-sound activities to improve program and project sustainability;

- C. Assess reasonably foreseeable environmental impacts and mitigate and monitor to minimize adverse impacts and design errors;
- D. Review how USAID procedures are to be applied in the context of evolving host country policies and emerging private sector practice in environmental impact assessment (EIA) and environmentally sound design and management;
- E. Consider answers to the questions: "How can environmentally sound design processes be strengthened within the Uganda Mission and the Agency?" and "What are some state-of-the-art approaches to mainstreaming environmental considerations into USAID regional and bilateral programs?" and
- F. Discuss capacity building needs, options, and approaches, and to review new approaches to knowledge management and their potential application to Agency and Mission responsibilities to promote environmentally sound design.

Mission Training Needs Identified During Pre-Planning

The pre-planning undertaken established the following training needs for the Mission as expressed during Mission staff interviews:

1. Limited or lack of understanding, appreciation, and the ability to incorporate environmental compliance in the entire LOP. (Special emphasis needs to be placed on environmental consideration right from the project design.)
2. Limited or lack of understanding of the requirements in 22 CFR 216, and ADS 201, 204, including basic terminologies such as:
 - ❖ Environment.
 - ❖ Initial Environmental Examinations (IEEs).
 - ❖ Categorical Exclusions (CE).
 - ❖ Negative Determination (ND).
 - ❖ Negative Determination with Conditions (NDWC).
 - ❖ Environmental Mitigation and Monitoring Plan (EMMPs), including how to develop and report against it.
 - ❖ Unclear roles and responsibilities of respective USAID staff (AOR, COR, OAA), in ensuring environment compliance.
3. Proposed special topics to be addressed at the training workshop include:
 - ❖ Medical Waste Management

The program design, development, and subsequent delivery adequately addressed issues as reflected by the training workshop agenda and materials.

It is hoped that after the training, OAA will be empowered and motivated in making it mandatory for potential Implementing Partners to submit proposals that take into consideration the likely environmental and social impacts of their proposed activities/projects/programs, by clearly incorporating environmental compliance in Solicitations and Awards. IPs could present this requirement in their proposals in form of an EMMP. This would ensure that environmental consideration and the accompanying budget are taken into account from project design.

2. Overview

In collaboration and with funding from USAID/Uganda, GEMS delivered a Life-of-Project Environmental Compliance and Environmentally Sound Design Management workshop for mission staff over 9-12 September 2014 (3.5 days) in Kampala, Uganda.

The workshop trained participants in: (1) compliance with USAID’s environmental procedures over life-of-project, and (2) the objective of these procedures: environmentally sound design and management (ESDM) of USAID-funded activities.

The workshop is the latest in a series of bilateral “Life of Project” trainings delivered in the Africa Region. The overall goal of the workshop was to strengthen environmentally sound design and management of USAID–funded activities in Uganda by assuring that participants have the motivation, knowledge and skills necessary to (1) achieve environmental compliance over life-of project, and (2) otherwise integrate environmental considerations into activity design and management to improve overall project acceptance and sustainability.

Towards these ends, the workshop used a slightly modified version of a “hybrid” agenda developed in late 2012 by GEMS principal partners The Cadmus Group, Inc. and Sun Mountain International and first delivered in Adama, Ethiopia in December 2012 in a course for USAID/Ethiopia staff and partners. The hybrid agenda sought to combine the strongest elements of existing Life of Project curricula developed by Cadmus and Sun Mountain under previous contracts, and independent of the current collaboration. Indeed, development of a unified approach to training in environmental compliance + ESDM for USAID staff and partners was a stated objective of the GEMS project. Appropriate revisions and adaptations were made for the USAID/Uganda Workshop.

In the most significant departure from other previous bilateral trainings in the Africa Region, the hybrid agenda no longer divides participants into two blocs for targeted skill building in pre-implementation compliance and compliance during project implementation—“upstream” and “downstream” compliance, respectively.

Specific Adaptations made for the USAID/ Uganda workshop agenda

- Training undertaken in 3.5 days at the request from the Mission instead of the standard 4.5 days.
- A short Video on “Environmental Considerations Towards a Sustainable Future” was screened during the introductory session on Day 1, to take a closer look at case studies that demonstrate how considering environment helps to promote project sustainability
- Virtual Field Visit

With a focus on practical application, participants were led on a virtual field visit undertaken at the end of Day 1, partly because the training agenda was 1 day shorter than the standard and, in less time than would have been the case if an actual field visit was undertaken, participants were afforded an opportunity to practice information gathering and develop observations skills needed to identify and prioritize potential environmental impacts or issues of concern, and discuss approaches to limit adverse effects on the environment.

- Half-day field visits

The workshop on Day 2 featured half-day field visits to two case sites. Participants were divided into two groups of about 20 each and visited two activities at each of the two case sites. The two case sites were:

1. Mengo Hospital
2. Ziobwe Agaliawamu Business Center (ZAABTA)

Case sites were selected in alignment with findings during the pre-planning exercise, which determined that Agriculture and Medical Waste Managements were sites of particular interest for anticipated workshop participant.

At Mengo hospital, the site provided participants the opportunity to visit and assess the Tuberculosis (TB) support activities as well as Mengo Hospital's Voluntary Male Circumcision (MC) unit. At ZAABTA, visitors saw the business center, agricultural support activities (rice cultivation and processing, especially) and then visited one of the association's four agro-chemical spraying service providers, Wabitungulu Spraying Services.

The training program's design progressively evolved from basic EIA skill-building into the application of EIA into USAID programming, via Reg. 216 and ADS 201 and 204 requirements as incorporated into project lifecycle.

This report is not a proceedings document, but is intended to document the workshop's:-

- Learning approach and structure, as reflected in agenda, materials & facilitation;
- Outcomes (including evaluations and issues for follow-up); and
- Key attributes and implementation arrangements.

3. AGENDA & LEARNING APPROACH

Background: the “Life of Project” agenda. The first Life of Project training agenda and materials were piloted at a June 2008 workshop in Bagamoyo, Tanzania delivered under the ENCAP project.¹

This curriculum focused on environmental compliance and ESDM across the project lifecycle, and serves as the basis—along with similar content developed by Sun Mountain International—for the “hybrid” training program developed under GEMS and adapted for USAID/Uganda. Consistent with adult learning techniques with a focus on practical application, the agenda reflected the principle that group exercises/field visits should represent at least 50 percent of total workshop time, if not more, and that classroom theory should be systematically reinforced with exercises and a field visit component.

In contrast, previous workshops had focused substantially on building skills and knowledge for “upstream” compliance—i.e., for the pre-implementation environmental review process defined by Reg. 216, IEE development and associated EIA skills. Incremental refinements to this agenda were made and some materials upgraded for delivery of the two most recent bilateral workshops in the Africa Region prior to the December 2012 launch of the “hybrid” program in Adama, Ethiopia (Takoradi, Ghana, March 2012 & Chipata, Zambia, May 2012).

Adaptations and Improvements for this Workshop

Through the slightly revised hybrid agenda, this workshop carried forward the basic elements of the earlier LOP agenda and training delivery, but in addition to changes mentioned above, made two key changes in structure:

1. Participants were not divided into “upstream” and “downstream” compliance subgroups following the delivery of ‘core’ content. The upstream/downstream approach was taken in numerous preceding bilateral and regional workshops as a means of allowing participants to engage in more depth with the LOP compliance elements most relevant to their responsibilities without detracting from time spent on other topics. This approach is particularly beneficial when training USAID staff and IPs in the same workshop curriculum, as each group typically engages on issues of environmental compliance and ESDM at different points in the project lifecycle. After covering core skills and concepts as well as an *overview* of LOP compliance requirements,

¹ Environmentally Sound Design and Management Capacity Building for Partners and Programs in Africa (ENCAP) was a program of USAID/AFR/SD implemented by International Resources Group, prime contractor, and The Cadmus Group, Inc., subcontractor via contract no. EPP-I-00-03-00013-00, Task Order No. 11. Additional information on the ENCAP program is available at www.encapafrika.org/about.htm

one group focused on upstream. As this training was only for USAID/ Uganda staff, “Upstream and Downstream compliance requirements were attended to in one group. As reflected in the course evaluations, it appears that some participants had difficulty understanding the session. This is quite common where you have a mix of novice and “not-so-green sticks”.

2. Two Special Topics sessions were included: Construction and Pesticide Procedures. These sessions were identified as areas of particular interest to USAID/Uganda mission staff, confirmed following delivery of core content, site visits, and practice in EMMP development and reporting. Special Topics were selected based on the regional project portfolio, and as well alignment with other workshop training themes.

Agenda Breakdown

The overall goal of the workshop was to strengthen environmentally sound design and management of USAID–funded activities in Uganda by assuring that participants have the motivation, knowledge and skills necessary to:

1. Achieve environmental compliance over life-of project; and
2. Otherwise integrate environmental considerations in activity design and management to improve overall project acceptance and sustainability.

This overall goal was addressed via five main agenda components. These components, their entailed objectives, and the particular sessions they corresponded to are presented in the table below.

AGENDA COMPONENT	OBJECTIVES	HOW OBJECTIVE WAS ACHIEVED ²
<p>1. Motivating LOP environmental compliance. USAID’s mandatory environmental procedures exist to assure environmentally sound design and management (ESDM) of development activities. The workshop begins by defining ESDM and establishing why ESDM must be a necessary and explicit objective for successful development.</p>	<ul style="list-style-type: none"> • Articulate the ESDM concept and common causes of failure to achieve ESDM. • Explain why ESDM must be a necessary and explicit objective for successful development. • Articulate key action principles for achieving ESDM. 	<p>Sessions 2a,2b and 2c, 3 (Presentations, Video and Discussions)</p> <ul style="list-style-type: none"> • What is Environment? • Why Environmentally Sound Design and Management? • EIA and ESDM
<p>2. Building Core EIA Concepts & Skills. USAID’s environmental procedures are a specific implementation of the general environmental impact assessment (EIA) process. An understanding of the basic EIA process greatly facilitates understanding of USAID’s procedures, and basic proficiency in a set of core EIA</p>	<ul style="list-style-type: none"> • Explain the relationship between ESDM and the EIA process. • Describe the key elements of the EIA process. • Demonstrate basic proficiency in the core EIA skills of identifying significant impacts/issue of concern and design of 	<p>Sessions 3, 4, 5, 6, 7, 8a,8b.8c and 8d (Presentations, discussions, Using a Virtual field visit, exercise and group report out)</p> <ul style="list-style-type: none"> • Baseline Characterisation/ Identifying Issues of Concern • Principles of

² Copy of final workshop agenda attached to this report as annex.

skills is required for effective compliance over life-of-project.	mitigation and monitoring.	Mitigation
<p>3. Mastering LOP Compliance Requirements. The workshop first surveys LOP environmental compliance requirements. These requirements—and the compliance process—can be divided into “upstream” and “downstream” elements.</p> <p>Upstream compliance consists primarily of the pre-implementation environmental review process defined by 22 CFR 216 (Reg. 216), which culminates in approved Reg. 216 documentation (RCEs, IEEs and EAs).</p> <p>Downstream compliance consists primarily of implementing the environmental management conditions specified in approved 22 CFR 216 documentation, and reporting on this implementation. The environmental mitigation and monitoring plan (EMMP) is the key instrument for systematic implementation of these conditions—and thus for achieving ESDM.</p> <p>After surveying LOP environmental compliance and building needed core skills, participants split into two “streams” for a portion of the workshop: one focused on upstream compliance, and one on downstream compliance.</p>	<ul style="list-style-type: none"> • <i>All</i> Describe the basic elements of LOP compliance, and attendant roles and responsibilities. • <i>Upstream compliance</i> : Demonstrate basic proficiency in the pre-implementation environmental review process established by Reg. 216. • Downstream compliance <p>Demonstrate basic proficiency in developing environmental mitigation and monitoring plans.</p> <p>Articulate the environmental compliance reporting requirements attendant to EMMP implementation.</p>	<p>Session 9, 10, 11, 12 Upstream (USAID Staff) & Downstream (Implementing Partners)</p> <ul style="list-style-type: none"> • Overview of Life of Project Compliance for USAID Staff and Implementing Partners • Reg. 216 & Screening under Reg 216 • Effective IEEs • Translating IEE Conditions into Specific EMMP Implementation • Half day Field site visits with Upstream & Downstream Focus. • IEE Review (upstream) and EMMP Development (downstream) Exercise and report-out.
<p>4. Understanding Key “Special Topics” in Compliance. Focused “Special Topic” sessions address the environmental compliance and management aspects of</p>	<ul style="list-style-type: none"> • Explain the key compliance issues involved in each special topic, and articulate recommended best practice. 	<p>Uganda Environmental Requirements</p> <p>Special Topics-</p> <ul style="list-style-type: none"> • PERSUAP • Building Construction

selected current, complex and emerging issues in the USAID portfolio and operating environment.		<ul style="list-style-type: none"> • Programmatic Environmental Assessment
<p>5. Improving Compliance Processes. Achieving LOP compliance and ESDM requires both that individual USAID staff understand their roles and responsibilities and master key skills and that mission processes support “mainstream” environmental compliance.</p>	<ul style="list-style-type: none"> • Evaluate strengths and weaknesses of environmental compliance processes in our team/mission against those in the region as a whole. • Undertake or propose improvements to these processes following the workshop. 	<p>Session 16: The Way Forward</p> <ul style="list-style-type: none"> • Participants formed two groups to review the status of compliance and identify gaps in light of training. • Participants developed individual key action plans and jointly the groups made recommendations for the Mission.

4. Evaluations

Three different formal methods were used to evaluate the success of the workshop in meeting its objectives. All indicate that the workshop strongly achieved these objectives:

- 1. Expectations tracking and Items on Parking LOT.** In the first session of the workshop, participants were asked to record their expectations for the workshop, which were then posted in the training room. On day three of the workshop, when the majority of the training topics had been covered, participants were asked to review their expectations and to put a check mark on those that had been met. All outstanding items on both the Expectations list and the parking Lot were addressed to satisfaction in the morning of the last day of training.
- 2. Environmental Compliance Presentations.** Following the conclusion of EMMP development exercises and group work on Day 3, a test and review of this content was conducted in the form of presentations in which small teams presented EMMPs in the role of IPs to an audience playing the role of “A/COR..” This exercise provided USAID staff an opportunity to both provide and receive feedback on what comprises an effective EMMP.

Facilitators provided guidance and suggestions following the presentations as to how the EMMP could be further strengthened to better improve efficacy.

- 3. Individual workshop evaluation & feedback instrument.** At the conclusion of the workshop, participants were asked to complete an individual GEMS workshop evaluation form (attached). It is designed to both solicit evaluations of learning approach and to differentiate evaluations according to the level of prior knowledge of participants.

The latter is intended to evaluate workshop performance against and inform future workshop design with respect to a consistent challenge in this training series: simultaneously meeting the needs of both relatively experienced and novice participants in the areas of ESDM and USAID environmental procedures.

The tables below summarize the responses received. In all overall substantive evaluation categories (technical program, facilitation and field work; table A), the scores lie between “acceptable” and “excellent.”

Overall evaluation results:

Scoring scheme: (1=very poor; 2=poor; 3= acceptable; 4=good; 5=excellent)

Evaluation Element	All (36)	Previous workshops in the series				
		Among self-described*			Average scores for all participants	
		Advanced (6)	Mid-level (12)	Novice (17)	Toubacouta, Senegal 2014	Mangochi, Malawi 2013
Tech. Program	3.89	3.67	3.83	3.94	4.33	4.25
Facilitation	3.54	3.5	3.64	3.53	4.14	4.33
Logistics	3.94	3.83	3.75	4.12	3.22	4.36
Venue	3.86	3.83	3.33	4.12	2.95	4.12
Field Work	3.89	3.83	3.5	4.24	4.14	4.24

A. Impact

(3= ideal score in all cases)

Evaluation Element	Scoring scheme	Average Score*	Interpretation
(Knowledge & Capabilities)	1=not at all increased 2=moderately increased 3=strongly increased	1.69	All participants who commented on the Impact section of the evaluation reported that their motivation and empowerment were either moderately or strongly increased, with 70% indicating motivation was strongly increased and 67% indicating motivation was strongly increased.
Empowerment		2.67	
Motivation		2.69	

*average across all participants

B. Learning Approach:

(3=ideal score in all cases)

Evaluation Element	Scoring scheme	Average Scores	Interpretation
Field vs. Class time balance	1=much more field time needed 3=right balance 5=much more classroom time needed	2.37	On average, the results indicate that slightly more field time and slightly more peer learning would be desirable, but overall participants felt that workshop was well-balanced.
Presentations vs. Exercises balance	1=much more emphasis on presentations needed 3=right balance; 5=much more exercise/discussion time needed	3.43	

Technical Level & Pace	1=too heavy; 3=about right 5=too light	2.94	
Learning from training team vs learning from peers	1=need to hear much more from facilitators 3=right balance; 5=need much more peer learning	3.38	

*average across all participants

C. High rated/low-rated sessions.

Participants were asked to identify the 1 or 2 sessions they rated most highly and least highly, for content, usefulness, approach or other reasons. Participants in many cases did not complete this section of the evaluation.

Total citations to high-rated sessions totalled ~ 5 whereas total citations of low-rated sessions totaled ~3, with many participants identifying no low-rated sessions.

Highest Rated

1. The highest-rated sessions were the focused bloc of sessions on EMMP development, the field work, the PERSUAP presentation.
2. Use of experiences in USAID/Kenya was very well received and appreciated. A number of participants noted this clearly.

Lowest Rated

1. The Day 1 opening session was the most consistently low-rated session, primarily because participants
 - a. Found it to be too long. Preference was to be quickly introduced to USAID environmental compliance requirements and process.
 - b. Use of foreign case studied – The Video used case studies in Latin America and adequately addressed the need to consider environmental issues in activity design and management to assure project sustainability
2. Session 3 (Fundamental Skills of Environmental Impact Assessment
 - a. Some participants felt that this Session was not well presented.

5. Issues for follow-up & lessons learned

The workshop concluded with a final session entitled “The Way Forward” to provide workshop participants an opportunity to take stock of the current status of LOP environmental compliance in mission activities and to develop a set of recommended next steps and strategies to bolster environmental compliance practices for both themselves and the mission as whole. Participants worked first in small groups before gathering in plenary to identify a few actionable next steps.

Action Plan & Recommendations: USAID / Uganda Staff.

USAID/Uganda staff identified a number of lessons learned at the conclusion of this workshop and created action items for follow-up upon return to the mission office.

- Given low awareness of environmental compliance procedures and requirements, and the fact that not all mission A/CORs were able to attend the workshop, participants advocated for the MEO) and the REA to work with mission management to instill annual environmental compliance trainings in FY 2015. These would be shorter courses to serve as refresher for

workshop participants and allow those that were unable to participate in the full training to familiarize with the environmental compliance requirements.

