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**CARE - BANGLADESH**

**FY**  
**TECHNICAL ASSISTANCE MISSION**

**TO**

**CARE-BANGLADESH FOR ENVIRONMENTAL  
ASSESSMENT AND FOR DEVELOPMENT OF  
POLICIES/PROCEDURES**

**INTEGRATED FOOD FOR DEVELOPMENT PROJECT  
(IFFD)**

**April 1993**

**VOLUME I  
REPORT**

Submitted By:

**Louis Berger International, Inc.**

100 Halstead Street, East Orange, New Jersey 07019, U.S.A.

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FY 1993-5- Bangladesh

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## ACRONYMS AND ABBREVIATIONS

ANR	=	Agriculture and Natural Resources
APC	=	Assistant Project Coordinator/Bangladesh
BDG	=	The Government of Bangladesh
BRAC	=	Bangladesh Rural Advancement Committee
BWDA	=	Bangladesh Water Development Board
CARE	=	Cooperative for American Relief Everywhere
CFR	=	United States Code of Federal Regulations
CIDA	=	Canadian International Development Agency
DMU	=	Disaster Management Unit
EA	=	Environmental Assessment
EIS	=	Environmental Impact Statement
EMU	=	Environmental Management Unit
FAA	=	Foreign Assistance Act
FAP	=	Flood Action Plan
FFW	=	Food For Work
FONSI	=	Finding Of No Significant Impact
FY	=	Fiscal Year
IFFD	=	Integrated Food for Development Program
IFFW	=	Integrated Food for Work Program
LBII	=	Louis Berger International, Inc.
LGED	=	Local Government Engineering Department
MORR	=	Ministry of Relief and Rehabilitation
NEPA	=	National Environmental Policy Act
NGO	=	Non Government Organization
ODA	=	Overseas Development Agency
PD&E	=	Project Development & Engineering
PER	=	Preliminary Environmental Review
PIC	=	Project Implementation Committee
PID	=	Project Initiation Document
PIO	=	Project Implementation Officer
RMP	=	Rural Maintenance Program
SEA	=	Scheme Environmental Assessment
UNDP	=	United Nations Development Program
USAID	=	United States Agency for International Development
WFP	=	World Food Programme

## EXECUTIVE SUMMARY

In order to comply with USAID environmental regulations, CARE-Bangladesh must undertake the mitigating measures described in the approved Programmatic Environmental Assessment prepared in January 1991 including the implementation of its sub-project environmental review procedure, known as the Preliminary Environmental Review/Scheme Environmental Assessment (PER/SEA) procedure, and the construction of adequate bridges and culverts to allow drainage and the flow of flood waters. The implementation of the PER/SEA procedure is a major undertaking which will require an additional 100 staff when fully developed. This does not include Bangladesh Government (BDG) counterpart requirements for which an estimate has not been made. It will also require a major review of the operational structure of the CARE organization and major changes in the delegation of decision making powers. As a number of new activities are being proposed for IFFD which were not assessed in the previous environmental assessment, such as municipal drainage rehabilitation and dredging of canals, a supplementary environmental assessment is required. It is recommended that the opportunity of the required supplementary environmental assessment be used to re-review and reconsider the PER/SEA procedure with a view of replacing it with rigid pre-selection criteria which will meet the criterion of no significant impacts. The disadvantages of this approach, that it may prevent the completion of many environmentally sound sub-projects and will not assist in the development of local capabilities in environmental impact assessment, will have to be weighed against the advantage of a reduced work load and avoidance of a re-structuring of the CARE organization. A change will have to be approved by the USAID Asia Bureau in Washington, D.C.

CARE-Bangladesh has been the cooperating sponsor for USAID Food-for-Work (FFW) project which has operated in Bangladesh continuously since 1975. This is the largest single U.S. Public Law 480 (PL480) Title II program in the world. CARE, working with the BDG and USAID, is instrumental in developing the project design, providing technical support in the field, monitoring project outputs and certifying them for reimbursement of wheat under Title II. The focus of the project has shifted from feeding to development and a new project to known as the Integrated Food-for-Development (IFFD) Project is due to commence in October 1993.