- While a large number of A/CORs were trained, implementing partners of USAID/Uganda activities still need the training. Many participants advocated for IPs to receive a similar environmental compliance training to the one conducted for mission staff. The MEO will work with mission management to arrange for a future training for IPs.
- USAID/Uganda staff who participated in this training agreed to review current IEEs upon return to the mission office to determine whether they must take any necessary corrective actions, such as:
 - Revision/amendment of IEEs to capture any omitted activities or components;
 - Preparation of new IEEs if/as necessary

Any such revisions or additions to EC documentation currently at the mission will require that Team Leaders and A/CORs, with recommended support from the MEO, discuss the parameters of the IEE to the relevant IPs and provide guidance regarding preparation of new EMMPs or revisions to existing EMMPs.

- The MEO will request that the management and contracting office include environmental compliance requirements in the post-award briefing.
- A/CORs will begin communicating the expectation to IPs that upon submission of their work plan, budget and PMP, they should also submit a draft EMMPs.

Key Recommendations from Workshop session, “The Way Forward”.

The following suggestions comprise those proposed by workshop participants and facilitators in the concluding workshop session, “The Way Forward” with an eye toward improving EC procedures at USAID/Uganda:

1. Undertake a BPR to take stock of Mission compliance status and form a baseline for Action Plan
 - Review compliance documents from Mission Order, A/COR appointment letters, IP level documents.
2. Ensure DO-Level IEEs effectively capture all aspects associated with mission activities,
 - Review, disseminate, update, popularize, take stock, operationalize
 - Each C/AOR should have a copy/access of the relevant blanket IEE(s) and ensure full understanding of their contents
 - Make all USAID/Uganda EC documents available via a shared drive
 - MEO should develop a tracking system for all IEEs, PERSUAPs, EAs etc. to help A/CORs recognize which document(s) are governing their activity and which EC documents may soon expire
3. Provide Environmental Compliance training for IPs similar to the one undertaken by Mission staff.
4. Environmental Compliance trainings for mission staff should occur with greater regularity, with short refresher courses run (at least) once per annum.
5. Project planning must include a timeline for IEE preparation and staff must be aware of this timeline and use existing information if available.
6. Every Activity subject to a negative determination with condition must develop a new EMMP or update existing EMMPs and work plans by Sept. 30, 2014.
 - Develop indicators
 - A/CORs to review all submitted EMMPs by October, 30, 2014.
7. Continue to incorporate environmental compliance language into procurement instruments for all new awards.
8. During site visits, there should be more emphasis on the EMMP. Currently, far more attention is given to branding and gender.
9. Environmental compliance is a shared responsibility and therefore should be mainstreamed throughout the mission and taken seriously.

10. The MEO should be involved earlier in the procurement process; most useful may be at the design stage as part of the clearance process.
11. Resources should be identified and allocated to support Environmental Compliance
 - Negotiate with OP/COP/MOP for allocation
 - Remedial costs for project implementation
12. Integrate environmental monitoring and reporting into current framework.
13. PEPFAR should consider the effects of medical waste visa vis number of MMC

Facilitators' Comments & Lessons Learned:

1. The course pacing was meant to accommodate the large volume of workshop participants and logistical challenges presented by the workshop timing and location:
 - a. The USAID/Uganda training was in Kampala. Concerns regarding evening traffic, proved a significant challenge to time management and sustaining engagement through end of day workshop sessions.
 - b. Physical proximity to the USAID/Uganda mission and temporal proximity to the end of the fiscal year created a significant prioritization challenge for many participants. Participation was often erratic, with some sessions delivered to fewer than 50% of the original roster. Participants often indicated that their managers were insisting they respond to particular, time sensitive action items.

Lesson Learned: It is strongly encouraged that future workshops be located outside of Kampala. While they do not have to be in remote locations, workshop engagement and effectiveness are most fully realized when the workshop is located so as to discourage participants from returning to the mission to address other work. In parallel, workshops are most effective when strongly supported by Team Leads and managers within the mission. Because GEMS was not directly involved in inviting and registering participants, it is not known how expectations were established in this regard. Jessica did clearly indicate at the start of the workshop that, with a progressively evolving curriculum, it is expected that participants stay for the entirety of the workshop.

2. It is beneficial to have the MEO present the “Environmental Trends section of Day”. However this has to be kept very short as discussion and examples can be solicited and participants can share their experiences regarding “the environmental mistakes section of the presentation.”
3. Session 3 Fundamental Skills of Environmental Impact Assessment serves as the basis for USAID Environmental Process. For the “novice” this session can be heavy. Additionally, without the proper foundation, the content may not obviously connect to the required responsibilities of USAID staff.

Lesson Learned: In future workshops, it may be beneficial to hold this session before lunch and be sure that this session, or one of the two preceding, includes a compressed overview of Reg. 216 requirements as USAID’s EIA process. Additionally, more time spent with Slides 5 – 9 (the EIA process) may have helped.

4. Use of Acronyms: A list of acronyms to be inserted in source books and explained as early as possible during training. These could also be posted in a strategic place within the training room for ease and quick reference.
5. A 3.5 day workshop presents a lot of challenges as key theory must be maintained while striving to maintain an appropriate balance of field work and small-group learning opportunities. We received feedback that indicated that the overall balance was generally in line with participants preference, but additional time in field and additional small-group work would have strengthened the overall balance.

Lesson Learned: Workshops are typically recommended as 4.5 day programs to allow for a second field visit and to enable deeper engagement during small group sessions. It is recommended that any future workshops be held as 4.5 day programs.

Key workshop attributes & implementation arrangements

Place, Date and Participants

Dates	9 – 12 September, 2014
Venue	Sheraton Hotel, Kampala, Uganda provided training facilities for the workshop.
Participants (full participant list is attached)	45 USAID Staff (attendance was erratic due to proximity to mission. 36 final evaluations received). Training team: USAID: (see "USAID Environmental Officers/Advisors" below) GEMS: 3 facilitators (see "GEMS training team," below).
Working language	English

Staffing and Logistics

Planning leads and coordination	USAID /Uganda provided logistics for the workshop, coordinating: <ul style="list-style-type: none"> • Invitations, RSVP tracking • Venue Booking • Group daily shuttle by bus to and from the training venue. • Case site transport and drivers
Local Expertise	Mr. Alex Winyi, EIA Officer , Uganda National Environmental Management Agency
GEMS Training Team	Michael Minkoff (Cadmus, GEMS) served as the lead trainer. Rosie Chekenya (Cadmus, GEMS) served as the lead trainer Maureen Babu (Cadmus, GEMS) served as a co-facilitator and lead for Field case sites and logistics. The lead GEMS trainers had responsibility for coordinating the course agenda, assigning presenters, and presented 5 of the course sessions and did the day reviews and orientations. The facilitation team met at the end of each day to review and strategize. The lead trainers also had the responsibility for managing flow and time and organizing group work and exercises.
USAID Environmental Officers/Advisors	David Kinyua , the East Africa Regional Environmental Advisor (REA) supported workshop facilitation. Jessica Okui , USAID/Uganda MEO served as a co-facilitator and had a key role in workshop organization/logistics.

Contracts, Funding, and Cost-Shares

Cost shares & Sources of funding	USAID participants' respective missions/offices covered their travel & per diem. USAID/Uganda buy-in to GEMS covered labor and travel of the GEMS
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	<p>training team, GEMS home office support, and workshop materials.</p> <p>USAID/Uganda procured venue and provided workshop logistics (transport to/from mission and to/from site visits).</p>
Contract mechanisms	USAID/Uganda buy-in to GEMS II.

Agenda, Content, and Materials

Development lead	Michael Minkoff, Cadmus.		
Agenda	The final agenda is attached. See also notes on agenda in section 2.		
Hardcopy materials	<p>Participants were provided with the following materials in hardcopy:</p> <p>Sourcebook. 1.5" 3-ring binder containing the agenda, a brief objectives statement/overview of each module, presentations and exercises.</p> <p>GEMS Site Visit Briefings. Each participant received a copy of each of the GEMS Site Visit Briefings. These served as guides for the two site visits.</p> <p>The sourcebooks were reproduced in the U.S. by The Cadmus Group and then shipped to USAID/Uganda.</p>		
Memory sticks (Flash Drives)/MEO Resource Center	Participants were provided with a 4 GB flash drive containing the sourcebook and all contents on the GEMS website.		
Case site visits	The final site visit program was as follows. Site representatives hosted each visit.		
	Day & Focus of Visit	Group 1	Group 2
	Day 2	HIV/AIDS, at Mengo hospital:	Zirobwe Agaliawamu Agri- Business Training Association (ZAABTA): to appreciate safe pesticide/agrochemicals storage, application and disposal.
		TB Unit at Mengo hospital:	Zirobwe Agaliawamu Agri- Business Training Association (ZAABTA): to appreciate safe pesticide/agrochemicals storage, application and disposal.
Materials archive	Materials are archived on the GEMS website (www.usaidgems.org)		

Key Contacts

Organization	Name & Position	Contact Info
USAID/AFR/SD	Brian Hirsch BEO	bhirsch@usaid.gov
USAID/Uganda	Jessica Okui MEO	jokui@usaid.gov

Organization	Name & Position	Contact Info
USAID/Kenya	David Kinyua Facilitator	kinyua@usaid.gov
CADMUS/GEMS	Mark Stoughton, GEMS Team Leader	mark.stoughton@cadmusgroup.com
	Mike Minkoff	micheal.minkoff@cadmusgroup.com
	Maureen Babu Facilitator	babumaureen@gmail.com
	Rosie Chekenya, Lead Facilitator	rchekenya@gmail.com +263 773 751 097

Final Agenda

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
Day 1	Motivation, Core Skills and Overview of Environmental Compliance over Life of Project		
08:00-08:30	Participant Registration		

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
08:30-08:45	Welcome and Opening Statements	Highlight the value of workshop content and expected results.	USAID/Uganda Mission (Jessica Okui + Robert Senkungu)
08:45-09:30	Session 1: Workshop Objectives and Logistics; Participant Introductions	Establish workshop objectives; brief the agenda and learning approach. Review logistics. Introduce participants; articulate expectations.	Michael Minkoff, GEMS Facilitator
09:30-10:00	Session 2a: What is Environment? and <i>“Environmental Considerations Toward a Sustainable Future” (short video)</i>	Overview of what is meant by “environment” in Environmentally Sound Design and Management followed by a short video that takes a closer look at how considering environment helps promote project sustainability.	Maureen Babu, GEMS Facilitator
10:00-10:15	Break		
10:15-11:00	Session 2b: Environmentally Sound Design & Management (ESDM) as a Foundation for Environmental Compliance <i>Presentation and dialogue*</i>	Understand linkage between ESDM and project success, consider examples from Uganda. Motivate the need to systematically address environmental considerations in development activities. View this process in the context of environmental compliance.	Jessica Okui, USAID/Uganda Rosie Chekenya, GEMS Facilitator
11:00-12:00	Session 2c: ESDM and Environmental Compliance in Uganda: A Regulatory Perspective/ The Environmental Impact Assessment (EIA) Process in Uganda <i>Technical presentation and dialogue</i>	Understand the approach that the Government of Uganda (GOU) takes in promoting ESDM and the specific environmental management requirements that apply to USAID and its partners. Understand national- and local-level EIA requirements and procedures in Uganda and how they apply to USAID-funded activities.	Alex Winyi Guest presenter from <i>National Environmental Management Authority (NEMA)</i>
12:00-13:00	Lunch		
13:00-14:00	Session 3: Fundamental Skills of Environmental Impact Assessment (EIA) <i>Technical presentation and dialogue</i>	Define key terms—baseline, impact, activity—and learn essential classroom theory for baseline characterization, impact identification & mitigation design and how they apply in the EIA framework; the EIA framework is the basis for USAID Environmental Procedures.	GEMS Facilitator, David Kinyua
14:00-15:00	Session 4a: Practicing Fundamental EIA Skills <i>Virtual Field Visits</i>	Practice information-gathering and observation skills needed to identify impacts/issues of concern	Michael Minkoff, GEMS Facilitator
15:00-15:15	Break		
15:15-16:45	Session 4b: Practicing Fundamental EIA Skills <i>Group Work & Plenary Synthesis</i>	Synthesize observations and prioritize impacts/issues of concern; discuss possible approaches for limiting adverse effects on the environment.	Michael Minkoff, GEMS Facilitator
Day 2 USAID Environmental Procedures and Compliance Documentation; Site Visits			
08:00-09:00	Session 5: Environmental Impact Assessment and “USAID Environmental Procedures”: the	Review USAID’s implementation of the EIA process and the preparation of project environmental compliance documents;	David Kinyua USAID/E. Africa

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
	Initial Environmental Examination (IEE) and Beyond <i>Technical presentation and dialogue</i>	understand how these documents establish environmental management criteria for USAID-funded activities.	
09:00-09:45	Session 6: Principles of Environmental Monitoring <i>Technical presentation and dialogue</i>	Review key aspects of monitoring to ensure that project environmental compliance requirements are met and potential adverse impacts effectively mitigated; highlight the selection of clear and cost-effective monitoring indicators.	Rosie Chekenya, GEMS Trainer
09:45-10:00	Break		
10:00-11:00	Session 7: The Environmental Mitigation and Monitoring Plan (EMMP) <i>Technical presentation and dialogue</i>	Understand the EMMP concept and formats: Who develops them. Their role in “operationalizing” key elements of USAID Environmental Procedures and establishing and maintaining project environmental compliance. Introduce key guidance: <i>EMMP Factsheet</i> .	Michael Minkoff, GEMS Facilitator
11:00-11:30	Session 8a: Field based EMMP development exercise <i>Part A: Briefing</i> Technical Areas: 1. Medical Waste Mgmt 2. Pesticide Management	Briefing on the extended EMMP development exercise and the case sites that will form the basis of the exercise. Divide participants into case groups according to their thematic interests. Work in small groups	Maureen Babu, Rosie Chekenya, & Michael Minkoff GEMS Facilitators
11:30-12:15	Lunch		
12:15-16:45	Session 8b: Site visits: Experiential Practice Developing an EMMP <i>Field visit</i> Technical Areas: 1. Medical Waste Mgmt 2. Pesticide Management	Build and apply the core Environmental Analysis skills briefed in Day 1 and Day 2 via a field visit and follow-up group work to: 1) synthesize field observations; and 2) identify possible mitigation measures for the top two issues/impacts of concern at each site, with reference to the <i>SEGs</i> .	Maureen Babu, Rosie Chekenya, & Michael Minkoff GEMS Facilitators
Day 3 EMMP Development, Environmental Compliance Reporting, and Selected Topics			
08:00-10:30	Session 08c: Develop EMMP and Prepare Small-Group Presentation <i>Small group work</i>	Advance discussions and compilation of field visit results into an EMMP format and a group presentation.	Maureen Babu, Rosie Chekenya, & Michael Minkoff GEMS Facilitators
10:30-10:45	Break		
10:45-12:45	Session 08d: EMMP Group Presentations <i>Group presentations in plenary</i>	Articulate field visit findings, analysis, and EMMP development.	Maureen Babu, Rosie Chekenya, & Michael Minkoff GEMS Facilitators
12:45-13:45	Lunch		
13:45-14:45	Session 09: Environmental Compliance Reporting <i>Technical presentation and dialogue</i>	Guidance on EMMP-related and other environmental compliance reporting, including integration with broader project M&E and PMP reporting requirements.	Rosie Chekenya, GEMS Trainer
14:45-15:00	Session 10a: IEE Critique – Introduction and Overview	Receive instruction on the methodology and objectives of the IEE Critique. Convene small groups for the exercise.	Rosie Chekenya, Michael Minkoff GEMS Facilitators
15:00-15:15	Break		
15:15-16:00	Session 10b: IEE Critique – Small-Group Synthesis and Report-out	Discussion of illustrative IEE. Small groups present critical review/findings.	Rosie Chekenya, Michael Minkoff GEMS Facilitators
16:00-16:30	Session 11: Special Topics: Road Rehab	Case Study: USAID/Liberia RISE	Michael Minkoff

Day/Time	Module	Objective/Content Summary	Presenter/Facilitator
	<i>Technical presentation and dialogue</i>	Programmatic Environmental Assessment for Rural Feeder Roads. Review key elements of Planning & Design, Construction, Operations & Maintenance, and Decommissioning, with particular attention to siting, soil erosion, siltation, threat to biodiversity, risks associated with construction camps, borrow-pit management, material sourcing, etc.	GEMS Facilitator
16:30-16:45	Session 12: Introduction to the USAID Sector Environmental Guidelines Presentation	Deepen familiarity with environmental resources and guidelines, particularly the Sector Environmental Guidelines	Rosie Chekenya, GEMS Trainer
Day 4 Roles, Responsibilities, & Reporting; Key Resources; USAID/Uganda Environmental Priorities			
08:00-08:30	Session 13a: Special Topics: Building Construction <i>Technical presentation with dialogue</i>	Brief the environmental, economic and human-health concerns related to new construction activities. Review key elements of Planning & Design, Construction, Operations & Maintenance, and Decommissioning, as well as consideration for removal of hazardous materials and avoiding use of lead paints.	David Kinyua, USAID/E. Africa
08:30-09:00	Session 13b: Special Topics: Pesticide Procedures <i>Technical presentation with dialogue</i>	Provide overview of USAID requirements pertaining to procurement and use of pesticides. Draw on both regulatory language and anecdotal examples to clarify environmental compliance procedures. Address questions as pertain to USAID/Uganda programming.	David Kinyua, USAID/E. Africa
9:00-09:30	Session 14: Roles, Responsibilities & Resources <i>Technical presentation and dialogue</i>	Summarize the various responsibilities of USAID staff and Implementing Partners (IPs); introduce additional key resources available to support environmental compliance and ESDM.	Rosie Chekenya, GEMS Facilitator
09:30-10:15	Session 15: Parking Lot	Address unresolved questions or issues and summarize information presented throughout the training.	Michael Minkoff, GEMS Facilitator
10:15-10:30	Break		
10:30-11:45	Session 16: Environmental Priorities for USAID Activities in Uganda + Bringing Curricula to Reality <i>Panel Guided Discussion with short individual exercise to conclude</i>	With the technical training now complete, panelists will share perspectives on environmental priorities and challenges for USAID activities in Uganda. Participants will use these and other insights to frame lessons-learned and identify practical actions that can be operationalized as part of project implementation.	Jessica Okui, Robert Senkungu, USAID/Uganda Rosie Chekenya, GEMS Facilitator Maureen Babu, GEMS Facilitator
11:45-12:00	Session 17: Workshop Final Evaluations	Participants complete evaluation form	GEMS Trainer
12:00-12:30	Closing Ceremony	Conclude workshop and distribute certificates.	USAID/Uganda Mission

Attendance Record

Participants must initial to sign-in every day they are present.