The purpose of this report is review CARE's current environmental procedures, make recommendations for their development, prepare an implementation plan, prepare a procedure which allows CARE to comply with USAID environmental regulations when it develops new activities for its FFW project and to prepare initial environmental examinations (IEE) for activities which are currently being considered. This exceeds the original scope of work for this study which is included in this report as Appendix A.

Increasing concern with the negative environmental impacts of roads built with FFW funding

and the more stringent application of USAID environmental regulations has led to an increasing focus on environmental issues. An environmental assessment (EA) was completed in January 1991 to comply with these regulations. However, it addressed road projects only and a new project is now being designed to include a variety of other activities not all of which are clearly defined. Some of these are currently identified but the project is conceived so as to allow new types of activities to be proposed and supported during its implementation. Given the open-ended nature of the proposed expansion of project activities a new environmental impact assessment process now has to be developed to comply with USAID regulations.

Under the U.S. Code of Federal Regulations (22 CFR 216), USAID funded activities must undergo an environmental impact assessment process. This consists of an IEE in all but some specified exceptions which determines whether the project is likely to have a significant impact on the environment. Where projects are determined to have such an impact, an EA, or in the rare case that the project affects the global environment or the environment of the United States, an Environmental Impact Statement (EIS), must be prepared and approved by the USAID Asia Bureau in Washington. There is a procedure for undertaking the environmental review after project approval where specific activities are not identified in the project design. This procedure will apply to future activities to be funded under upcoming FFW project due to start on October 1, 1993. In addition to USAID regulations, Sections 118 and 119 of the Foreign Assistance Act apply special restrictions to protect forest lands, protected areas and national parks.

In order to understand the effectiveness of CARE environmental programs in mitigating negative impacts of FFW activities it is necessary to understand CARE's role in the project which limits its capabilities to put environmental programs into effect. CARE is not the implementing agency. Activities are currently implemented by local authorities with the support of responsible BDG ministries. CARE's role, while highly pro-active, is limited to project design, technical support, monitoring and evaluation. Payment for services is made by the BDG. CARE determines and certifies the level of repayment to the BDG from U.S. wheat supplies. Where construction does not conform to the standards set, CARE will certify a smaller quantity of wheat. This does not imply any sanction against the BDG implementing agency as it has already received its wheat and the BDG draws wheat from other stocks available to it to make up any shortfall.

The lack of adequate culverts and bridges was identified as a major cause of negative impacts of roads and their provision was included as a key mitigating measure. Currently, as the result of inter-departmental dispute in the BDG, culverts and bridges cannot be designed or built. In view of the conditions under which the EA was approved, it would appear that earthworks cannot be funded without them under U.S. regulations.

The performance on CARE's environmental program has been reviewed and compared to the mitigation measures included and the recommendations made in the previous EA. An

Environmental Management Unit has been established with a staff of two, an expatriate Environmental Management Specialist and a local Environmental Management Analyst. A procedure for environmental review of sub-projects referred to as the PER/SEA procedure has been designed and is to be implemented on a trial basis in the 1993/94 season which commences shortly. A Louis Berger team member undertook a trial SEA and determined that the procedure is feasible. It will, however, require a major effort and commitment of resources to apply it to the approximately 4,000 sub-projects CARE processes each year. Manuals have been prepared. A training program for CARE field staff has been completed and review sessions for BDG staff are in hand. However, there appears to be an under-appreciation on the part of the USAID Mission in Dhaka of the magnitude of the task which must be undertaken. Its magnitude is beginning to dawn on the management of the CARE operation. The implementation of the PER/SEA procedure for CARE FFW activities is an attempt to adapt and institutionalize U.S. style environmental procedures within an accelerated time frame for an activity which affects a significant proportion of the people of Bangladesh, a country with a population of over 100 million. Realistic goals are needed if this effort is to succeed.