Environmental Compliance + Environmentally Sound Design & Management

USAID/Uganda Staff

09-12 September 2014, Sheraton Hotel

Names	September 09	September 10	September 11	September 12
	Tuesday	Wednesday	Thursday	Friday
DO 1: ECONOMIC GROWTH				
1. Maness Carmelita				
2. Juliet Kakwerre	<i>Juliet</i>	<i>Juliet</i> F	<i>Juliet</i>	<i>Juliet</i>
3. Apell Ochfeng <i>Oceng</i>	<i>Apell</i>	<i>Apell</i> F	<i>Apell</i>	<i>Apell</i>
4. Oroma Lawrence	<i>Oroma</i>	<i>Oroma</i> F	<i>Oroma</i>	<i>Oroma</i>
5. David Mutazindwa				
6. Namulembwa Kevin	<i>Kevin</i>	<i>Kevin</i> F	<i>Kevin</i>	<i>Kevin</i>
7. Simon Byabagambi	<i>Simon</i>	<i>Simon</i> F	<i>Simon</i>	<i>Simon</i>
8. Birigenda Peter	<i>Peter</i>	<i>Peter</i> F	<i>Peter</i>	<i>Peter</i>
9. Jessica Okui	<i>J. Okui</i>	<i>J. Okui</i> F	<i>J. Okui</i>	<i>J. Okui</i>
DO 2: DEMOCRACY, GOVERNANCE AND CONFLICT				
10. Harriet Muwanga <i>Busingye</i>	<i>HBM</i>	<i>HBM</i> F	<i>HBM</i>	<i>HBM</i>
11. Kakonge Lyvia				
12. Natukunda Naomi	<i>Naomi</i>	<i>Naomi</i> F	<i>Naomi</i>	<i>Naomi</i>
GULU OFFICE				
13. John Piggott	<i>John Piggott</i>	<i>John Piggott</i> F	<i>John Piggott</i>	<i>John Piggott</i>
14. Gerald Komakech	<i>UGA</i>	<i>UGA</i> F	<i>UGA</i>	<i>UGA</i>
15. James Okello				
16. Aida Abalo				
PPD				
17. May Mwaka	<i>May Mwaka</i>	<i>May Mwaka</i> F	<i>May Mwaka</i>	<i>May Mwaka</i>
18. Phillip Greene <i>Phillip Greene</i>	<i>Phillip Greene</i>	<i>Phillip Greene</i> F	<i>Phillip Greene</i>	<i>Phillip Greene</i>
19. Richard Senoga				
20. Wojega Barry <i>Barry Wojega</i>	<i>Barry Wojega</i>	<i>Barry Wojega</i> F	<i>Barry Wojega</i>	<i>Barry Wojega</i>
21. Okello Richard <i>Richard Okello</i>	<i>Richard Okello</i>	<i>Richard Okello</i> F	<i>Richard Okello</i>	<i>Richard Okello</i>
22. Lane Pollack	<i>Lane Pollack</i>	<i>Lane Pollack</i>	<i>Lane Pollack</i>	<i>Lane Pollack</i>
OAA				
23. Liz Nabasirye	<i>Liz Nabasirye</i>	<i>Liz Nabasirye</i> F	<i>Liz Nabasirye</i>	<i>Liz Nabasirye</i>
24. Martin Fischer				
CORs/AORs, SUPERVISORS				
25. Murphy Anne	<i>Murphy</i>	<i>Murphy</i> F	<i>Murphy</i>	<i>Murphy</i>
26. Mariella Ruiz-Rodriguez	<i>M Ruiz</i>	<i>M Ruiz</i> Apologies	<i>M Ruiz</i>	<i>M Ruiz</i>
27. Mwebaze Patricia	<i>Mwebaze</i>	<i>Mwebaze</i> F	<i>Mwebaze</i>	<i>Mwebaze</i>
28. Boyo Alfred	<i>Boyo</i>	<i>Boyo</i> F	<i>Boyo</i>	<i>Boyo</i>
29. Copeland Rebecca	<i>Copeland</i>			
30. Duwoko Tanu	<i>Duwoko</i>	<i>Duwoko</i> F	<i>Duwoko</i>	<i>Duwoko</i>
31. Kyambadde Andrew	<i>Kyambadde</i>	<i>Kyambadde</i> F	<i>Kyambadde</i>	<i>Kyambadde</i>
32. Mayanja Sarah	<i>Mayanja</i>			
33. Mirembe Justine	<i>Mirembe</i>	<i>Mirembe</i> F	<i>Mirembe</i>	<i>Mirembe</i>
34. Okot-Chono Rose	<i>Okot-Chono</i>	<i>Okot-Chono</i> F	<i>Okot-Chono</i>	<i>Okot-Chono</i>
35. Kobutungi Sheila <i>Kyobutungi Sheila</i>	<i>Kyobutungi Sheila</i>	<i>Kyobutungi Sheila</i> F	<i>Kyobutungi Sheila</i>	<i>Kyobutungi Sheila</i>
36. Nyakwezi, Sheila				
37. Wamanya Dan	<i>Wamanya</i>	<i>Wamanya</i> F	<i>Wamanya</i>	<i>Wamanya</i>
38. Sebikaari Gloria	<i>Sebikaari</i>	<i>Sebikaari</i> F	<i>Sebikaari</i>	<i>Sebikaari</i>
39. Birabwa Estella	<i>Birabwa</i>	<i>Birabwa</i>	<i>Birabwa</i>	<i>Birabwa</i>
40. Sevume Solome	<i>Sevume</i>	<i>Sevume</i> F	<i>Sevume</i>	<i>Sevume</i>
41. Muwanga Catherine	<i>Muwanga</i>	<i>Muwanga</i> F	<i>Muwanga</i>	<i>Muwanga</i>
42. Mayebo Mercy	<i>Mayebo</i>	<i>Mayebo</i> F	<i>Mayebo</i>	<i>Mayebo</i>
43. Calnan Jacqueline	<i>Calnan</i>	<i>Calnan</i> F	<i>Calnan</i>	<i>Calnan</i>
44. Wanican Joyce	<i>Wanican</i>	<i>Wanican</i> F	<i>Wanican</i>	<i>Wanican</i>
45. Susan Nakawunde	<i>Susan</i>	<i>Susan</i> F	<i>Susan</i>	<i>Susan</i>
46. Toskin Ofoyuru	<i>Toskin</i>	<i>Toskin</i> F	<i>Toskin</i>	<i>Toskin</i>
47. Wilberforce Owembabazi	<i>Wilberforce</i>	<i>Wilberforce</i> F	<i>Wilberforce</i>	<i>Wilberforce</i>
48. Douglas Blanton	<i>DB</i>	<i>DB</i> F	<i>DB</i>	<i>DB</i>
49. Seyoum Dejene	<i>Seyoum Dejene</i>	<i>Seyoum Dejene</i> Apologies	<i>Seyoum Dejene</i>	<i>Seyoum Dejene</i>

Workshop Evaluation

Life-of-Project Environmental Compliance and Environmentally Sound Design and Management A USAID/Uganda Training Workshop for USAID Staff

Kampala, Uganda ▪ 09 – 12 September 2014

Your frank and honest feedback will help strengthen future trainings and help prioritize ESDM and environmental compliance support to USAID Programs and Missions in Africa and globally. Thank-you for your time!

Learning approach

For each issue, please check the assessment you most agree with

Issue	Assessment					Comments
Balance of time in classroom to time in field	Much more time in field needed	A bit more time in field needed	About right	A bit more time in classroom needed	Much more time in classroom needed	
In the classroom, balance of presentations to exercises, group work & discussions	Much more emphasis on presentations needed	A bit more emphasis on presentations needed	About right	A bit more emphasis on exercises/ discussions needed	Much more emphasis on exercises/ discussions needed	
Technical level & pace	Much too heavy	A little too heavy	About right	A bit too light	Much too light	
Opportunities for peer exchange & learning	Needed to hear and learn much more directly from facilitators	Needed to hear and learn more directly from facilitators	About right	Some more opportunities for peer learning/ exchange are needed	Many more opportunities for peer learning/exchange are needed	

Highest/Lowest-rated sessions

Please identify the 1 or 2 sessions that you rate most highly (for content, usefulness, approach or for other reasons). Please also identify the 1 or 2 sessions that you found least engaging/useful/relevant. Please briefly indicate the reasons for your choice. (You may wish to refer to the agenda to refresh your memory.)

	Session	Comment (Please explain why you made this choice.)
HIGH-RATED		
HIGH-RATED		
LOW-RATED		
LOW-RATED		

Overall evaluations

Please check the assessment you most agree with.

Issue	Assessment					Comments
	Very poor	Poor	Acceptable	Good	Excellent	
Technical quality (Program & Content)						
Facilitation						
Logistics						
Venue						
Field visits						

Impact

Please circle the characterization you most agree with.

Question	Characterization			Comments
Baseline Knowledge In light of what you have learned in this workshop, how would you rate your understanding of ESDM and USAID's Environmental Procedures BEFORE this workshop?	Had poor or limited understanding	Understood the basics, lacked some details	Had a strong and detailed understanding	
Empowerment To what extent has this workshop increased your knowledge and capabilities to address environmental compliance requirements in the context of your job function/professional responsibilities?	Not at all	Moderately	Strongly	
Motivation To what extent has this workshop increased your motivation to proactively address environmental compliance and ESDM in the context of your job function/professional responsibilities?	Not at all	Moderately	Strongly	

Key topics not covered

Were there any topics of key important to you that were not covered/given very limited attention?

Support needs

Are there particular environmental compliance/ESDM support needs or resources that you require?

Additional comments welcome on any topic.

Case Site Visits – Briefing

MENGO HOSPITAL

Overview: This site visit will involve travelling to Mengo Hospital, where we will receive a description of their male circumcision practice as well as their Tuberculosis (TB) treatment and testing practices. The field team will be provided with PPE (masks, overcoats, and theatre caps for head and feet) at recommendation of Mengo Hospital staff.

Mengo Hospital: Mengo Hospital is a faith-based, not-for-profit hospital that is privately operated and often described as the pioneer of modern medical practices in Uganda. The hospital receives support from the United States Government (USG), including support from USAID. Specifically, USAID provides both financial and in-kind support to:

- The male circumcision unit;
- The TB testing & treatment/care unit;
- The Mother-to-Child HIV prevention and care unit.

On average, Mengo Hospital receives approximately 40 new TB patients a month in need of medical care. The male circumcision unit registers approximately between 30 to over 100 patients a day, with circumcisions typically carried out on Fridays. The hospital's HIV clinic, which began operation in 1988 with approximately 69 HIV patients, has since seen significant growth in scope with over 5000 patients registered at the clinic by the end of 2010. Of those more than 5,000 patients, over 2,300 (nearly 40%) were receiving Anti-Retroviral Treatment (ART). Mengo Hospital also provides treatment and support to children infected with HIV; by the end of 2010 there were approximately 240 children at Mengo Hospital, of whom 130 were receiving ART.

The male circumcision unit: Participants will be given a combination tour and overview illustrating and describing the various stages of Mengo Hospital's male circumcision process. The overview and tour will include registration, lab testing, the surgery*, and post-operation*. Currently, USAID provides disposable circumcision kits to Mengo Hospital. These kits are supplemented by additional reusable instruments provided by the hospital to ensure the circumcision procedure are complete, effective, and safe.

The TB testing and treatment/care unit: Due to limited space, the TB testing and treatment/care unit is shared with the male circumcision theatre. While male circumcision procedures typically occur only on Fridays, TB testing and treatment is provided from Monday to Thursday. To prevent cross contamination, these two activities are not carried out on the same day.

PLEASE NOTE that for purposes of this field study, the unit's management agreed to reschedule the male circumcision activity to ensure that no TB testing and treatment during the field study day. Instead, participants shall be briefed on the TB testing and treatment procedures.

Focus Questions:

1. What are the baseline characteristics of key importance for Mengo Hospital?
2. What are the adverse impacts that could occur as a result of Mengo Hospital's current operations of the TB unit? Of the male circumcision unit?
3. If you could only focus on three impacts to mitigate, what impacts would you prioritize and how would you mitigate them?
4. How do the findings during the field site visit relate to any projects you have previously worked on, or managed as Team Lead/AOR/COR?
5. Are there any takeaways from this field visit that can be applied to a project you are currently working on?
6. If you were the AOR managing the program supporting Mengo Hospital, what is the first step you would take in trying to address the environmental impacts and/or risks you've identified?

Case Site Visits – Briefing

ZIROBWE AGALIWAMU AGRI-BUSINESS TRAINING ASSOCIATION (ZAABTA) & WABITUNGULU SPRAYING SERVICES

Overview: This site visit will involve travelling to ZAABTA, where we will observe their rice production and post-harvest handling (including milling, cleaning, packaging) and storage. Following the walk-through of ZAABTA's primary on-site facilities, the group will travel to Wabitungulu Spraying Services and receive an overview and walk-through of their facilities and practices pertaining to pest management

Ziobwe Agaliwamu Agri-business Training Association: The Ziobwe Agaliwamu Agri-Business Training Association (ZAABTA) was established in 2004. The association, which provides agricultural support, training, and capacity building services to the area population, has received substantial technical support from the Japan International Cooperation Agency (JICA) over the past eight years. ZAABTA serves Luwero and surrounding districts, and has a total membership of 152 commercial farmer groups from this area, with each group comprised of approximately 20-30 members. In total, ZAABTA's services reach over 4200 area individuals, with women comprising 53 percent of membership and men 47 percent. Youth, which ZAABTA defines as individuals less than 32 years in age, comprise 28 percent of ZAABTA's members.

ZAABTA's key services range across the spectrum of agricultural support services. Specific areas of service include:

- Production, processing and marketing of agricultural goods with particularly emphasis on rice, maize, beans, and soya beans
- Post-harvest handling and processing services
- Horticulture (fruits and vegetables)
- Agricultural savings and credit training and capacity building
- Participation in local agricultural competitions
- Provision of agricultural extension services to non-residence commercial farmers in the area
 - This service is offered through what ZAABTA terms the "Nokia Farmers Extension Service". The service leverages mobile communication and payment, as all requests for service and payments in turn are conducted via cellular phone.
- Training of farmers and pesticide spraying groups (Currently, there are 4 groups that provide spraying services that have undergone training on safe use of pesticides)
- Direct provision of pesticide spraying services.

USAID supports ZAABTA through the Commodity Production and Marketing Activity (CPMA) program, as well as its Agricultural Inputs programs. The points of emphasis of USAID support include provision of technical support in use of agricultural inputs and improved seed varieties, as well as more effective marketing of produced agricultural goods. Additionally, USAID's programs utilize ZAABTA to link farmers to suppliers of reputable agro-inputs, with a recent example being Bolton International, an agrochemical supplier.

Wabitungulu Spraying Services: The Wabitungulu Spraying Services group is one of four groups connected to ZAABTA that provides pesticide spraying service to ZAABTA members. Wabitungulu was established in 2006 and currently has 15 members. The other three groups have approximately 30 members combined.

Since its inception, some members of Wabitungulu Spraying Services have received several trainings on pesticides identification and management from some, or all, of the following: USAID Uganda's Livelihoods and Enterprises for International Development (LEAD) program, from the World Health Organization, European Union, Cooper Uganda, and Bolton International. The group has on site basic Personal Protective Equipment (PPE), a pesticide storage room, and a collection bin for used pesticides containers.

Wabitungulu and the other ZAABTA spraying services provide essential support to farmers, bridging the gap between agro-chemical providers and the commercial farmers who need the agro-chemicals for their farms. Oftentimes, the cost of the agro-chemicals, availability of quality equipment, and insufficient knowledge of appropriate application procedures make direct provision and application of agro-chemicals a significant challenge for farmers.

Expectation for the participants: Participants will be given an overview of the group's activities, with particular emphasis on their practice on pesticide management (pesticide storage, pest identification, selection of pesticide, how and when to apply pesticides, including disposal of used pesticide containers).

Focus Questions:

1. What are the baseline characteristics of key importance?
2. What are the positive impacts that ZAABTA and Wabitungulu introduce against this baseline?
3. What are the adverse impacts that could occur as a result of ZAABTA and/or Wabitungulu's current operations?
4. If you could only focus on three impacts to mitigate, what impacts would you prioritize and how would you mitigate them?
5. How do the findings during the field site visit relate to any projects you have recently worked on, or managed as Team Lead/AOR/COR?
6. Are there any takeaways from this field visit that can be applied to a project you are cur

USAID/Uganda

Mission Environmental Procedures Best Practices Review: Report and Action Plan

Submitted by:

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Summary

The Environmental Procedures Best Practices Review (BPR) is a process that characterizes a mission's (1) environmental compliance across the portfolio and (2) compliance capacity and processes. On this basis, it develops recommendations to address gaps and strengthen mission environmental compliance procedures.

The BPR uses the Africa Bureau's *Environmental Procedures Best Practice Standard* as the evaluation framework. The standard is organized around four primary criteria, each with sub-elements:

1. Core environmental documents are in place.
2. Mission staff and partners have basic capacity and training to ensure environmental compliance.
3. Processes are in place to ensure environmental compliance.
4. Mission contracting, project, and review/status documents include environmental compliance language.

The USAID/Uganda BPR was conducted during two weeks in-country, from June 30-July 13, 2010, by two external consultants (the "BPR Team"). This BPR Report and Action Plan contains the BPR Team's analysis of the Mission's environmental compliance status and capacity, and recommended actions to address gaps identified during the BPR process.

The BPR Team found that the Mission's "upstream" environmental compliance is adequate: Initial Environmental Examinations are in place for all projects and they are up-to-date. However, the Team found that the Mission's "downstream" environmental compliance is poor: once IEEs are approved, IEE conditions are implemented by only a few Mission projects—LEAD, IRS, and the two Title II projects.

The BPR Team recommends actions such as incorporating environmental compliance language into contracting documents and providing USAID staff a range of training opportunities to remedy the gaps in environmental compliance.