A number of recommendations are made as follows:

1. The environmental program should give as much importance to emphasizing positive impacts as in avoiding negative ones.
2. In view of its scope, the environmental program should be greatly expanded.
3. CARE should adopt a more holistic approach to the design of its programs to include environmental considerations from their conceptual stage.
4. The implications of the environmental program required by USAID regulations should be considered in determining the geographical coverage of CARE FFW project and in accepting new activities. In particular, it should resist pressure from USAID to continually address new areas of endeavor and new types of program which diverts CARE's management from its core responsibilities.
5. The program should have three inter-related components: monitoring, training and technical assistance.
6. The environmental program should be phased in over the five-year life of the upcoming FFW project.
7. Though demanding a major application of resources and requiring a reorganization of CARE administrative procedures, the PER/SEA procedure is workable. However, in view of the high cost of implementing it as described below and practical and

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administrative problems involved, CARE should include a review of the procedure in the scope of work for the upcoming EA for FFW activities with a view of establishing a practical alternative.

8. CARE should implement the GIS procedure proposed in the EA in order to establish a record keeping and monitoring tool.

An implementation plan has been prepared for a phased application of the PER/SEA procedures over the period of the upcoming project. This indicates that an additional 98 local staff will be required for the Environmental Management Unit and sub-offices.

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## INTRODUCTION

This report has been prepared for CARE-Bangladesh with the major purpose of assisting them in applying USAID regulations for environmental review necessary for funding of new project components for the Integrated Food for Development Project (IFFD). In addition, the scope of work required a review of present CARE procedures for environmental assessment. It, however, goes beyond that by providing a more comprehensive overview of CARE environmental programs to be applied to IFFD plus an outline implementation plan and includes Initial Environmental Examinations (IEE) of new components currently being proposed. The former was included as it was not possible to divorce the environmental assessment procedures from the overall program and the latter was at the specific request of CARE and the USAID Mission in Dhaka.

The report is divided into three stand-alone volumes, the first being the review and report, the second the procedure and the third the IEEs. Because these are stand-alone documents, sections have been repeated in more than one volume where appropriate.

The review contained in Volume I is intended as a document for use by people familiar with IFFD. Though people familiar with the project know its background, a short background section is included as it is intended to define a specific perspective of the project on which the discussion which follows is based.

## ACKNOWLEDGEMENTS

The Louis Berger International, Inc. team which undertook this assignment would like to note its appreciation for the help and guidance it received from CARE-Bangladesh and the USAID Mission in Dhaka and the USAID Asia Bureau in Washington, D.C. Before leaving for Dhaka, Ms. Molly Kux and Ms. Holly Welles briefed the team leader. In Dhaka, Mr. Steven Nakashima, the CARE-Bangladesh Environmental Management Specialist, worked closely and continually with the team, discussing concepts, reviewing reports and other documents as they were produced, undertaking his own analysis as the magnitude of the task facing him became apparent and contributing substantially to the output and direction of the study. As the work proceeded it became apparent that the original terms of reference had to be broadened reducing the level of investigation in some areas. Mr. Mamunul Haque, CARE Environmental Management Analyst, accompanied team members on field trips and provided a local perspective to the study. Mr. Edward Brand, CARE Country Director, Mr. Nicholas Ritchie, Deputy Country Director and Mr. Jonathan Hodgdon, Program Coordinator were continually available to review options and to provide guidance on priorities. Mr. Peter Nesbitt and Ms. Helen Cameron kindly looked after team members during their field trips to Mymensingh and Jessore and their hospitality was much appreciated. At the USAID Mission, Ms. Rosalie Fanale, Director, Office of Project Development and Engineering, and Mr. Herbert Smith, Food for Peace Officer, provided initial direction from USAID, Dhaka while Ms. Julie Defler provided direction during the later stages of study and the team expresses their appreciation for their help.

## 1. BACKGROUND

The Integrated Food for Development Project (IFFD) is the successor to the Integrated Food for Work Project (IFFW) which is in turn the successor to the Food for Work (FFW) program started in 1975 and continuously operated since then under these different names. This is the largest single U.S. Public Law 480 (PL480) Title II program in the world. Under Title II the United States Government makes an annual allocation of wheat to the Bangladesh Government (BDG) for famine relief and as a donation to a friendly country. In addition BDG finances a portion of the program. Wheat is used for payment-in-kind for work under FFW/IFFW/IFFD. USAID, which administers all U.S. Government aid to Bangladesh, has selected CARE as the cooperating sponsor responsible for providing support and monitoring the program.