Attachment 1: Environmental Procedures Best Practices Standard

Attachment 2: BPR Factsheet

Attachment 3: List of Meetings Held

Attachment 4: Terms of Reference for the Environmental Procedures Best Practice Review

Attachment 5: Status of Mission Environmental Compliance Documents

Attachment 6: Additional Environmental Compliance Documents

6a. Mission Order on Environmental Compliance

6b. MEO Appointment Memo

6c. Example of Best-Practice Environmental Compliance Language in a Statement of Work

Attachment 7: Critical Role of EMMPs in Life-of-Project Environmental Compliance

Acronyms

AAD	Activity Approval Document
ADS	(USAID) Automated Directives System
AFR	USAID Bureau for Africa
AFR/SD	USAID Bureau for Africa, Office of Sustainable Development
AOTR	Agreement Officer's Technical Representative
AWP	Annual Work Plan
BEO	Bureau Environmental Officer
BPR	Environmental Procedures Best Practices Review
BP Standard	AFR Environmental Procedures Best Practice Standard
CFR	Code of (US) Federal Regulations
CO	Contracting Officer
COTR	Contracting Officer's Technical Representative
D & G	Democracy and Governance
EA	Environmental Assessment or East Africa
ECL	Environmental Compliance; Language for Procurement Instruments (ADS 204 Help Document)
EIA	Environmental Impact Assessment
EMMP	Environmental Mitigation & Monitoring Plan
ENCAP	Environmentally Sound Design and Management Support for Africa (AFR/SD Program under the EPIQ II IQC.)
ERF	Environmental Review Form
ERR	Environmental Review Report
ESDM	Environmentally Sound Design & Management
ESR	Environmental Status Report
ETOA	Environmental Threats and Opportunities Assessment
IEE	Initial Environmental Examination
IP	implementing partner
ITN	insecticide-treated nets
IRS	(Anti-malarial) indoor residual spraying
LEAD	Livelihoods and Enterprises for Agricultural Development
LOP	life-of-project
M&E	monitoring & evaluation
MAARD	Modification Acquisition Approval Request Document
MEO	Mission Environmental Officer
MYAP	Multi-Year Assistance Program (Title II)
NUDEIL	Northern Uganda Development of Enhanced Local Governance, Infrastructure, and Livelihoods
PERSUAP	Pesticide Evaluation Report and Safe Use Action Plan
POC	point of contact
PMI	Presidential Malaria Initiative
PPR	Program Performance Review

REA Regional Environmental Advisor
RFA Request for Assistance
RFP Request for Proposal
Reg. 216 22 CFR 216
SO Strategic Objective
SOAg Strategic Objective Agreement
SPRING Stability, Peace, and Reconciliation in Northern Uganda Project
STAR Sustainable Tourism in the Albertine Rift
US United States
USAID United States Agency for International Development
USAID/EA USAID East Africa Regional Mission
WILD Wildlife Landscapes and Development for Conservation

1. Background: USAID’s Mandatory Environmental Procedures

USAID’s Environmental Procedures are set out in Federal regulations (22 CFR 216 also known as “Reg. 216”) and in USAID’s Automated Directives System (ADS), particularly Parts 201.3.12.2.b and 204. Compliance with these procedures is mandatory. With limited exemptions for international disaster assistance, they apply to every program, project, activity, and amendment supported with USAID funds or managed by USAID.

In summary, the procedures specify an environmental review process that must be applied to all project activities *before* implementation. This process frequently results in environmental conditions (mitigation measures). All such measures must be **integrated into procurement instruments** and **implemented and monitored** over the life of the project (LOP).

The Environmental Procedures are USAID’s principal mechanism to ensure environmentally sound design and management (ESDM) of USAID-funded projects—and thus to protect environmental resources, ecosystems, and the health and livelihoods of beneficiaries and other groups. They strengthen development outcomes and help safeguard the good name and reputation of USAID.

Primary mission responsibility for LOP environmental compliance rests with the Contracting Officer’s Technical Representatives (COTRs)/Agreement Officer’s Technical Representatives (AOTRs), Activity Managers, and Team Leaders. The **Mission Environmental Officer (MEO)** plays a key role as compliance advisor, quality reviewer, and gatekeeper of Reg. 216 documentation. **Partners** have responsibility for field implementation of mitigation measures, and for monitoring and reporting to USAID on them. For more information on LOP environmental compliance, see the draft *Environmental Compliance Mission Order* attached to this report.

2. About this Environmental Procedures Best Practices Review

The Environmental Procedures Best Practices Review (BPR) is a process that characterizes a mission’s (1) environmental compliance across the portfolio and (2) compliance capacity and processes. On this basis, it develops recommendations to address gaps and strengthen mission environmental compliance procedures.

A BPR is carried out at the request and invitation of the mission. The BPR findings are shared with the Bureau Environmental Officer (BEO) and the Regional Environmental Advisor (REA). The BPR report includes an action plan to help the mission fill gaps identified during the BPR.

Methodology

The BPR process was developed by USAID/AFR/SD’s ENCAP program in consultation with the BEOs and REAs serving sub-Saharan Africa. It uses a mix of document desk review, mission staff interviews, and in many cases interviews with implementing partners (IPs) and site visits, to review mission environmental compliance status. The BPR evaluation framework is the Africa Bureau’s *Environmental Procedures Best Practice Standard* (BP Standard; Attachment 1), which outlines mission policies, procedures, and capacities needed to best ensure and maintain environmental compliance. The standard is organized around four primary criteria, each with sub-elements:

1. Core environmental documents are in place.
2. Mission staff and partners have basic capacity and training to ensure environmental compliance.
3. Processes are in place to ensure environmental compliance.

4. Mission contracting, project, and review/status documents include environmental compliance language.

The standard BPR process is described in the attached *BPR Factsheet* (Attachment 2). The methodology for this Uganda BPR substantially followed the standard process: desk review of key documentation; interviews using the BPR questionnaire with the MEO and Deputy MEO, SO Team Leaders, COTRs and AOTRs, the Program Officer, the Contracting Officer, and other key Mission staff; interviews with implementing partners (six IPs were interviewed for this BPR); and, at the completion of the in-country portion of the BPR, a debrief of the Mission Director and Contracts Office and SO Team representatives.

The BPR team interviewed staff in the three USAID/Uganda Strategic Objectives (SO): SO 7 (Economic Growth, includes Title II), SO 8 (Investing in People), and SO 9 (Governing Justly and Democratically & Peace and Security). The BPR team opted to interview several IPs to better understand how the IEE and IEE conditions are communicated along the chain from USAID to IPs (including IP field staff), and of the IPs' understanding of their responsibilities for implementing IEE conditions. Attachment 3 contains the list of meetings held during the conduct of this BPR.

Staffing, Level of Effort, and Funding

Karen Menczer, a consultant to the Cadmus Group served as BPR Lead Analyst, and Jane Kahata, a consultant to International Resources Group, served as BPR Assistant. Sudi Bamulesewa (MEO) and Robert Senkungu (Deputy MEO) served as the Mission counterparts. Chris Dege, USAID/East Africa (EA) REA, joined the team for two days of interviews and discussion.

The consultants reviewed Mission documents prior to arrival in Uganda; conducted the BPR in-country from 29 June through 13 July 2010 for a total of 12 working days; and produced the draft *BPR and Action Plan* for Mission review. The TORs for this assignment are in Attachment 4.

The BPR was undertaken as a cost-share, as follows:

- AFR/SD (through ENCAP) funded J. Kahata's participation including labor and travel.
- USAID/EA funded C. Dege's participation including labor and travel.
- USAID/Uganda funded K. Menczer's participation via a buy-in to the ENCAP TO. The Mission also provided workspace for the BPR Team and staff time, particularly that of R. Senkungu and S. Bamulesewa.

3. Findings and Recommendations

The following four tables provide the BPR Team's findings on environmental compliance strengths and weaknesses against each element of the BP Standard. (Elements of the standard are listed in the left column of the tables below).

These findings represent a synthesis of document reviews and interviews. They are intended to be a general characterization of environmental compliance and compliance capacity across USAID/Uganda and its portfolio and partners. *While specific examples are cited in some instances, these are not exhaustive, nor are they meant to place special criticism or emphasis on a particular sector team.*

A synthesis of the key overall findings follows the tables, and this is followed by SO-specific compliance notes.

The BPR Action Plan in Section 4 sets out recommendations/actions to remedy the environmental compliance gaps and concerns noted in the tables.

Criterion 1: Core Environmental Documents are in Place

Note: The Mission Portfolio Environmental Compliance Status Table, which lists current IEEs and their status, is appended as Attachment 5.

Element of BP Standard	Environmental Compliance Strengths	Environmental Compliance Concerns
<p>1. Environmental Compliance Mission Order in place;</p> <p>2. MEO Appointment Memo in place</p>		<p>These documents are not in place.</p>
<p>3. Up-to-date Environmental Threats & Opportunities Assessment (ETOA) or FAA118/119 analysis exists</p>		<p>A new ETOA (also known as an FAA 118/119 Tropical Forest and Biodiversity Analysis) is supposed to be prepared when a Mission is preparing its Country Development Strategy (it is meant to inform the strategy), though often updates are prepared while a strategy is in place to inform current and planned programs, projects, and activities.</p> <p>USAID/Uganda is currently preparing a new Country Development Strategy, but no ETOA update is currently in process. The Mission's most recent ETOA was prepared in 2006 and has not been updated.</p>
<p>4. IEEs at SO-level, updated as necessary</p>	<p>Three SO-level IEEs, one for each SO (SO 7, 8, and 9) are current (FY 2009-2014). The SO-level IEEs are written broadly so that the SO Team Leaders and COTRs/AOTRs expect them to include all current and future activities through the life of the IEE—and because they are written broadly, they do cover most activities.</p> <p>An Amended IEE/PERSUAP (SO 7) has been developed to cover SO 7 assistance for the use or procurement of pesticides (this may need to be reviewed and extended; see Attachment 5).</p>	<p>See # 5 below for concerns regarding SO-level IEEs.</p>
<p>5. IEEs at project-level, updated as necessary</p>	<p>There is one current project-specific IEE, the NUDEIL IEE. The SO 8 IEE includes (by reference) the SO 8 IRS Supplemental EA; USAID IRS IEE/PERSUAP; and an IEE/PERSUAP for ITNs.</p>	<p>The NUDEIL IEE was prepared early in the design of NUDEIL, and may need revision. The follow-on environmental reviews required by the NUDEIL IEE will need to be adapted to the project's implementing mechanisms (direct transfer of funds to government, direct</p>

	<p>Two Title II (SO 7) MYAP IEEs exist and are current. These documents cover all additional projects and modifications to projects that are being implemented by the Mission that are not covered by SO-level IEEs.</p>	<p>assistance for activity implementation, etc).</p>
<p>6. IEE quality and specificity is sufficient to serve as a sound basis for project mitigation actions and compliance.</p>	<p>The Mission’s IEEs are primarily written at SO-level, and within the limitations of an SO-level/strategic assessment, they provide a good discussion of impacts and mitigation.</p> <p>However, such SO level assessment is inadequate for many projects/activities. See next column.</p>	<p>The Mission’s SO-level IEEs are written very generally so that they cover all possible projects/activities under the SO or that are likely to be undertaken by the SO Team. While this is convenient for ensuring Reg. 216 “coverage” of all projects within a sector portfolio, SO-level IEEs often do not provide sufficient analysis and/or a sound basis for compliance at the project level. For example:</p> <p>(i) SO-level assessment is inadequate for projects/activities that may have a range of impacts, where impacts are site-specific, and/or impacts are difficult to predict (for example, agricultural expansion concerns).</p> <p>(ii) It is often difficult to determine which SO-level IEE conditions apply to a specific project or activity. At the SO-level IEE, activity descriptions are typically general and the assessment is done by Program Element, so COTRs and IPs have difficulty identifying which of these general activities (and associated determinations and mitigation measures) match the specific activities they are implementing in their project. Other concerns regarding SO-level IEEs are discussed in the Synthesis.</p> <p>In addition, various chapters of the EGSSAA are cited in the SO-level IEEs. However, without an EMMP, it is unclear exactly which mitigation measures mentioned in EGSSAA chapters a project would be required to implement.</p>
<p>7. Amendments to project or SO-level IEEs by IPs</p>	<p>LEAD has a process in place for reviewing proposed activities against the IEE to ensure all are included; IRS identifies the need for amendments using a similar process (this resulted in an amended IEE/PERSUAP prepared to request approval for the use of carbamates and organophosphates for IRS). Title II projects are required to prepare an</p>	<p>The process for ensuring IEE amendments are prepared--review of the activities identified in the Annual Work Plan (AWP) against the IEE—is not in place for other projects.</p>

	annual ESR which identifies any need for an amendment to their MYAP IEE.	
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Criterion 2: Staff and IPs have Capacity to Ensure Environmental Compliance

Element of BP Standard	Environmental Compliance Strengths	Environmental Compliance Concerns
1. Staff and IPs have been trained in Environmental Compliance/ESDM	<p>The MEO has been well-trained in Environmental Compliance/ESDM (six trainings).*</p> <p>IPs on projects with environmental concerns (Negative Determination with conditions) are the most important to train (those with complex or many conditions, in particular). IRS staff have been trained in environmental impacts/mitigation specific to their activities (not a Reg. 216/ESDM course). The IRS project has been proactive about training because of its high visibility within Uganda as well as within USAID/Washington and the Uganda Mission, and because of the widely acknowledged potential for significant impacts of project activities.</p> <p><i>[While the Deputy MEO has not yet been trained, he only recently came on board and is scheduled to be trained]</i></p>	<p>The Mission has had high turnover in the last few years, and many new USAID staff and even some "seasoned" staff have never been trained in Environmental Compliance/ESDM.</p> <p>In SO 7, only the MEO has received Env. Compliance/ESDM training recently (other staff were trained over three years ago); in SO 8, an office of over 30 people, and in SO 9, no staff have been trained.</p> <p>Many IPs have not been trained: SO 7 IPs- LEAD, WILD, STAR; SO 7/Title II IPs (Mercy Corps and ACDI/VOCA staff in the north) have not been trained; other than for SO 8 IRS, no other SO 8 IPs have been identified who have been trained. There are almost 40 SO 8 IPs, and some may have been trained in Env. Compliance/ESDM, but USAID/SO 8 staff who we interviewed knew of none who were; no known SO 9 IPs have been trained (the SPRING project—in the north--is the only current D & G project likely to have potential impacts).</p> <p>A critical point is that most USAID staff and IPs in the north have not been trained in environmental compliance/Reg. 216, yet many projects/activities now being implemented in the north have potential impacts.</p>
2. MEO has knowledge of country level EA legislation and environmental issues.	<p>The MEO and Deputy MEO are highly knowledgeable about environmental requirements and issues in Uganda.</p>	<p>The MEO and Deputy MEO are weak in some important sectoral areas, particularly in mitigation for medical waste disposal, and evaluation of pesticide impacts and design of mitigation. For example, to review a recent PERSUAP, the MEO requested assistance from Uganda's Agricultural Chemicals Board.</p>
3. MEO has skills and expertise to design environmental components for Mission SOs and projects.	<p>The MEO and Deputy MEO have skills to design and incorporate environmental components into non-environmental projects education, health, etc).</p>	<p>The MEO and Deputy MEO are not involved in project design except to the extent of determining whether they comply with the IEE.</p>
4. Opportunities for ongoing training in environmental compliance are provided		<p>There has been a long interval of over 4 years since the last in-country environmental compliance/ESDM training was held. Other methods (such as "brown bags," COTR/AOTR</p>

to staff and IPs.		orientations, and integrating environmental compliance into other staff trainings) could be used to regularly update and/or raise staff awareness about environmental compliance/ESDM, but to-date there have been no such trainings.
5. Adequate time allotted to implement MEO responsibilities		<p>The MEO only spends about 5% of his time on MEO responsibilities, and the Deputy MEO has not yet been trained to fill in the gaps.</p> <p>If the Mission's compliance processes and systems were functioning as specified by the ADS and the BP standards (e.g. COTRs/AOTRs were taking on their responsibilities fully, using the MEO as an advisor, and if the onus were fully on the IPs to implement/monitor/report, as the new ECL requires--see Criterion 4), about 20% of an FTE allocated to the MEO function for a portfolio of this size should be adequate.</p>

Criterion 3: Processes are in Place to Ensure Environmental Compliance

Element of BP Standard	Environmental Compliance Strengths	Environmental Compliance Concerns
1. MEO reports directly to MD or other senior management	MEO reports directly to the Mission Director.	
2. MEO has mission-wide tracking process for IEE status, readily available to Mission staff.		The tracking tool has not been kept up to date and is no longer in use. Its utility for a Mission with mainly SO-level IEEs is limited (i.e., the IEEs are up to date and include all current and planned projects). The tool would have to include more information, such as a listing of IEE conditions that apply to particular projects, EMMP status, need for site visits, site visit results, and results of progress report reviews to be useful.
3. MEO and COTRs have a process for collaborating on projects with potential environmental impacts from design to closure.	LEAD and IRS projects and the two Title II projects have established collaboration mechanisms, and for these two projects, the COTRs collaborate with the MEO on a regular basis (the main mechanisms are ERRs and Progress Reports).	Except for the projects noted at left, the process is informal. Processes whereby the MEO and COTRs could collaborate include: MEO review of IP progress reports for projects with IEE conditions (IPs should be reporting in their progress reports, see Criterion 4); MEO participation in Semi-Annual Portfolio Reviews (See Criterion 4); and MEO participation in AWP development for projects with significant IEE conditions.
4. Process exists to identify SO-level IEEs that need to be amended.	The MEO signs on all Activity Approval Documents (AADs) so he is aware of new and modified projects/activities that are not included in existing SO-level IEEs and therefore, that will need an	Most IPs do not review their AWP activities against the activities authorized by their SO-level IEE. This review is critical to identifying amendment needs and maintaining IEE "coverage" of all activities. LEAD, IRS, and Title II are exceptions.

	amended IEE.	
5. Process exists to ensure IEE conditions are incorporated into RFPs/As or that project-level IEEs will be undertaken and included as a task in the RFA/P.	The CO plans to use the “Environmental Compliance: Language for Solicitations and Awards” (ECL) tool to generate best-practice environmental compliance language in new RFPs/As.	RFPs/As have usually only included a link to the SO-level IEE with no explicit guidance.
6. Process exists for incorporating IEE conditions into contracts and including mitigation and monitoring in the budget.	As a consequence of using the ECL tool, the CO will start including IEE conditions/environmental compliance clauses and provisions in contracts and agreements.	Since the <i>explicit</i> requirement to implement IEE conditions has not been included in contracts and agreements (and therefore, not in Post-Award Conferences), IEE conditions have often been ignored by IPs (for example, there is a condition in all USAID/Uganda’s SO-level IEEs to develop an “Environmental Management Plan,” but only IRS, LEAD, and Title II have done so. For SO 8, the IEE requires completion of a medical waste form on an annual basis, but no IPs have completed one).
7. Process exists for ensuring Mission or IP develops and implements an EMMP.	All three SO-level IEEs include a condition that requires IPs whose projects include activities with “negative determinations with conditions” to develop an “Environmental Management Plan”—now called “Environmental Mitigation and Monitoring Plans.” IRS, LEAD, NUDEIL, and Title II projects have EMMPs—IRS developed an EMMP because of the high profile of the project and the need to clarify monitoring and reporting; and LEAD developed an EMMP because project staff had previous experience with EMMPs in other USAID projects. Title II Partners prepare EMMPs as a standard part of their MYAP IEE. The REA assisted in the preparation of the NUDEIL IEE and was privy to the latest USAID guidance on EMMPs.	No other IPs whose projects include activities with a “negative determination with conditions” have prepared an EMMP. The BPR found that the main reasons why no EMMPs exist are: IPs are unaware of the IEE; IPs are unaware of their responsibilities regarding IEE conditions; IPs are unable to map SO-level IEE conditions to their project; IPs are unaware of the EMMP requirement. The underlying factor for these has often been that the COTR failed to brief the IP on their roles and obligations in implementing IEE conditions. A critical point is that the lack of EMMPs has directly contributed to the critical gaps in environmental compliance, particularly implementation of IEE conditions and compliance reporting (see Attachment 7 for an explanation of the importance of EMMPs in implementing IEE conditions).
8. Process exists for reporting to USAID on environmental compliance	LEAD and IRS projects are reporting—this happens because they have EMMPs that specify monitoring and reporting. Title II Partners report on environmental compliance annually in their mandatory Environmental Status Reports (ESRs).	Environmental compliance should be reported on in quarterly or semi-annual progress reports for activities with a negative determination with conditions. IP progress reports reviewed by the BPR team—except for IRS and LEAD—did not include a section on environmental compliance.

	<i>(NUDEIL has just begun implementation, so as yet they have not reported on environmental compliance.)</i>	
9. Financial resources available for supporting environmental compliance	Financial resources are provided for in the Mission's budget for overall monitoring, and this is adequate to cover MEO's role in monitoring environmental compliance.	IP budgets do not include a line item (or any allocation) for environmental compliance (including implementation of mitigation measures) since they are unaware that implementation of IEE conditions is required of them.

Criterion 4: Environmental Compliance is Addressed in Approval, Award, Evaluation, Review, & Partner Reporting Documents.

Element of BP Standard	Environmental Compliance Strengths	Environmental Compliance Concerns
1. Strategic Objective Agreement (SOAg)	The SOAg states that an IEE has been prepared and may cite the IEE #.	
2. Activity Approval Documents (AAD)	Environmental compliance "clauses" and links to the SO (or project)-level IEE are included in the AAD (this is a mandatory pre-obligation clause since an approved IEE is required before obligating funds).	The AAD does not, however, identify the actual conditions that apply to the new or modified activities. Simply citing the IEE is not very helpful because of the difficulty of mapping SO-level conditions to projects/activities (discussed above).
3. Modified Acquisition and Assistance Request Documents (MAARD)	MAARDs contain no environmental compliance language (but as noted above, environmental compliance clauses are in the AAD, and a MAARD accompanies the AAD. Therefore, it is not necessary to include environmental compliance language in the MAARD.)	
4. RFPs/RFAs	The next round of RFPs/As will incorporate best-practice ECL generated by the ECL tool.	Best-practice ECL-based language is not used yet at the Mission. Currently RFPs/As do not include any environmental compliance clauses/provisions unless the RFP/A preparer includes the language in the Statement of Work (see Attachment 6c for an example from USAID/Liberia).
5. Contracts and Cooperative Agreements with budgets that reflect mitigation and monitoring costs		Because ECL-based or other suitable environmental compliance language is not included in RFPs/As, there is no requirement for the inclusion of mitigation and monitoring costs in the contract or cooperative agreement.
6. Quarterly or semi-annual reports, submitted by project staff to COTR	The LEAD (SO7) and IRS project (SO8) have an environmental compliance section in their monthly/quarterly (IRS) and semi-annual (LEAD) reports.	Other projects do not include information on environmental compliance in progress reports. Title II projects (ACDI/VOCA and Mercy Corps) only include environmental compliance in their annual ESR, but not in quarterly progress reports to USAID.

7. Most recent annual (Program Performance Review-PPR) report submitted to USAID by mission	Yes, this is required by USAID/W.	
8. Semi-annual Portfolio Reviews	Semi-annual Portfolio Reviews (SO 8) have included IRS project environmental compliance status when there are issues.	There is no line item in the Portfolio Review template for environmental compliance, so it is not standard practice to include it in the portfolio review. Neither do weekly staff meetings or meetings of SO Teams with the Mission Director typically address environmental compliance.
9. Closure reports (lessons learned regarding ESDM/Reg. 216 should)		No environmental compliance information in closure reports reviewed by the BPR team.
10. Federal Management Financial Information Act review (on an annual basis every mission conducts a review of all their systems, financial and otherwise, including ADS 204)	Unknown	Unknown

Overall Finding/Commentary and Synthesis:

Upstream environmental compliance (SO-level IEE coverage for projects) is in place; downstream compliance (actual implementation of IEE conditions and reporting on implementation) is extremely limited.

The BPR found that SO-level IEEs exist and are current, but essentially they were “shelved” after they were approved by the BEO. For the most part, SO-level IEE conditions are not being conveyed to the IPs, and they are not being implemented, monitored, or reported on from IP to USAID COTR/AOTR. **Therefore, the objectives of USAID’s Environmental Procedures are not being achieved: ensuring environmentally sound implementation to safeguard environmental resources, ecosystems, and the health and livelihoods of beneficiaries and other groups.**

This can be attributed primarily to four factors:

1) COTRS/AOTRS and IPs are the principal parties responsible for environmental compliance—but they have not taken ownership of this role. *Environmental compliance is not internalized.* This is an issue at two levels—USAID COTRs/AOTRs and IPs.

COTRs/AOTRs are responsible for environmental compliance of their projects, but instead of using the MEO as a resource/advisor, they rely on the MEO to prepare environmental documentation and to deal with environmental compliance in general (The MEO role is supposed to be advisory, and the MEO’s time allotment to this role reflects this).

This can, in part, be attributed to lack of adequate COTR/AOTR Environmental Compliance/ESDM training. Many have not been trained. Of these, some have only a vague awareness of IEEs, and less of downstream compliance requirements. Others—especially new staff—are unaware of USAID’s environmental procedures. Of those who have been trained, some still lack confidence to take on their environmental compliance roles.

IPs may not “take ownership” of the IEE because it is prepared at the SO-level. Even when an IP is aware of the SO-level IEE, its relevance to their activities is not immediately clear. When an IP has input into an IEE (for example, when an IP prepares its own project-specific IEE or when an IP prepares an EMMP from the SO-level IEE), the IP is more likely to implement, monitor, and report to the COTR/AOTR on IEE conditions.

2) *Environmental compliance processes and roles and responsibilities are not well-defined, established, or understood.*

LOP environmental compliance as envisioned by USAID/Africa Bureau and the ADS requires that:

- IPs implement IEE/EA conditions, monitor, and report on their compliance to USAID. In some cases they also prepare project-specific environmental documentation (IEEs and EMMPs).
- COTR/AOTR ensure that Reg. 216 environmental documentation is in place and actively oversee implementation of IEE/EA conditions.
- The MEO acts as a compliance advisor and Reg. 216 documentation gatekeeper.

However, currently, IPs are not fulfilling their role, and COTRs/AOTRs (and by proxy, the MEO) need to take on a larger environmental compliance role—if *compliance were actually to occur*. Yet, as above, many COTRs/AOTRs do not have the skills and confidence to take on this role and the MEO does not have the time, so in essence, “downstream” environmental compliance (implementation of and reporting back on environmental conditions) does not occur except for IRS, which has special sensitivities, LEAD, and Title II.

In part, this can be attributed to the lack of attention to USAID’s Environmental Procedures and lack of leadership by Mission management. If Mission management places a high priority on implementing USAID’s Environmental Procedures, environmental compliance will resonate with Mission staff.

With the use of ECL-generated compliance language in RFPs/As, contracts and agreements, environmental compliance processes and roles and responsibilities should become clearer. As a matter of contractual requirement, IPs will take on primary responsibility for downstream environmental compliance, COTRs/AOTRs should be able to take on their oversight role (some will need minimal training—possibly a two-day, well-targeted course), and the MEO can more readily fulfill his role as a resource/advisor.

3) *There are gaps in communication on environmental compliance requirements.*

This is an issue among USAID staff and from USAID staff to IPs. The most significant communication gap is from USAID staff to IPs. Because COTRs/AOTRs have not “internalized” their responsibility for environmental compliance and because roles and processes are not well-defined and understood, COTRs/AOTRs may be unaware that they need to communicate IEE requirements to their IPs—and they may be unaware of the information IPs must communicate back to them and the process for reporting on IEE implementation.

Specifically, IPs are not briefed adequately by the COTR/AOTR that they need to implement, monitor, and report on IEE conditions (the recommended means for doing this is for the IP to develop an EMMP responsive to the SO-level IEE conditions, which the IP implements once approved by the COTR and MEO). Again, with the use of ECL-generated compliance language in RFPs/As, contracts and agreements, IPs will be briefed by the Contracting Officer during Post-Award Conferences on their environmental compliance roles and responsibilities. This should, in part, resolve this concern (COTRs/AOTRs will still need to provide oversight to ensure the IP is implementing IEE conditions/their EMMP).

There is also a communication gap within USAID. Over the last one to two years, USAID/Uganda has hired many new staff members and the portfolio has greatly expanded. Getting environmental compliance information to those in USAID who need it has become more cumbersome than when there were fewer

implementation mechanisms and staff. Within USAID, it is unclear who should orient new COTRs/AOTRs regarding USAID's Environmental Procedures and their LOP responsibilities. Therefore, many COTRs/AOTRs are unaware of their environmental compliance responsibilities.

4) SO-level IEEs do not provide a clear, straightforward basis for project implementation of IEE conditions and reporting.

In addition to the factors mentioned above, the current framework for environmental review, which largely occurs at SO-level, makes it difficult to map project-specific impacts and mitigation requirements to IPs. Even when information is communicated and staff are well-trained, this method of environmental review, especially in cases where adverse impacts could be significant and dependent on site-specific factors, rarely captures the detail needed to develop practical, implementable, and enforceable mitigation measures. Instead, SO-level IEE conditions are often very general and may not pertain to actual impacts (yet because they are approved in an IEE they are required to be budgeted for and implemented).

Findings: SO Team-Level

Current IEEs under each SO are listed in Attachment 5. This section contains a discussion of particular environmental compliance findings for each of the Mission's three SO teams.

A few issues of note that apply to all the SO teams are:

- The MEO signs on all AADs. This is a positive step in environmental compliance. By signing the AAD, the MEO is alerted to the start up of new activities or modifications to existing activities. At that point, the MEO can help ensure that follow up documents include information about compliance with the existing IEE.
- The SO teams rely heavily on the MEO for tasks that are actually the responsibility of the SO team or the COTR/AOTR, yet the MEO has little time dedicated to MEO responsibilities since he also serves as a COTR for four projects (WILD, STAR, and two water projects).
- With the exception of projects for which he is the COTR, the MEO is normally not involved in project design, nor is he involved in AWP development, nor does he regularly review progress reports (review of semi-annual or quarterly reports progress reports would typically be initiated by the COTR/AOTR).
- The MEO rarely accompanies COTRs/AOTRs to the field; the primary reasons being lack of time; and COTRs do not request his assistance in the field. Exceptions are IRS and Title II activities. This can be attributed to the high profile of IRS and for Title II because environmental compliance has been institutionalized in Washington.
- Construction and rehabilitation of boreholes/water supply provision and construction/rehabilitation of latrines are activities that cut across most SOs (including Title II), yet there is little consistency in the pre-construction testing and ongoing monitoring that is required for water projects; or the environmental review/mitigation required for latrines.

BPR Team findings, by SO, follow:

1) SO 7, Economic Growth: The SO 7 IEE covers eight projects, all of which are active. Two additional projects in the water sector will be coming on board shortly; these are expected to be covered by the SO-level IEE. NUDEIL has a project-level IEE and Title II partners (Mercy Corps and ACDI/VOCA) have project-level IEEs. A PERSUAP has been conducted for SO 7, but may need to be updated/extended. LEAD and Title II partners have EMMPs prepared by the IPs. NUDEIL has an EMMP that was developed as part of the IEE prepared by USAID staff; however according to NUDEIL staff, the IEE and EMMP need to be revised based on current implementation mechanisms. The IEE/EMMP was prepared early in the project

design process (it was designed two years ago, and the project is just beginning now) before implementation mechanisms were identified. No other SO 7 projects have developed an EMMP even though this is a requirement of the SO-level IEE.

The Africa Bureau ERF is included as an attachment to the SO 7 IEE with the requirement that IPs use this (or preferably a revised, project-specific form) to screen and review activities. LEAD has developed its own form and regularly uses it for screening and review of grant applications. STAR, a project that only recently started, is in the process of developing its own ERF with assistance from ECOTRUST. Title II partners use the ERF to screen individual road rehabilitation activities. The BPR team could identify no other SO 7 projects that had used a screening form (WILD is one possible project that could have benefited from its use, especially where trails or other construction/rehabilitation was taking place).

The BPR team reviewed IP progress reports and found that only LEAD had reported on environmental compliance status; LEAD has a section in their semi-annual progress reports dedicated to environmental compliance. Title II partners only report on environmental compliance activities and status in their annual Environmental Status Reports. No other progress reports included a discussion on environmental compliance, either folded into the overall report or in a separate section of the progress report. Projects such as WILD, Dairy Development, and the one active water supply project implement activities that could have adverse environmental effects, but they have not reported on environmental compliance. As mentioned above, the SO-level IEE conditions are difficult to map to project level without a project-specific EMMP, and this and lack of communication (discussed above) are likely the underlying reasons for the gap in reporting.

SO 7 DCAs contain environmental compliance language and are monitored for compliance with environmental conditions. The DCA monitoring process has been successful, as illustrated by one recent case where a borrower requested a loan for a brick making operation. Bricks were to be made by excavating soil from a wetland. The DCA COTR and MEO determined that the loan should be denied. This decision was communication by the COTR to the DCA facility.

The MEO sits on the SO 7 Team, and therefore, the MEO attends SO 7's Semi-Annual Portfolio Reviews and other SO 7 team meetings. He only reviews progress reports at the request of the COTR.

With a few exceptions (i.e., the MEO, who has attended six Reg. 216 trainings), SO 7 staff and SO 7 IPs have received little or no Reg. 216 training. Almost all those interviewed stated that they (or their staff) need to be trained in environmental impact assessment.

2) SO 8, Investing in People: The SO 8 IEE covers over 40 projects and IPs. Amended environmental compliance documentation has been prepared to cover IRS and ITNs. The IRS project has an EMMP. No other SO 8 project has prepared an EMMP even though preparation of an EMMP is a requirement of the SO 8 IEE. IRS regularly reports (in monthly and quarterly reports) on environmental compliance and the project is implementing an ongoing training program for project staff.

The SO 8 IEE contains conditions to minimize impacts from disposal of expired medication, disposal of ITNs, disposal of medical waste, and construction. A *Health Care Waste Checklist and Action Plan* is required to be completed annually "for all facilities where implementing partners are directly providing services." And the IEE requires that the Africa Bureau ERR (revised for project-specific needs) be used to screen new activities. From BPR Team interviews with SO 8 staff, the team found that no SO 8 IP has completed the checklist and action plan, and no screening forms have been completed.

The BPR Team reviewed select IP progress reports and evaluations, and found there was no mention of environmental compliance with the exception of the IRS project. Given that about 50% of the active

projects involve some activities that would have a *negative* threshold determination *with conditions*, this is a significant gap.

No SO 8 staff were identified by the BPR Team who had received Reg. 216 training (there has been high turn-over, and in the last year, many new SO 8 COTRs/AOTRs have been hired); nor could the SO 8 Team members identify any project-level staff who had been trained.

3) SO 9, Governing Justly and Democratically/Peace and Security: The SO 9 IEE covers four “Conflict Resolution” projects (one is in close-out status) and three “Democracy and Governance” projects. SPRING (implemented in the north of Uganda, is in the “Conflict” Program Area), is likely the only project that would have a negative threshold determination with conditions.

The BPR Team interviewed the SPRING COTR and USAID Engineer. The engineer uses a screening process for proposed road rehabilitation activities, but it is his own screening process, based on best engineering practices. He is aware of the need to screen and design mitigation measures on a site-specific basis because of his past experience rather than because of knowledge of USAID requirements. The BPR Team reviewed the most recent SPRING Quarterly Report and found there was no information on environmental compliance.

SO 9 staff have not been trained in Reg. 216 nor have IP staff received training.

4. Recommended Action Plan

Based on the BPR review and findings, this section provides recommendations to strengthen environmental considerations in the Mission portfolio. For each gap noted in the tables above, one or more recommendations are given to fill the gap. Where new documentation (e.g. the Environmental Compliance Mission Order) is recommended, drafts are provided in Attachment 6.

Oversight/tracking for status of recommended actions is with the MEO and/or Deputy MEO. Report-back should be within six months of the date of submittal to the Mission of the final BPR. At that time, MEO should verify the status of the recommended actions, and for actions that have not yet been completed, should identify any issues and completion dates.