CARE, working with the BDG and USAID, is instrumental in developing the project design, providing technical support in the field, monitoring project outputs and certifying them for reimbursement of wheat under Title II. The wheat actually used for payment is withdrawn from BDG stocks and CARE certification is a paper transaction. BGD agencies are responsible for actual construction and for the payment of workers.

Since its inception the FFW project has gradually evolved from an effort aimed solely at providing relief for the rural poor in the lean season to a relief-cum-development project, with emphasis in recent years increasingly on development through improvement of rural infrastructure. The name changes to IFFW and then to IFFD are a recognition of this process of evolution. With it have come changes in the selection and development of sub-projects. They have important environmental implications. These include changing the sub-project selection process to one based on economic criteria, varying the types of projects funded from village level farm-to-market roads to higher level feeder roads and including other types of activities such as canal rehabilitation and even urban projects and monetization of a portion of the wheat for the purchase of materials and the payment of wages.

Increasing concern with the negative environmental impacts of roads built with FFW funding and the more stringent application of USAID environmental regulations has led to an increasing focus on environmental issues. An environmental assessment (EA) was completed for IFFD in January 1991 to comply with these regulations. However, it addressed road projects only and IFFD is now being designed to include a variety of other activities not all of which are clearly defined. Some of these are currently identified but the project is conceived so as to allow new types of activities to be proposed and supported during its implementation. Given the open-ended nature of the proposed expansion of project activities a new environmental impact assessment process now has to be developed to comply with USAID regulations.

As a result of the findings and recommendations contained in the EA prepared for the roads,

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CARE has developed activities to address environmental problems on FFW sub-projects. These are the establishment of an environmental management unit, an environmental impact assessment procedure for sub-projects, an environmental training program and a GIS system to record and monitor the impacts of its activities.

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## 2. PURPOSE

The original scope of work for the mission is included as Appendix A to this volume. After discussions with CARE-Bangladesh and USAID-Bangladesh it has been expanded. The purpose of this report is as follows:

- o To review CARE/IFFW environmental activities and make recommendations for their further development.
- o To prepare a procedures manual for application of USAID environmental regulations to new IFFD activities.
- o To undertake Initial Environmental Examinations (IEE) of new activities currently proposed for IFFD, including:
  - Rehabilitation of rural canals and waterways to encourage inland water transport,
  - Improvement and construction of safe moorings and durable landings for small mechanized country boats,
  - Rehabilitation of urban drainage canals in secondary cities,
  - Flood proofing of storage areas and construction of platforms, and
  - Roadside tree planting.

### **3. REVIEW OF USAID ENVIRONMENTAL REGULATIONS**

#### **NEPA and its Purpose**

The National Environmental Policy Act of 1970, as amended (42 U.S.C. 4371 et. seq.) or NEPA was enacted to establish a national environmental policy at the federal level of government and to ensure that the environmental consequences of federally funded activities are identified and fully considered during their development and prior to a final decision to proceed and that appropriate environmental safeguards are adopted. This requires the preparation of an Environmental Impact Statement (EIS) for all federal actions having a significant impact on the environment. The primary purpose of this EIS is to allow a federal administrator to weigh environmental concerns in deciding whether to proceed with an action.

#### **Overview of Title 22 of Code of Federal Regulations Part 216**

Title 22 of Code of Federal Regulations Part 216 (22 CFR 216) is the primary means to implement the requirements of NEPA as they affect the USAID program. Within this framework, USAID policy ensures that the environmental consequences of its activities are identified and considered by USAID and the host country during the decision making process and that appropriate environmental safeguards are adopted. The processes by which this policy is ensured involves a variety of environmental analyses dependent upon the type, size and scope of the proposed activity. IFFD activities can either be exempt, or be considered to be categorical exclusions as defined below, or require an Initial Environmental Examination (IEE) with or without an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). Appendix D contains a full copy of 22 CFR 216.