Recommended Actions

Action	Notes	Lead & Status
1) Finalize the Environmental Compliance Mission Order (MO) based on the AFR best-practice model.	A current MO and Appointment Memo can provide a strong signal from mission management that environmental compliance is a critical concern for USAID/Uganda.	Lead: Program Officer Status: Drafts of these documents are included in Att. 6a and b.
2) Finalize the MEO Appointment Memo based on the AFR best-practice model.	The MO provides a single integrated reference for implementation of the Environmental Procedures, including explanations of roles and responsibilities. It mandates the development of EMMPs and the use of best-practice environmental compliance language in solicitations and awards, both critical to strengthening downstream compliance.	
3) Update the 2006 ETOA and	FAA Section 118/119 analysis	Lead: Program Officer

<p>incorporate its findings into the new Country Development Strategy (CDS)</p>	<p>requirements are not part of the current Pilot CDS guidance but still are a legal obligation for long-term USAID strategic planning.</p> <p>A 118/119 analysis should be prepared during the development of the strategy and its findings reflected in the strategy.</p>	<p>Status: CDS currently underway; plans for 118/9 should be made as soon as possible.</p>
<p>SO-level IEEs: 4) Provide all IPs with the IEE that covers their activities and then require IPs to prepare an EMMP. (For those IPs with only Cat Ex activities, ensure they understand they must remain within the bounds of their Cat Ex or prepare an amended IEE).</p> <p>The EMMP should be approved by the COTR with clearance by the MEO.</p>	<p>This will place responsibility on the IP to map determinations and conditions in the SO-level IEE to their own activities and will clarify IP responsibilities for environmental compliance implementation, monitoring, and reporting.</p> <p>COTRs have the authority to modify or end activities not in compliance with the IEE. Except for LEAD, IRS, and Title II, projects that have “negative with conditions” determinations are not in compliance with Reg. 216. The EMMP (see Attachment 7) is a first step toward compliance.</p>	<p>Lead: SO Team Leaders with COTRs/AOTRs Status: Should be undertaken as soon as possible so that IPs can be in compliance with the IEE.</p>
<p>Project-level IEEs: 5) The NUDEIL IP should amend the NUDEIL IEE or develop NUDEIL-specific environmental review tools that take into consideration implementation mechanisms.</p>	<p>The IP in consultation with the COTR should determine the best route to environmental compliance.</p>	<p>Lead: NUDEIL COTR Status: Should be undertaken as soon as possible to remain in compliance.</p>
<p>IEE quality and specificity: 6) For future solicitations, consider having IPs prepare project-specific IEEs for projects with complex and wide ranging environmental impacts. This task should be included in RFAs/Ps and in contracts/agreements (see #15)</p>	<p>Project-specific IEEs address the concern that SO-level IEEs are too general to evaluate the potential environmental impacts of complex activities.</p>	<p>Lead: Contracting Officer Status: The need for a project-specific IEE will be determined on a case-by-case basis by COTR and MEO.</p>
<p>Amendments to project or SO-level IEEs by IPs: 7) IPs should review their activities on an annual basis (during development of the AWP) against their current IEE to determine if activities not evaluated in the IEE will be implemented. This task should be included in RFAs/Ps and in contracts/agreements (see #15)</p>	<p>If additional activities are included in the AWP which are not covered by the existing IEE, an amended IEE may be needed.</p> <p>ECL-generated environmental compliance language requires IPs to conduct this annual review. See #15, below.</p>	<p>Lead: Contracting Officer</p>
<p>Inadequate environmental</p>	<p>During the period, MEO</p>	<p>Lead: Mission Director</p>

<p>compliance staff time:</p> <p>8) Dedicate 50% FTE to the MEO function until IPs and COTRs/AOTRs are fulfilling their environmental compliance roles. Thereafter, ramp down to 20% FTE.</p> <p>9) Identify a focal person for environmental compliance in SO8.</p>	<p>responsibilities will require considerable time to assist COTRs and possibly IPs to take on the environmental compliance roles. Once this has been institutionalized, MEO role could fall back to about 20% time, and could be shared with the M & E role.</p> <p>Given the complexity of the SO 8 portfolio, an SO 8 staff person should take on the responsibility to assist SO 8 COTRs with environmental compliance.</p>	<p>with Program Officer</p> <p>Status: Consider moving the MEO position to the Program Office.</p> <p>Lead: SO 8 Team Leader</p>
<p>Lack of awareness of Environmental Compliance requirements:</p> <p>10) Plan a range of Environmental Compliance/ESDM trainings for COTRs and IPs.</p> <p>11) Provide all new COTRs/AOTRs with a briefing on USAID’s environmental procedures and their environmental compliance responsibilities as soon as they take these positions.</p> <p>12) Use brown bag seminars to increase awareness and raise the profile of environmental compliance among Mission staff.</p> <p>13) Incorporate environmental compliance responsibilities into COTR/AOTR appointment</p>	<p>[The last Environmental Compliance/ESDM staff training was in 2005.]</p> <p>Environmental Procedures and LOP environmental compliance should be integrated into other COTR/AOTR courses (i.e., Project Design and Development). Specific training in Environmental Compliance/ESDM should be provided for COTRs/IPs with projects that have environmental concerns. Holding such trainings every two years would help ensure new staff get training early on).</p> <p>Orientations could be given by the MEO and should cover: sharing IEEs with IPs; COTR and IP roles in preparing, implementing, and overseeing EMMPs; environmental compliance language in RFPs/As and in AWP; and COTR role in reviewing progress reports.</p> <p>“Brown bags” could be given by the MEO or by a COTR/IP who has a success story on EMMP implementation (for example).</p>	<p>Lead: Program Officer</p> <p>Status: A training plan should be prepared to include a range of training and refresher courses.</p> <p>Lead: Program Office</p>

letters.		
14) Incorporate environmental compliance into the Mission’s UMEMS database to track IEE coverage, and implementation, monitoring, and reporting of IEE conditions.	Collaborate with TMG to determine best means for incorporating environmental compliance into the database. This will help mainstream environmental compliance in Mission projects/programs.	Lead: Program Officer Status: Begin process as soon as possible so that Mission/IP staff get used to reporting environmental compliance along with other reporting requirements.
15) Semi-annual Portfolio Reviews should include an agenda item on environmental compliance.		Lead: Program Officer
16) Use the “Environmental Compliance: Language for Solicitations and Awards” (ECL) tool to generate best-practice environmental compliance language for new RFPs/As and contracts/agreements.	The actions mandated by the ECL-generated language will address several of the gaps identified in the BPR. Specifically, it will encourage and/or require the following best practices:	Lead: Contracting Officer Status: Given that a number of solicitations will soon be out and that several may have environmental implications, ECL should be incorporated as soon as possible.

MEO and COTR collaborate on projects with potential environmental impacts from design to closure.

With IPs planning for and reporting on environmental compliance, MEO role will be one of an advisor to the COTR. Processes whereby MEO and COTRs could then collaborate include: MEO review of IP progress reports for projects with IEE conditions and MEO participation in AWP development for projects with significant IEE conditions.

IPs identify when it is necessary to amend their IEE.

IPs should review planned activities in the AWP against the IEE. Language generated by the ECL tool includes this requirement.

IEE conditions incorporated into RFPs/As or project-level IEEs undertaken and included as a task in the RFA/P. Language generated by the ECL tool includes this requirement

IEE conditions incorporated into contracts/agreements and project budget includes the cost to implement and monitor conditions. Language generated by the ECL tool includes this requirement.

IEE conditions and environmental compliance requirements of the IP included in post-award conferences. If the requirement to implement and budget for IEE conditions is included in contracts and agreements, the post-award conference will include this requirement. This will raise the visibility of IEE requirements among IPs.

IPs develop and implement an EMMP. A project-specific EMMP is the best means for “mapping” SO level conditions to project level. The ECL should state that the EMMP must be developed and approved by COTR within the 1st quarter of reporting after contract award. Language generated by the ECL tool includes this requirement. Language generated by the ECL tool includes this requirement

IPs report to USAID on environmental compliance status.

In a separate section of the progress report, environmental compliance should be reported on for projects with threshold determinations of negative with conditions. Language generated by the ECL tool includes this requirement.

Closure reports include information on environmental compliance (lessons learned regarding Reg. 216)

Language generated by the ECL tool includes this requirement

Notes and Options for Action Plan Implementation. Most of the recommendations can be implemented by USAID staff with little LOE. Trainings other than the orientation training and brown bag seminars may require outside expertise. Incorporation of Reg. 216 requirements into the UMEMS database will also require external support. The mission already has a contractor in place who is working on UMEMS and could easily include this additional task. As noted above, use of ECL-generated environmental compliance language will address many of the compliance gaps identified by the BPR Team.

USAID Mission Environmental Compliance Best Practice Standard
The following are the standards against which a Mission Environmental Compliance Best Practices Review are to be evaluated:
A) Environmental documents are in place, including:
1) Environmental Compliance Mission Order
2) MEO Appointment Memo
3) Up-to-date ETOA or FAA 118/119, prepared with MEO involvement or review
4) IEEs at SO level, updated as necessary
5) IEEs at activity level, updated as necessary (if not included in SO-level IEE)
6) IEE quality and specificity is sufficient to serve as a sound basis for project-specific compliance.
B) Staff and implementing partners have capacity to ensure environmental compliance:
1) Staff and implementing partners have been trained in life-of-project environmental compliance/ESDM
2) MEO has knowledge of country level environmental assessment legislation and country environmental issues
3) MEO has skills and expertise to identify potential environmental components for Mission SOs and activities;
4) A "Deputy" or "Alternate" MEO has been appointed to assist when the MEO is unavailable
5) Opportunities for ongoing training in environmental compliance are provided to staff and implementing partners
C) Processes are in place to ensure environmental compliance:
1) MEO reports directly to Mission Director or senior management on matters pertaining to compliance with USAID Environmental Procedures
2) MEO has mission-wide tracking process for IEE status, which is readily available to all mission staff.
3) MEO and CTOs/Activity Managers have process for collaborating on activities with potential environmental impacts (from design to closure)
4) Process exists to identify activities that need amended IEEs (not already covered by the SO level IEE)
5) Process exists for ensuring IEE conditions are incorporated into Request for Proposals/Request for Applications (RFP/RFA), or process exists for ensuring activity-level IEE will be undertaken by the contractor (and included as a task in the RFA/RFP)
6) Process exists for incorporating IEE conditions into contracts; and including mitigation and monitoring costs into project budgets
7) Process exists for ensuring mission or implementing partner develops and implements an Environmental Management Plan/Mitigation and Monitoring Plan (EMP/MMP)
8) Process exists for reporting to USAID on implementation of mitigation measures and continued assessment of potential environmental impacts (in project semi-annual or quarterly reports);
9) Financial resources available to support mission environmental compliance processes, including training, analytical support, MEO travel to assist CTOs with field monitoring, etc. When the MEO reports to a sectoral team (Economic Growth, etc.), these resources would ideally be provided by the Program Office, since the MEO duties support the mission as a whole
D) The following mission contracting, project, and review/status documents include environmental compliance language:
1) Strategic Objective Agreement (SOAg) approvals
2) Activity Approval Documents (AAD)
3) Modified Acquisition and Assistance Request Documents (MAARDs)
4) RFPs/RFAs
5) Contracts and cooperative agreements with budget that reflects mitigation and monitoring costs;
6) Quarterly or semi-annual reports, submitted by project staff to the CTO
7) Most recent Annual Report submitted by Mission to USAID/W
8) Portfolio reviews, conducted semi-annually

- | |
|---|
| 9) Closure report, where lessons learned regarding ESDM and Reg. 216 should be documented; and |
| 10) Federal Management Financial Information Act (FMFIA) review, wherein, on an annual basis, every mission conducts a review of all their systems (financial and otherwise, including ADS 204) |

Attachment 1: Environmental Procedures Best Practice Standard

Attachment 3: List of Meetings Held

The BPR Team held group meetings with SO Teams and Mission Offices, and if available, with individual staff members. During meetings with individuals, the BPR Team used the BPR questionnaire as a framework for the discussion.

Date	Team/Organization	Participants
30 June 2010	SO 7, Economic Growth	Lee Forsythe (Acting Team Leader) Sudi Bamulesewa (MEO), Robert Senkungu (Deputy MEO), Ruth Sempa (COTR: Dairy Development Project), Jenna Diallo (Private Enterprise Development Officer)
	SO 7 Environmental Officers	Sudi Bamulesewa, Robert Senkungu
	SO 8, Investing in People	Elise Ayers (SO 8 Team Leader), Patrick Okello (COTR, Malaria Sub-Team), Jackie Calnan (COTR), Megan Rhodes (Heath Sub-Team Leader)
	SO 8 sub-team	Patrick Okello, James T. Duworko (COTR)
	SO 8	Elise Ayers
	SO 7	Ruth Sempa
	SO 8 sub-team	Jackie Calnan
1 July 2010	Program Office	Christian Smith
2 July 2010	Uganda IRS Project, Abt Associates, Inc.	Dr. J. B. Rwankimari, COP
	STAR (SO 7)	Onesmus Muhwezi (Tourism Specialist), Beatrice Tusiime (Communications Specialist)
5 July 2010	Holiday	
6 July 2010	SO 7 Northern Uganda Office, Gulu	Jeanne Briggs (Northern Uganda Team Leader, COTR: NUDEIL)
	SO 7	Jackie Wakhweya (COTR: DCA)
	SO 7 Northern Uganda Office, Gulu	David Mutazindwa (COTR: Title II)
	LEAD (SO 7)	Peter Wathum (Grants, M & E Director), Javier Giraldo (FFS Master Specialist, Coffee VC Advisor)
7 July 2010	SO 8	Elise Ayers
	SO 7	Gaudensia Kenyangi (COTR: LEAD)
	The Mitchell Group- Performance Monitoring contractor	Patricia Rainey
8 July 2010	USAID/East Africa	Chris Dege (Regional Environmental Advisor and BPR Team Member)
	Contracting Office	Bruce McFarland (Contracting Officer), Sarah Acio (Contracts Assistant), Josephine Kitongo (Contracts Assistant)
	SO 7	Brian Conklin (Acting SO 7 Team Leader, COTR: water supply projects)
9 July	SO 9	Harriet Muwanga (COTR: D & G), Beatrice Namwenge (COTR: Conflict Resolution)
	SO 9 Northern Uganda Office, Gulu	COTR: SPRING
	WILD, Wildlife Conservation Society (SO 7)	Juraj Ujhazy (Program Manager), Humphrey Kabugo (M & E Specialist)
	SO 7	Sudi Bamulesewa (COTR: STAR, WILD,

		NUWSSP)
12 July 2010	Title II, Mercy Corps via phone	Henry Duba (Northern Program Manager)
	Title II, ACIDI/VOCA via phone	John Wendt (Northern Area Projects Manager)
13 July	Mission De-Brief	Dave Eckerson (Mission Director), Bruce McFarland and Josephine Kitongo (Contracts Office), Brian Conklin and Robert Senkungu (SO 7), Elise Ayers (SO 8), Harriet Muwonga and Randy Harris (SO 9)

Attachment 4: Terms of Reference for Environmental Procedures Best Practice Review

Scope of Work:

USAID/Uganda Environmental Procedures Best Practices Review

I. Background

USAID's Environmental Procedures are set out in Federal regulations (22 CFR 216, or "Reg. 216") and in USAID's Automated Directives System (ADS), particularly Parts 201.3.12.2.b and 204.

In summary, these procedures specify an environmental review process that must be applied to all activities before implementation. This process may result in environmental conditions (mitigation measures) that must be: (1) integrated into procurement instruments; and (2) implemented and monitored over the life of the activity. Compliance with these Procedures is mandatory. They apply to every program, project, activity, and amendment supported with USAID funds.

The **Environmental Procedures Best Practices Review (BPR)** is a thorough review of mission environmental compliance status and an assessment, with reference to Africa Bureau's *Mission Environmental Compliance Best Practice Standards* (see Attachment) of the mission policies, procedures, and capacities needed to best assure and maintain environmental compliance.

BPRs are conducted by a BPR Analyst (generally a consultant) in collaboration with the Regional Environmental Advisor (REA; may be a Bureau Environmental Officer [BEO] in certain circumstances) and a Mission Counterpart, usually the Mission Environmental Officer (MEO).

The **output** of the BPR is a **BPR Report and Action Plan** which (1) sets out BPR findings with respect to Mission Portfolio environmental compliance and Mission performance against the AFR Best Practice standard; and (2) sets out recommended actions to address key gaps in compliance and compliance capacity. The **goal** of the BPR is to provide the mission with information and a recommended set of actions to improve the effectiveness and efficiency of Mission compliance with USAID's Environmental Procedures, and to integrate this compliance into normal Mission operations.

A **secondary goal** is to provide the Bureau Environmental Officers and Regional Environmental Advisors with information to assist them in the execution of their duties and responsibilities.

USAID's Bureau for Africa is promoting BPRs as a means of strengthening compliance with the Environmental Procedures of USAID Missions throughout the Africa region. In addition, the use of BPRs was recently endorsed by the Assistant General Counsel for Africa in recommendations to the AA/AFR as a key means of ensuring effective implementation of risk management measures needed in Indoor Residual Spray (IRS) programs, particularly those using DDT.

In order to strengthen and mainstream Mission compliance with USAID's Environmental Procedures, USAID/Uganda has determined to undertake a BPR a Consultant to serve as the *BPR Lead Analyst*.

II. Objectives & Summary of Assignment.

The consultant shall, in collaboration with the REA and the Mission Counterpart (see Section VI, below), conduct a BPR covering the whole of the USAID/Uganda Mission and its portfolio. The BPR includes preparation of the BPR Report and Action Plan; the BPR will be conducted substantially in-country with a smaller amount of remote advance preparation and follow-up.

The BPR Lead Analyst will also be tasked to provide training on the BPR process, findings, recommendations, and USAID programming and mission processes to the BPR Assistant whose involvement is financed from ENCAP funds obligated by AFR/SD. The role and tasks of this BPR Assistant are detailed in a companion Scope of Work.

The consultant may also be tasked to provide short training(s) in the BPR process, BPR findings and recommendations, and/or USAID Environmental Procedures.

The specific tasks involved in this assignment are detailed below.

III. Methodology and Specific Tasks

In conducting the BPR, the consultant's approach and methodology shall be guided by and substantially reflect the process described in the *ENCAP Factsheet: Environmental Procedures Best Practices Review* (hereinafter, "factsheet"). This shall include the following specific tasks:

Before arrival in Uganda:

1. **Advance desk review** of pertinent documents, including at minimum all Reg. 216 documentation pertinent to the USAID/Uganda portfolio and such documents as are necessary to acquire a working familiarity with the portfolio. Additional documents of potential interest to the BPR are noted in the Factsheet.

In country:

2. **Interviews with all Mission Sector/SO Teams, the MEO, the M&E Officer, and the Contracts and Program offices.** The BPR Questionnaire (Attachment 2) shall serve as a general guide for these interviews, which will generally range in length from 45–90 minutes, depending on the function and program/portfolio complexity.

The consultant will determine when follow-up interviews are required to address particular projects or programs.

3. **Continued documentary review**, potentially including the range of documents noted in the *Factsheet*.
4. At the discretion of the consultant and upon approval of the Team Leader and/or CO/IR, **interviews with relevant partners and project field visits.** These generally are expected where projects are environmentally significant, have complex IEEs or EAs. The Mission has not yet indicated whether field visits will be necessary during the conduct of this assignment.
5. a short Mission Staff/Partner **Environmental Procedures Training** [if requested by the Mission]
6. **Synthesis of draft BPR findings and draft action plan recommendations**, whether in the form of a presentation or a draft BPR Report and Action Plan. The REA, the Program Officer, and the Mission Counterpart shall have opportunity to review the synthesis in advance of the Mission Staff Briefing (see task 6, immediately below).
7. **Key Mission staff briefing and feedback session**, at a time and in a format determined by the Mission counterpart or Program Officer, on draft findings and draft action plan recommendations.

Post-departure from Uganda:

8. **a. Submission of draft BPR Report and Action Plan for Mission Counterpart/REA review** (if not submitted under item five). The REA and Mission Counterpart shall have opportunity to review the draft BPR Report & Action Plan before formal submission for Mission review.

b. Submission of a formal Mission Review Draft of the BPR Report and Action Plan

addressing any comments received from the REA & Mission Counterpart.