#### **Types of Projects and Analysis Requirements**

Programs, projects and activities involving the following are exempt from the USAID procedures:

1. International disaster assistance;
2. Other emergency circumstances; and,
3. Exceptional foreign policy sensitivities.

Categorical Exclusions are those actions for which neither an IEE, EA nor EIS generally is required. Qualifications for Categorical Exclusion involve the following criteria:

1. No effect on the natural or physical environment;
2. No USAID knowledge or control over the details of specific activities as per USAID objectives; and,
3. Research activities with no significant effect on the environment as a result of their limited scope, carefully controlled nature and monitoring.

Fifteen (15) classes of actions are identified in the regulations as meeting the aforementioned criteria. The project class determination is made by the project originator in writing and is submitted to the USAID/Washington DC Bureau Environmental Officer along with the Project Identification Document (PID) or comparable document.

Certain classes of actions are normally considered to have significant effects on the environment, and as such, require an EA or an EIS. These actions consist of the following:

1. Programs of river basin development;
2. Irrigation or water management projects;
3. Agricultural land leveling;
4. Drainage projects;
5. Large scale agricultural mechanization;
6. New lands development;
7. Resettlement projects;
8. Penetration road building or improvements;
9. Powerplants;
10. Industrial plants;
11. Potable water and sewage projects (non-small scale); and,
12. Pesticide procurement assistance.

An EA or EIS is normally prepared for these actions without the prior submittal of an IEE. However, an IEE can be submitted to the Bureau Environmental Officer instead of an EA or EIS if the project originator believes that the proposed actions will not have a significant effect on the environment. This can be established through a description of the proposed project and the proposed mitigation activities.

## General Environmental Analysis Procedures

An IEE is prepared by the originator of the proposed action and should be submitted with the PID or component document together with a Threshold Decision for review by the USAID/Washington DC Bureau Environmental Officer. This Officer will either concur with the decision or request its reconsideration. Resolution of differences are made by the Assistant Administrator. Threshold decisions determine the level of further environmental review. A Positive Threshold Decision, i.e. a finding that the proposed action will have a significant effect on the environment, requires an EA or an EIS depending upon the severity of the impacts. An EIS, which requires a greater depth of analysis and review, is required only where an action will have a significant impact on the global environment or the environment of the United States. An EIS is not likely to be applicable to IFFD activities and is not addressed further. A Negative Declaration will be made if the proposed action will not have a significant effect on the environment, or if the following occur:

1. A substantial number of EAs and EISs relating to similar activities and situations have been prepared;
2. A Programmatic EA or EIS covering the activity exists; or
3. Design criteria (mitigation) has been established to avoid a significant environmental impact.

It should be noted that this procedure is significantly different from the procedures used for the domestic activities of Federal agencies in the U.S. In this case "environmental assessment" (EA) is the name of the document normally used to determine whether a project has a significant impact and an EIS is required or whether a "Finding of No Significant Impact" (FONSI) can be issued. The procedures should not be confused.

All IEEs should contain a statement as to whether the activity will have an effect on a rare or endangered species. Any activity which could have such an effect will require a positive threshold decision and an EA (Section 216.5). All activities which involve the use of pesticides are subject to special procedures and will normally require a positive threshold decision and an EA. The EA will be required to contain a special section evaluating the economic, social and environmental risks and benefits in the use of the pesticide to determine whether the use may result in a significant environmental impact.

After a Positive Threshold Decision has been approved, the project originator identifies the relevant significant issues and determines the scope of these issues to be addressed in the EA. The scoping process should include participation of persons having expertise relevant to the

environmental aspects of the activity and might include representatives of the BDG, NGOs, the USAID Mission and contractors. This exercise will result in the preparation of a Scoping Statement to be reviewed and approved by the USAID Asia Bureau Environmental Officer in Washington. At this Officer's discretion, the Scoping Statement may be circulated to appropriate federal agencies for input into the EA design. The EA is then drafted to include the appropriate issues and mitigating measures.

It should be noted that the regulations encourage collaboration with Bangladeshi experts in the preparation of EAs for the specific purpose of building a local institutional capability in environmental impact assessment.

A generalized flow chart illustrating the normal environmental analysis process for activities relevant to IFFD is presented in Figure 1.

### **Delegation of Authority**

All threshold decisions and EAs have to be approved by the Asia Bureau in Washington. The regulations do not permit delegation of authority by the bureau to the missions.

### **Foreign Assistance Act Sections 117, 118 and 119**

In addition to 22 CFR 216 criteria, the Foreign Assistance Act (FAA) places certain environmental restrictions on USAID activities. Three sections of this act are applicable and are summarized below.

#### **Section 117: Environment and Natural Resources**

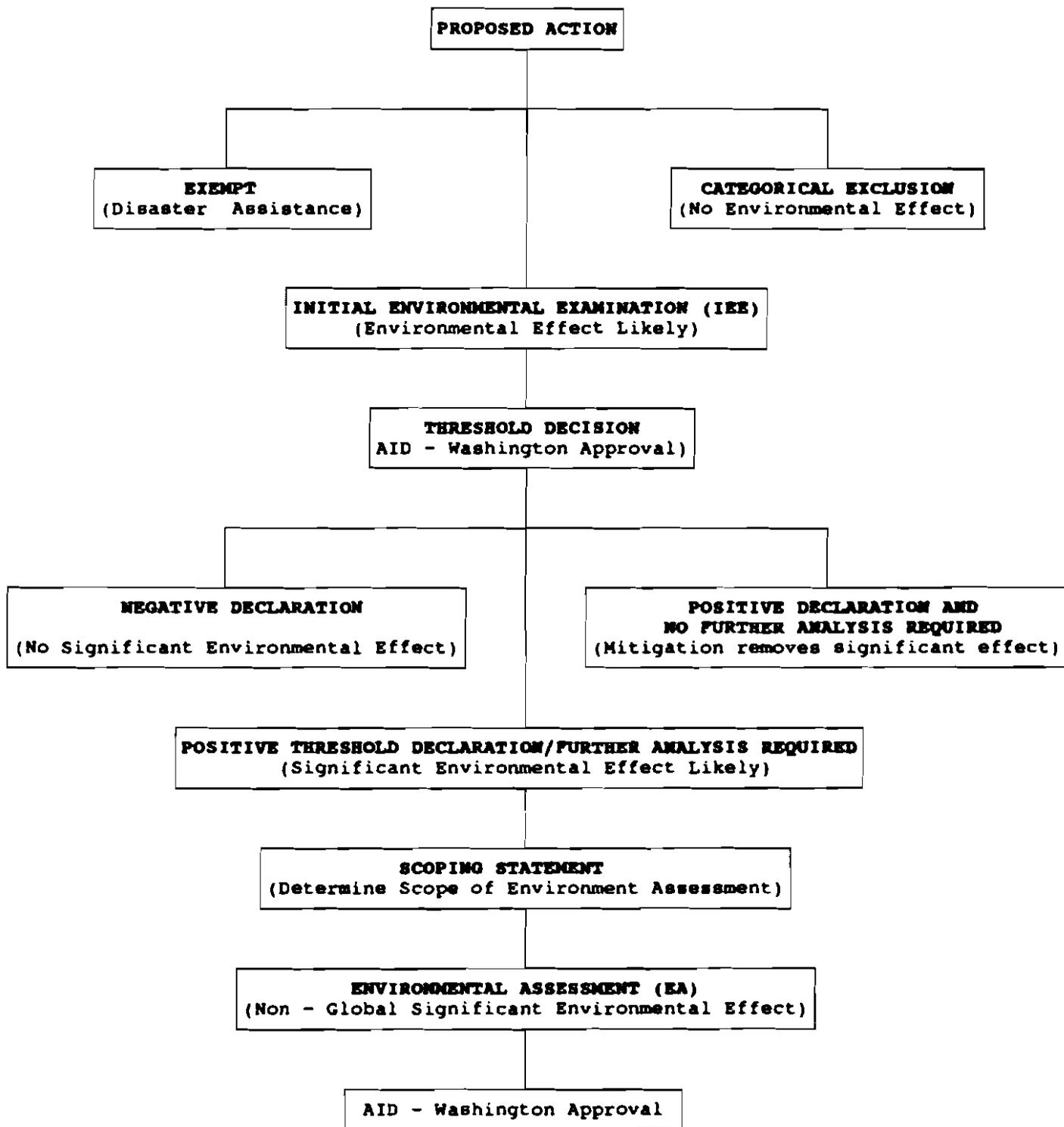
This section sets a general policy of the United States federal government on its international activities as they affect the global environment and natural resources. It calls for the preparation of an EIS for those actions which significantly affect the global environment, or that of the United States and for the preparation of an EA for any action having significant environmental impacts in the host country. This Section also states that "special efforts shall be made to maintain and where possible to restore the land, vegetation, water, wildlife and other resources upon which depend economic growth".