The Report and Action Plan shall generally follow the format attached and conform to the description provided in the BPR Factsheet. The action plan shall include recommendations to the Mission regarding its implementation; e.g., suggesting tasks that can be undertaken in-house, tasks that may be undertaken by the REA, and tasks that can be undertaken by ENCAP or other external consultant.

9. **Submission of the final BPR Report and Action Plan** incorporating comments received to IRG, which shall formally submit the document to the ENCAP COTR, the REA and USAID/Uganda.

It is expected that the REA will be in-Mission for at least a portion of the BPR process. During this period, the consultant will conduct the BPR as a joint exercise and in full collaboration and cooperation with the REA.

Throughout the BPR, the consultant will mentor and utilize the BPR Assistant as a substantive partner in the exercise, supporting them in the fulfillment of his/her Scope of Work.

IV Deliverables.

- (1) A **synthesis of draft BPR findings and draft action plan recommendations** in the form of a presentation or a draft BPR Report & Action Plan, as described in Task 6 above.
- (2) A **key mission staff briefing and feedback session** on the draft BPR findings and action plan recommendations, as described in Task 7, above.
- (3) A **draft BPR Report and Action Plan** for REA/Mission Counterpart Review; a **formal Mission**

Review Draft; and a **final version**, as described in task 8 & 9.

- (4) If requested by the Mission, a short (1 to 4 hr) **USAID Environmental Procedures training** for Mission staff and/or Partners.
- (5) A written assessment of the BPR Assistant's understanding of the following:
 1. USAID procedures
 2. BPR processes
 3. Capacity to independently conduct future BPR(s) as a BPR Analyst.

This assessment will be conducted immediately upon the conclusion of the assignment covered by this Scope of Work.

V. Level of Effort

The BPR will require a level of effort (LOE) of **23 days by the consultant**, with expected distribution as follows:

- 3 days for reviewing Mission documents prior to arrival
- 7 days for conducting interviews at the Mission;
- 2 days site/Partner office visits
- 3 days to develop draft findings and recommendations and to prepare and deliver a staff briefing/feedback session on these findings and recommendations
- 4 days to produce the final BPR Report and Action Plan (includes response to comments); and
- 4 days of international travel (roundtrip from New Mexico, USA)

In addition, the BPR will require 4 days of ENCAP home office support, distributed as follows:

- 1 day of contract management/administrative support

- 3 days of expert QA/QC review of BPR deliverables and high-level backstopping of the BPR consultant

VI. Mission Support, Logistics and Supervision

USAID/Uganda acknowledges that successful completion of this assignment within the programmed level of effort will be dependent on substantial Mission support.

The mission commits that necessary staff shall make themselves available for interviews and that these staff shall be responsive to Consultant's request for pertinent documents during the BPR.

The Mission designates the Mission Environment Officer as the Mission Counterpart for this effort.

The Mission Counterpart shall:

- Provide key environmental compliance, portfolio, and mission policy documents for advance desk review to the consultant.
- Prior to the consultant's arrival, have scheduled interviews with each SO/Sector Team, the Program Office and the Contracts Office.
- Arrange for an entry briefing with the Program Officer and/or the Mission Director/Deputy.
- Arrange for necessary clearance to and for a work area within the Mission, including permission to bring into the Mission a non-USG laptop and cell phone.
- Continue to support document requests throughout the BPR, support arrangements of partner meetings and site visits (in coordination with the COTRs/Activity Manager)
- Announce and arrange for the Key Mission Staff Briefing, to include the Program Officer, MEO, COTRs/AOTRs and Activity Managers, Team Leaders, Contracting Officer, and other key staff.
- Announce and arrange for the Mission Staff/Partner training (if held)
- To the extent that his duties permit, participate in BPR interviews with Mission s staff and partners
- Provide timely feedback on the synthesis of draft BPR findings and draft action plan recommendations
- Generally serve as a resource for the consultant and the REA throughout the BPR process.

While the Consultant's day-to-day interactions in country shall generally be with the Mission Counterpart, the Consultant shall report to the Program Officer in the conduct of this assignment.

Attachment 5: USAID/Uganda Environmental Compliance Status Table

SO &/or Project Title &/or IP & Start/End Dates	Applicable Reg. 216 Documentation (Date; expiration date)	COTR/AOTR, additional information, as necessary	Threshold Determination	EMMP? (Y/N & date or Not Applicable=NA)	Notes from field inspections, reports
SO 7: Economic Growth	SO-level IEE, FY 09-FY 14 IEE date: August 8, 2008	<p>Livelihoods and Enterprises for Agricultural Development: Gaudensia Kenyangi, COTR</p> <p>Sustainable Tourism in the Albertine Rift: Sudi Balamusewa, COTR</p> <p>Wildlife, Landscapes and Development for Conservation: Sudi Balamusewa, COTR</p> <p>Northern Uganda Water Supply Services: Sudi Balamusewa, COTR</p> <p>Northern Uganda Resource Rights Project: Sudi Balamusewa, COTR</p> <p>Program for Biosafety Systems: Gaudensia Kenyangi, COTR</p> <p>Agricultural Biotechnology Support Program: Gaudensia</p>	All projects fall under the SO 7 IEE and include a mix of Categorical Exclusions and Negative Determinations (conditions required) except for NURR, which only implemented activities considered as Categorical Exclusions	<p>LEAD: EMMP (May 2009)</p> <p>STAR: EMMP under development</p> <p>WILD: no (an EMMP should have been prepared at start-up)</p> <p>NUWSS: no (only studies, TA, but will soon begin rehabilitation/construction, and an EMMP should be prepared).</p> <p>NURR: NA</p> <p>PBS: no</p> <p>ABSP: no</p> <p>NUDDP: no</p>	Only LEAD reports on EC in Progress Reports; STAR is in start-up phase and are expected to report on a regular basis, but 1 st Quarterly Report had no EC section.

SO &/or Project Title &/or IP & Start/End Dates	Applicable Reg. 216 Documentation (Date; expiration date)	COTR/AOTR, additional information, as necessary	Threshold Determination	EMMP? (Y/N & date or Not Applicable=NA)	Notes from field inspections, reports
		Kenyangi, COTR Northern Uganda Dairy Development Project: Ruth Sempa, COTR			
SO 7 Field Crop Production and Commodity Protection Programs- USAID/ Uganda	IEE with PERSUAP, FY 2004-2008 IEE date: December 2005	Covers all SO 7 agricultural production activities involving assistance for the use or procurement of pesticides	Negative Determination (conditions required)	No (each applicable project should prepare an EMMP based on the PERSUAP conditions)	No record of an amendment to extend the PERSUAP
Title II ACDI/VOCA (SO 7)	MYAP IEE	COTR is Washington, DC-based Agriculture production, road rehabilitation, water provision (Northern Uganda)	Categorical Exclusions and Negative Determinations (conditions required)	Yes, included with IEE	Report on EC annually in ESR
Title II Mercy Corps (SO 7)	MYAP IEE, 2009	David Mutazindwa, COTR Agriculture production, road rehabilitation, water provision (Northern Uganda)	Categorical Exclusions and Negative Determinations (conditions required)	Yes, included with IEE	Report in EC annually in ESR; MC has developed a screening form for roads
Northern Uganda Development of Enhanced	Project-specific IEE, FY 08-FY 11	Jeanne Briggs, COTR Rehabilitate Community Infrastructure Using Labor Intensive Methods	Categorical Exclusions Negative Determinations (conditions required):	EMMP: Yes, March 9, 2009 Submitted and approved	Project is beginning implementation, and either an amended IEE or

SO &/or Project Title &/or IP & Start/End Dates	Applicable Reg. 216 Documentation (Date; expiration date)	COTR/AOTR, additional information, as necessary	Threshold Determination	EMMP? (Y/N & date or Not Applicable=NA)	Notes from field inspections, reports
Local Governance, Infrastructure, and Livelihoods (NUDEIL) (SO 7 Northern Uganda Office, Gulu)	IEE date: March 9, 2009	Strengthen Infrastructure Maintenance Capabilities Facilitate Major Transportation Link Rehabilitation	Small-Scale construction/rehabilitation of health facilities; small-Scale construction/rehabilitation of education facilities; small-scale water, e.g., boreholes planned with proper mitigative efforts, and sanitation activities Positive Determination: road improvement	with the NUDEIL IEE	project-specific tools are needed to address revisions that have occurred since design phase—these are mainly related to implementation methods.
SO 8 Investing in People	SO-level IEE FY 09-FY 14 IEE date: August 25, 2008	HIV/AIDS: Elise Ayers Malaria: Patrick Okello Health Education: Megan Rhodes	Categorical Exclusions Negative Determinations (conditions required) for construction, medical waste disposal, expired medications, ITNs, IRS/malaria	Only IRS has prepared an EMMP	Only IRS Project reports on EC in Progress Reports to USAID; approximately 20 SO 8 projects would be considered to have a Negative with conditions threshold determination
Indoor Residual Spraying (IRS) SO 8	Supplemental EA February 2008 (supplement to the PEA, March 2006)	IRS COTR: Patrick Okello	N/A	No	IRS Project reports on EC in monthly and quarterly progress reports
IRS	Amended	IRS COTR: Patrick Okello			BPR Team did not

SO &/or Project Title &/or IP & Start/End Dates	Applicable Reg. 216 Documentation (Date; expiration date)	COTR/AOTR, additional information, as necessary	Threshold Determination	EMMP? (Y/N & date or Not Applicable=NA)	Notes from field inspections, reports
SO 8	PERSUAP (2010)				review this document. It was prepared recently to give IRS the option of using carbamates and organophosphates where DDT efficacy has been diminished.
Insecticide Treated Nets SO 8	IEE with PERSUAP for marketing, distribution, and promotion of ITNs	COTR: Patrick Okello	Negative Determination (conditions required)	No	Except as above, no SO 8 projects are reporting on EC
SO 9 Governing Justly & Democratically; Peace & Security	SO-level IEE FY 09-FY 14 IEE date: August 18, 2008	COTR, D & G: Harriet Muwanga; CO'TR, Conflict Resolution: Beatrice Namwenge; COTR, SPRING: based in Northern Uganda Office	Categorical Exclusions for all projects except SPRING, which is Categorical Exclusions and Negative Determination (conditions required)	No: SPRING should have an EMMP	SPRING should report on EC in progress reports to USAID, however the last quarterly report had no EC information.

Attachment 6–Draft Environmental Compliance Documents

Attachment 6a: Draft Mission Order on Environmental Compliance

Attachment 6b: Draft MEO Appointment Memo

Attachment 6c: Sample Statement of Work with Best Practice Environmental Compliance Language Incorporated

Attachment 6a: Mission Order on Environmental Compliance

ORDER NO. MO 2__

DRAFT 20 July 2010

Subject: Mission Implementation of USAID Environmental Policies and Procedures

Date Effective: XXXXX

Supersedes: N/A—New Mission Order

Maintenance: Program Office

Contents

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Attachments:

1. *Environmental Compliance Language for Use in Solicitations and Awards*
2. *Annotated Environmental Mitigation and Monitoring Plan (EMMP) Template*

Purpose

This Mission Order reaffirms USAID/Uganda’s commitment to full compliance with USAID’s mandatory environmental procedures, summarizes these procedures in plain language, and sets out the roles and responsibilities of organizational units and functions in the Mission in achieving and ensuring compliance.

The plain-language summary in this Order does not supersede the statutory, regulatory and ADS language that governs and constitutes these procedures. This language may be accessed via <http://www.encapfrica.org/meoEntry.htm>.

Legal Authority for and Purpose of USAID’s Environmental Procedures

Section 117 of the Foreign Assistance Act of 1961, as amended, **requires** that USAID use an Environmental Impact Assessment (EIA) process to evaluate the potential impact of the Agency’s activities on the environment **prior** to implementation, and that USAID “fully take into account” environmental sustainability in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216 or “Reg. 216”) and in USAID’s Automated Directives System (ADS), particularly Parts 201.3.12.2.b and 204.

These procedures are USAID’s principal mechanism to ensure environmentally sound design and management (ESDM) of development activities, and thus to prevent significant adverse impacts on (1) critical environmental resources and ecosystems and (2) on the health and livelihoods of beneficiaries or other groups resulting from inadequate attention to environmental issues in design and operation. They strengthen development outcomes and help safeguard the good name and reputation of the Agency.

Compliance with these procedures is mandatory. With limited exceptions for international disaster assistance, they apply to every program, project, activity, and amendment supported with USAID funds or managed by USAID. USAID/Uganda is fully committed to their systematic and complete implementation.

Environmental Compliance Requirements over Life-of-Project

In general, the procedures specify an EIA process that must be applied to all activities *before implementation*—including new activities introduced into an existing program or substantive changes to existing activities. This pre-implementation EIA process is defined by Reg. 216. It frequently results in environmental management requirements (mitigative measures) that must be implemented and monitored over the life of the activity.

Specifically, EXCEPT for international disaster assistance activities verified as EXEMPT from the procedures, the procedures impose the following compliance requirements over life-of-project (LOP). These requirements will be fully implemented in all USAID/Uganda activities.

1. **Environmental considerations must be taken into account in activity planning.** (ADS 201.3.12.6 & 204.1)
2. **No activity is implemented without approved Reg. 216 environmental documentation. This documentation must be approved PRIOR to any irreversible commitment of resources.** (ADS 204.3.1).

This documentation is the output of the EIA process specified by Reg. 216 and takes one of three forms: Request for Categorical Exclusion, Initial Environmental Examination (IEE), or Environmental Assessment (EA). Documentation is APPROVED only when it is signed by the Mission Environmental Officer, the Mission Director and the Bureau Environmental Officer. As a condition of approval, most IEEs and all EAs contain environmental mitigation and monitoring requirements (“IEE or EA conditions”).

Note that Activity Approval Documents must summarize how environmental documentation requirements have been met. (ADS 201.3.12.15)

3. **All IEE and EA conditions are incorporated in procurement instruments.** (ADS 204.3.4.a.6; 303.3.6.3e).
4. **All IEE and EA conditions are implemented, and this implementation is monitored and adjusted as necessary.** (ADS 204.3.4; 303.2.f).

Operationally, this requires that (1) conditions established in program- (“SO”)-level IEEs and EAs are mapped to the activity level; (2) Environmental Mitigation and Monitoring Plans (EMMPs) are developed at the project or activity level to implement these conditions; (3) project workplans and budgets specifically provide for implementation of EMMPs; and (4) PMPs incorporate measures of EMMP implementation. USAID/Uganda mission policy is that each of these prerequisites for successful implementation of IEE and EA conditions will be executed in full.

An annotated EMMP template is attached to this Order and also available at www.encapaffrica.org/meoEntry.htm.

5. **Environmental compliance is assessed in annual reports.** (ADS 203.3.8.7; 204.3.3.a).

Annual reports must assess environmental compliance of existing activities, including whether all activities are covered by approved Reg. 216 environmental documentation, whether the mitigation measures specified in IEEs and EAs are being

implemented, and whether these measures are adequate. If activities are discovered to be out of compliance, the report must specify actions to be taken to remedy the situation.

6. **Environmental compliance documentation is maintained in the Mission's Public Directory, to which all staff members have access.**

(ADS 202.3.4.6).

A more extensive discussion of LOP environmental compliance requirements is found in the Bureau for Africa's MEO Handbook, available via www.encapafrica.org/meoentry.htm.

Responsibilities for Implementation

Primary responsibility: Team Leaders, COTRs, AOTRs, and Activity Managers. The ADS makes clear that responsibility and accountability for environmental compliance is shared by the Team Leader and each COTR, AOTR or Activity Manager. *Specific responsibilities established by the ADS and Mission policy for these positions are set out in the table below. All USAID/Uganda staff must fulfill the enumerated environmental compliance responsibilities attendant to their position.*

Final responsibility: Mission Director. Final responsibility for environmental compliance lies with the Mission Director. The Mission Director must approve all Reg. 216 documentation for Mission activities.

Field Implementation: Contractors and Implementing Partners. Environmental management must be an integral part of project implementation. Thus, field implementation of environmental mitigation is the responsibility of contractors/IPs, with oversight from USAID.

Advising, Gatekeeping, and Monitoring: Mission Environmental Officer (MEO). The MEO (1) is a core member of each Mission sector team and serves the team as a compliance advisor; (2) serves as a gatekeeper (quality and completeness reviewer) for Reg. 216 Documentation and must clear all documentation before submission to the Mission Director; (3) is the primary point of Mission contact with the Bureau Environmental Officer (BEO) and the Regional Environmental Advisor (REA); and (4) is authorized, in consultation with the cognizant Team Leader and COTR/AOTR, to undertake desk or field-based environmental compliance monitoring of any project or activity in the Mission portfolio. In the execution of his/her MEO duties, the MEO reports to the Mission Director.

A more complete description of MEO roles and responsibilities is provided by the Bureau for Africa's MEO Handbook, available via www.encapafrica.org/meoEntry.htm.

Gatekeeping: Awards Officers/Contract Officers (AOs/COs). AOs/COs ensure that solicitations and awards incorporate appropriate environmental compliance language.

Advising: Regional Environmental Advisors (REAs). REAs advise MEOs and program teams on environmental compliance, including development of Reg. 216 documentation and monitoring protocols, and can assist teams in obtaining additional environmental expertise when required. REAs also help to monitor the Mission's implementation of the Agency's Environmental Procedures. The MEO is the liaison with the REAs on behalf of program teams. The REAs supporting Uganda are based in USAID/EA, Nairobi.

Approving/Clearing: Bureau Environmental Officers (BEOs). The BEOs, based in Washington, DC, must clear all Reg. 216 documentation for activities under the purview of their Bureau. USAID/Uganda activities are under the purview of the AFR, EGAT, and Global Health Bureaus.