#### **Section 118: Tropical Forests**

This section identifies the importance of forests and tree cover and states that tropical forests shall be given high priority by the President of the United States. A list of actions designed to assist developing countries in forest protection is presented in this section. This list contains such

Figure - 1

**Environmental Review Flow Chart**  
 (22 CFR, part 216: USAID Environmental Regulations)



items as environmental education, training and exchange of information. This section denies any USA assistance for "actions which significantly degrade national parks or similar protected areas which contain tropical forests or introduce exotic plants or animals into such areas." It also denies assistance for the construction, upgrading or maintenance of roads which pass through relatively undegraded forest lands "unless an environmental assessment indicates that the proposed activity will contribute significantly and directly to improving the livelihood of the rural poor and will be conducted in an environmentally sound manner which supports sustainable development." As it is impossible for CARE to meet such a condition in the definition of an activity or to carry out the depth of analysis necessary to establish this point on a scheme by scheme basis, CARE is effectively proscribed from the construction of roads which provide access to forest lands.

### **Section 119: Endangered Species**

This section identifies the need to protect endangered species and to preserve biological diversity. A list of actions recommended to be conducted by USAID to promote biodiversity is presented. This list contains items such as environmental education, training and exchange of information. This section also denies "any direct or indirect assistance for actions which significantly degrade national parks or similar protected areas or introduce exotic plants or animals into such areas". This effectively limits or proscribes CARE activities in natural areas such as the Sunderbans.

### **Policies of USAID Asian Bureau**

The Asian Bureau places strong emphasis on a commitment to implement mitigation measures in its approval of EAs. The Asian Bureau also interprets the restriction of the funding of activities for roads which penetrate forests under Section 118 of the FAA as including any road improving access for logging or agricultural development in forest land. The road does not have to penetrate forest land.

#### 4. CARE-BANGLADESH PROCEDURES FOR THE IMPLEMENTATION OF IFFW

In order to understand the effectiveness of CARE environmental programs in mitigating negative impacts of IFFW activities it is necessary to understand CARE's role in the project which limits its capabilities to put environmental programs into effect. CARE is not the implementing agency. Activities are currently implemented by local authorities with the support of responsible BDG ministries. The division of responsibilities between different levels of local authorities and different BDG ministries is complex and shifts somewhat with current political winds. The complexities of these relationships and the division of overlapping responsibilities is one of the project's major deficiencies. CARE's role, while highly pro-active, is limited to project design, technical support, monitoring and evaluation. Payment for services is made by the BDG. CARE's role is limited to determining the level of repayment to the BDG from U.S. wheat supplies. The situation gives CARE very little control over how well or poorly sub-projects are implemented. Primary managerial control rests with responsible BDG agencies as a matter of policy and must be seen in the context of one of IFFW's principal goals which is strengthen local government institutions in rural areas. It does, however, have a significant bearing on CARE's ability to minimize negative environmental impacts and the most appropriate tools for doing this. Future activities may be implemented through local NGOs which will raise another set of control problems currently undefined.

In order to understand the situation it is necessary to understand how new projects are identified. The basic procedure for project identification is for the lowest level of local government, the union, which is a collection of villages with an elected council to prepare proposals for projects in their area. These are then passed to the next level of government, the thana, which is roughly the equivalent of a U.S. county. Each thana has a Title II allocation and formulates an overall priority list and proposal for its district. CARE then assists the thana in undertaking a presurvey. The thana is responsible for the design of the project. CARE prepares a requirement estimate and a funding report. This is passed onto the appropriate BDG ministry. In the case of roads, the Ministry of Relief and Rehabilitation is the responsible agency for earthworks and the Local Government Engineering Department is responsible for structures such as bridges and culverts. Successful sub-projects are therefore dependent on coordinated action between the ministries. At the time of writing, no structures are being installed because of a jurisdictional dispute in spite of the fact that culverts and bridges are essential for both the engineering and environmental soundness of roads. The responsible ministry makes a wheat allocation from government stocks which is made available to the thana. On completion, CARE certifies the project for reimbursement of BDG stocks by the U.S. Government. In the event of non-performance, CARE will certify a smaller quantity of wheat. However, this does not imply any sanction against the thana which has already received its stocks. Any shortfall in reimbursement by the U.S. is made up by a paper transfer from other sources available to it including its own

stocks. Under such circumstances, CARE has no practical control over the implementation of the environmental aspects of road reconstruction after sub-projects have been selected.

It should be noted that the January 1991 EA for IFFD road activities quite clearly stated:

"Engineering standards will be applied by IFFD in both the selection of alignments for reconstruction and rehabilitation, and the placement, sizing and number of drainage structures used. This will enable IFFD to minimize or avoid many of the adverse hydrologic and biological effects of past USAID-funded FFW schemes. Seasonal rainfall runoff and flood flows then will be able to pass through reconstructed or rehabilitated roads."<sup>1</sup> Road reconstruction scheme should include the necessary bridges and/or culverts as an integral part of the scheme, and to be constructed concurrently with the earthworks.

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## 5. REVIEW OF IFFW ENVIRONMENTAL ACTIVITIES

Based on the recommendations of the EA issued in January 1991 for the IFFD road component, a number of environmental activities have been started under IFFW which will be continued under IFFD. The recommendations were for:

- o The establishment of a mapping/GIS system
- o The implementation of an environmental management training program
- o The hiring of an Environmental Management Specialist for a minimum 3-year period.
- o Project classification
- o Specific biodiversity protection measures
- o Engineering oversight
- o The increased collection and use of hydrological information
- o For CARE to undertake research
- o The establishment of an environmental outreach program at the village level
- o The investigation of opportunities to encourage the development and application of irrigation technologies

The EA defines an environmental impact assessment (EIA) process for sub-projects as a mitigation measure, that is a measure to which CARE is committed as a condition of IFFD project approval.

**The establishment of a mapping/GIS system** - At this time the establishment of a mapping/system is planned but has not been implemented. Training activities have been undertaken for thana staff to improve the quality of local mapping of sub-projects.

**The implementation of an environmental management training program** - CARE does not have direct control over the design and implementation of IFFW sub-projects and thus lacks the most effective tool for the implementation of an environmental program. Possibly the only remaining practical tool for the environmental improvement on the program is training. Currently, in practice, unions and thanas select and design projects. If payment is not certified

by CARE because of non-compliance with environmental requirements, the BDG is likely to make up shortfalls from its own resources. There is, therefore, little incentive to comply with such requirements unless it is seen to be in the interests of the union.

A training program has been initiated and five-day training programs have been provided to CARE field staff responsible for monitoring sub-projects. At the time of preparation of this report, one-day environmental procedures review sessions were being undertaken by field staff for Thana Project Implementation Officers (PIO) and thana engineers. These were not designed to address substantive environmental issues. Thana engineers, however, were forbidden by their superior in the Ministry of Local Government to attend due to the jurisdictional dispute with the Ministry of Relief. A draft five year training strategy for IFFW environmental mitigation training has been prepared.

The team were unable to make a good assessment of the impact of the environmental training program on CARE