Environmental Compliance Responsibilities of Team Leaders, Activity Managers, COTRs, AOTRs, and the MEO:

Compliance action	Responsible parties
<p>Prepare Reg. 216 environmental documentation. This consists of:</p> <ul style="list-style-type: none"> ✓ Requests for Categorical Exclusion (RCEs) ✓ Initial Environmental Examinations (IEEs) ✓ Environmental Assessments (EAs) ✓ Amendments to all of the above 	<p>Team Leader/Activity Manager or COTR/AOTR (MEO reviews/provides advice). EXCEPT:</p> <ul style="list-style-type: none"> ✓ Partners or outside contractors may prepare IEEs under the supervision of the responsible parties above. EAs are almost always prepared by 3rd-party contractors. ✓ Title II IEEs are prepared by Implementing Partners as part of their MYAP submissions
<p>Approve and Clear Reg. 216 Documentation</p>	<p>All of the following must clear:</p> <ul style="list-style-type: none"> ✓ Activity Manager or Team Leader (or COTR/AOTR, if one is already designated) ✓ MEO ✓ Mission Director ✓ BEO
<p>Clear sub-project/sub-grant Environmental Reviews</p>	<p>COTR/AOTR and MEO and REA (higher-risk activities are forwarded for BEO review)</p>
<p>Incorporate environmental compliance requirements into procurement documents</p>	<p>Activity manager (or COTR/AOTR if one is already designated) provides language (MEO assists) CO/AO assures language is included in the solicitation/award</p>
<p>Ensure Reg. 216 documentation is current and covers all activities being implemented</p>	<p>COTR/AOTR</p>
<p>Ensure an EMMP addressing all relevant mitigation and monitoring conditions is developed, and reflected in workplan, budget, and PMP.</p>	<p>COTR/AOTR (MEO may review) Contractors/IPs will in most cases develop EMMPs for COTR/AOTR review.</p>
<p>Monitoring to ensure partner/contractor compliance with IEE/EA conditions.</p>	<p>COTR/AOTR (MEO assists and has authority to engage in field or desk monitoring of any activity in the mission portfolio, in consultation with the Team Leader and COTR/AOTR.</p>
<p>Ensure that environmental compliance lessons learned are incorporated in closure reports and environmental compliance issues are included in SOWs for evaluations.</p>	<p>MEO</p>
<p>Prepare environmental compliance section of Mission Annual Reports</p>	<p>MEO, with support from COTRs and AOTRs</p>
<p>Maintain environmental compliance documentation</p>	<p>Program Officer, COTR/AOTR, Activity Manager/Team Leader, MEO</p>

Additional Directives

To best ensure that the responsibilities listed in the table above are systematically fulfilled, the following directives and responsibilities apply Mission-wide:

1. **Awareness of Activity Determinations and Conditions.** It is the responsibility of each COTR/AOTR and Activity Manager to know the **Reg. 216 Threshold Determination**, including any conditions, assigned to the activities under their purview. These conditions are assigned in the Reg. 216 documentation that applies to the activity. The possible determinations are described in the table below:

Categorical Exclusion	The activity falls into one of the classes of activities enumerated by Reg. 216 as posing low risks of significant adverse environmental impacts, and no unusual circumstances exist to contradict this assumption. The activity has no attached environmental management conditions.
Negative Determination	Per analysis set out in an IEE, the activity is found to pose very low risk of significant adverse environmental impact. The activity has no attached environmental management conditions.
Negative Determination with Conditions	Per analysis set out in an IEE, the activity is found to pose very low risk of significant adverse environmental impact if specified environmental mitigation and monitoring measures are implemented. The activity proceeds on the condition and requirement that these measures (“conditions”) are fully implemented.
Positive Determination	Per analysis set out in an IEE, the activity is found to pose substantial risks of significant adverse environmental impacts. Therefore, the activity cannot proceed until an Environmental Assessment (EA) is developed and duly approved, and then on the condition that environmental mitigation and monitoring measures specified by the EA are fully implemented.

The only activities not assigned such determinations are international disaster assistance activities verified as **exempt** from the procedures. COTRs/AOTRs and Activity Managers must also be aware of any activities under their purview having exempt status.

2. **Team-level Compliance Planning.** As specified by ADS 204.3.4, each program team must collaborate effectively with the MEO during all program designs and approvals to create a system and to ensure adequate resources for compliance with the Agency’s Environmental Procedures.
3. **Functional specifications for Environmental Compliance Language for Procurement Instruments.** The ADS states that Activity Managers are responsible for ensuring that environmental conditions from IEEs and EAs are incorporated into solicitation and award documents. (ADS 204.3.4.a.6; 303.3.6.3e). Beyond this, **it is Mission policy that environmental compliance language in all solicitation *and* award instruments requires that:**
 - The partner verifies current and planned activities annually against the scope of the approved environmental documentation.
 - Where activities demand environmental management expertise, appropriate qualifications and proposed approaches to compliance are addressed in technical and cost proposals.
 - The partner develops an EMMP fully responsive to all IEE/EA conditions, unless this already exists in the Reg. 216 documentation or will be developed by program staff.
 - Budgets and work plans integrate the EMMP.
 - PMPs measure EMMP implementation.

The ADS help document *Environmental Compliance Language for Use in Solicitations and Awards* (ECL) provides a combination of step-by-step guidance and standard text to assemble environmental compliance language meeting these requirements for any solicitation or award. Its use is strongly recommended.

The ECL and an annotated EMMP template are attached to this Order and also available at www.encafrica.org/meoentry.htm.

4. **Confirming Reg. 216 documentation coverage in the course of project designs, amendments, extensions, and during the preparation of the Annual Report (or PPR).** During these exercises, the Team should review planned/ongoing activities against the scope of existing, approved Reg. 216 documentation and either: (1) confirm that the activities are fully covered or (2) ensure that documentation is developed and approved *prior* to implementation. For activities begun under a disaster assistance exemption, the Team must confirm that their exempt status still applies.

*Activities modified or added during project implementation may require new or amended Reg. 216 documentation. Maintaining Reg. 216 documentation coverage of all activities is critical, as the ADS requires that ongoing activities found to be outside the scope of approved Reg. 216 documentation **be halted** until an amendment to the documentation is approved by the Mission Director and the BEO.*

Critical Non-Compliance Situations

If any USAID/Uganda staff member believes that (1) failure to implement mitigation measures or (2) unforeseen environmental impacts of project implementation is **creating a significant and imminent danger to human health or the integrity of critical environmental resources**, **IMMEDIATELY** notify the COTR/AOTR, MEO, and Mission Management.

Environmental Compliance Resources and Key Contacts

The **MEO Resource Center** contains a wide range of environmental compliance and best practice materials, including step-by-step guidance to develop Reg. 216 documentation and sectoral guidance for design of environmental mitigation and monitoring measures. The Center is hosted on Africa Bureau's ENCAP website (www.encapafrika.org/meoEntry.htm).

Reg. 216 documentation for Mission programs is posted on **the USAID/Uganda P drive, available to all USAID staff.**

Key contacts. As of July 2009, key environmental compliance contacts for USAID/Uganda are as follows. Up-to-date REA & BEO contacts are available via www.encapafrika.org/meoEntry.htm. **[note: this section can be retained or dropped, at mission preference. Information in it will become dated.]**

Mission Environmental Officer Deputy MEO	Sudi Bamalusewa: sbamalusewa@usaid.gov Robert Senkungu: rsenkungu@usaid.gov
Regional Environmental Advisors (REAs) for East Africa	Chris Dege: cdege@usaid.gov ; David Kinyua: dkinyua@usaid.gov
Bureau Environmental Officers (BEOs; Washington, DC)	Bureau for Africa (AFR/SD): Brian Hirsch, bhirsch@usaid.gov Bureau for Economic Growth, Agriculture & Trade Bureau (EGAT): Joyce A. Jatko, jjatko@usaid.gov Global Health Bureau (GH): Teresa Bernhard, tbernhard@usaid.gov

Attachment 6b: MEO Appointment Memo

MEMORANDUM

TO: All Mission Staff
Christopher Dege, Regional Environmental Advisor, USAID/EA
David Kinyua, Regional Environmental Advisor, USAID/EA
Walter Knausenberger, Senior Regional Environmental Advisor, USAID/EA
Brian Hirsch, Bureau Environmental Officer, USAID/AFR/SD
[insert RLA], USAID/EA.

FROM: David Eckerson, Mission Director Signature: _____

DATE:

SUBJECT: Appointment of Mission Environmental Officer and
Deputy Mission Environmental Officer

This memorandum confirms Mr. Sudi Bamulesewa in his current role as USAID/Uganda Mission Environmental Officer (MEO). Mr. Bamulesewa will serve as MEO, concurrent with his other duties, until further notice. Only with respect to his MEO duties, Mr. Bamulesewa will, effective immediately, report directly to the **Mission Director**.

In addition, Mr. Robert Senkungu is appointed as the USAID/Uganda Deputy Mission Environmental Officer (D/MEO), concurrent with his other duties. Only with respect to his deputy MEO duties, Mr. Senkungu will **report directly to the MEO, and when the MEO is unavailable, to the Mission Director**. In the absence of the MEO or as otherwise tasked, Deputy MEO shall assume the responsibilities of the MEO.

The MEO function is critical to mission portfolio compliance with USAID's mandatory environmental procedures. These procedures are USAID's principal mechanism to ensure environmentally sound design and management of our portfolio, and thus to prevent significant adverse impacts on (1) critical environmental resources and ecosystems and (2) on the health and livelihoods of beneficiaries or other groups resulting from inadequate attention to environmental issues in design and operation. They strengthen development outcomes and help safeguard the good name and reputation of USAID. USAID/Uganda is fully committed to their systematic and complete implementation. See **Mission Order XXXX** "Mission Implementation of USAID Environmental Policies and Procedures" for more information on environmental compliance.

The MEO's duties and responsibilities are enumerated below. As above, the Deputy MEO may act in the MEO's place.

Quality and completeness reviewer for all 22 CFR 216 documents. All Mission 22 CFR 216 documents must be cleared by the MEO or in his absence, by the Deputy MEO. These documents include all Initial Environmental Examinations (IEE), Requests for Categorical Exclusions (RCE), Environmental Assessment Scoping Statements (EASS), Environmental Assessments (EA), IEE or EA Amendments or other 22 CFR 216 determinations.

Environmental Compliance Advisor: The MEO is responsible for advising Teams, Activity Managers and COTRs/AOTRs, and Operating Unit heads on: (1) how best to comply with USAID's Environmental Procedures over the life-of-project, including effective monitoring of partner implementation of the environmental mitigation measures required by IEEs and EAs; (2) how to obtain additional environmental expertise to assist in compliance with USAID's mandatory environmental procedures.

Mission Point of Contact with the Bureau Environmental Officers and Regional Environmental

Advisors: The MEO is the primary point of mission contact with the Bureau Environmental Officers (BEO) and the Nairobi-based Regional Environmental Advisors (REA).

Environmental Compliance Planner: Operating Units and SO Teams must collaborate effectively with the MEO during all SO designs and approvals to create a system and to ensure adequate resources for compliance with USAID's mandatory environmental procedures.

Environmental Compliance Monitoring: The MEO may, in the course of his duties, and in consultation with the Team Leader and COTR/AOTR, undertake desk or field-based environmental compliance monitoring of any project or activity in the Mission portfolio.

Environmental Compliance Annual Reporting and 22 CFR 216 documentation tracking: The MEO has responsibility for integrating the environmental compliance portion of the Mission Annual Report, with input from each SO Team. To support this reporting function, as well as the other responsibilities enumerated herein, the MEO will maintain, with input from the SO Teams, a log tracking the status of environmental documentation for the Mission portfolio.

To fulfill these responsibilities, the MEO serves as a member of each SO Team.

None of these duties and responsibilities shifts the primary responsibility for life-of-project environmental compliance that the ADS assigns to Team Leaders, Activity Managers, and COTRs/AOTRs. These staff bear primary responsibility for ensuring that 22 CFR 216 documentation is developed for activities under their purview, and that any environmental conditions are implemented and monitored over the life-of-project, and for additional environmental compliance requirements specified in the ADS and Mission Order XXXX "Mission Implementation of USAID Environmental Policies and Procedures."

This Appointment Memo is issued in accordance with the following:

USAID Automated Directives System (ADS) Authority:

ADS 204.3.5. "Each Mission Director is encouraged to appoint a Mission Environmental Officer (MEO) in writing... when staffing patterns permit, the Mission Director also may appoint a Deputy Mission Environmental Officer to ensure timely operations in Missions when the MEO is absent, or when a Mission's portfolio is of such size that a Mission Director judges that one or more Deputy MEOs are needed to address their Mission's workload. These officers serve as a member of each Team in the Operating Unit in order to advise the Teams and their Activity Managers or CTOs on specific needs and approaches to meet 22 CFR 216 requirements. The MEOs assist and advise Activity Managers or CTOs and their implementing partners and contractors in preparing 22 CFR 216 documents on new activities and monitoring compliance on ongoing activities. While the MEO assists and advises, the responsibility and accountability for successfully meeting 22 CFR 216 requirements is shared by the Team leader and each Activity Manager or CTO while the ultimate responsibility is with the Mission Director.

"If the Mission Director does not appoint an MEO, the Mission Director assumes the responsibilities and duties which would have been delegated to the MEO."

ADS Section 103.3.1.1.a specifies that, with certain limited exceptions, "U.S. PSCs and non-U.S. citizen employees (host country and third country PSCs and Foreign Service National (FSN) direct-hire employees) [collectively non-US citizen Direct Hires] may be delegated any authority, duty, or responsibility," and that this provision of the ADS "supersedes any other ADS provision, existing Agency policy, (for example, AIDAR) or other delegation that conflicts with this provision."

These limited exceptions do not include the MEO function. Per **ADS 103.1.1.b.3**, “Non-USDH employees may represent the Agency and communicate planning and implementation decisions. Communications that reflect the Agency’s final policy decision must be cleared by a USDH employee.” As all Mission 22 CFR 216 documents are submitted to the Bureau Environmental Officer for his/her approval through the Mission Director, this USDH clearance requirement is automatically met.

See also ADS 204.2.c (Primary Responsibility: Strategic Objective and Program Support Objective Teams (Teams), Activity Managers and Cognizant Technical Officers (CTOs); **204.2.d** (Primary Responsibility: Responsibilities of Mission Environmental Officers (MEOs) and Regional Environmental Advisors (REAs); **ADS 204.3.4** (Policy Directives and Required Procedures: Strategic Objective and Program Support Objective Teams (Teams), Activity Managers and Cognizant Technical Officers (CTOs).

Attachment 6c: Example of Best-Practice Environmental Compliance Language in a Statement of Work

The following excerpt is from Section C of the USAID/Liberia Municipal Water Project RFP issued in May 2010. The language was generated by the *Environmental Compliance: Language for Solicitations and Awards* (ECL) tool, an ADS 204 help document. USAID/Uganda can begin using the ECL to generate best-practice environmental compliance for RFPs/As to ensure Reg. 216 requirements are taken into consideration over the LOP.

The ECL is available for download at: <http://www.usaid.gov/policy/ads/200/204sac.pdf>.

Task 8: Planning and Reporting

After award, the Contractor will prepare work plans, time schedules, and a schedule of payments for the achievement of the overall project milestones such as the signature of contracts, capacity building scheduling, operator benchmark target dates, and capital works completion dates. See Section F. 6 Reporting for more information.

IV. OVERALL TASK ORDER IMPLEMENTATION

Gender Considerations: In accordance with USAID's recognition of the importance of gender issues in development, the Contractor must identify and address gender implications or opportunities in the project and promote gender equity and women's representation/leadership across the water services delivery system.

While evidence suggests that men and women often share the responsibilities for water, women are all but excluded from engineering and policy-making levels of the water or water resources management sectors. Men's and women's roles, needs, priorities, and problems differ and must be clearly understood in order to have successful water programs. Incorporating gender concerns into USAID/Liberia water activities will make them more efficient, user-focused, financially viable, and environmentally sustainable. Equally important, water-related programs provide an enormous opportunity to encourage women as well as men to make decisions and to influence change in their communities. Design and implementation should ensure that women and older girls are more broadly involved, and the Contractor should have the capacity to do so. Water-related activities are an excellent vehicle to promote women's empowerment and social inclusion in resource access and decision-making.

Implementation Consideration: The Contractor must mobilize within 30 days from award of task order. The Contractor will provide its own staff and offices. The provision of equipment, transportation and necessary commodities for all project staff is the responsibility of the Contractor.

Multifaceted Collaboration: Due to the nature of the objectives and tasks of this effort the Contractor will closely collaborate and work with relevant government agencies, and private, and non-governmental organizations.

Environmental Considerations: The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ADS/200/>), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. Contractor environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this RFTOP.

In addition, the Contractor must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.

No activity funded under this RFTOP will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Mission Environmental Officer (MEO), Regional Environmental Advisor (REA), and Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as “approved Regulation 216 environmental documentation.”)

As part of its initial Work Plan, and all Annual Work Plans thereafter, the contractor, in collaboration with the USAID Contracting Officer’s Technical Representative (COTR) and Mission Environmental Officer (MEO), Regional Environmental Advisor (REA), or Bureau Environmental Officer (BEO), as appropriate, shall review all ongoing and planned activities under this contract to determine if they are within the scope of the approved Regulation 216 environmental documentation.

If the contractor plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.

Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

When the approved Regulation 216 documentation is (1) an IEE that contains one or more Negative Determinations with conditions and/or (2) an EA, the contractor shall:

Unless the approved Regulation 216 documentation contains a complete environmental mitigation and monitoring plan (EMMP) or a project mitigation and monitoring (M&M) plan, the contractor shall prepare an EMMP or M&M Plan describing how the contractor will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or M&M Plan shall include monitoring the implementation of the conditions and their effectiveness.

Integrate a completed EMMP or M&M Plan into the initial work plan.

Integrate an EMMP or M&M Plan into subsequent Annual Work Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

Cost and technical proposals must reflect IEE or EA and/or EMMP preparation costs and approaches.

Contractor will be expected to comply with all conditions specified in the approved IEE or EA and/or EMMP.

If an IEE, as developed by the contractor and approved by USAID, includes a Positive Determination for one or more activities, the contractor will be required to develop and submit an EA addressing these activities.

Attachment 7: Critical Role of EMMPs in Life-of-Project Environmental Compliance

Implementation of IEE/EA conditions is critical. IEEs and EAs are useless as tools to achieve environmentally sound design and management of USAID activities unless the conditions that they establish are implemented.

The ADS therefore requires implementation of these conditions—and systematic monitoring/verification of this implementation. Further, the continuing validity of BEO approval of an IEE or EA is contingent on the stated conditions being implemented. *Failure to implement IEE/EA conditions is a critical environmental compliance violation.*

In practice, systematic implementation and monitoring of IEE/EA conditions requires the following:

- Conditions from SO- (AO-) level IEEs or EAs are mapped to the activity/project level.

For each activity/project to which conditions apply:

- An Environmental Mitigation and Monitoring Plan (**EMMP**) exists that responds to all applicable IEE/EA conditions;
- Work plans and budgets integrate the **EMMP**; and
- PMPs track **EMMP** implementation.

EMMPs are not required by Reg. 216 or the ADS, but as indicated above, systematic implementation of IEE/EA conditions is almost impossible without them. Thus, the Africa Bureau *Best Practice Standard* specifies them. While USAID/Uganda partners have developed them under some projects, the current lack of a consistent policy and process to ensure their development and implementation for mission-funded activities is a particularly critical issue of concern in this BPR.

What is an EMMP? An EMMP simply sets out:

- ALL the mitigation measures required by the IEE/EA. (Where these are generally stated, the EMMP defines them more specifically.)
- Indicators or criteria for monitoring their implementation and effectiveness.
- Who is responsible for mitigation & monitoring?

The usual format is a table or matrix such as the following:

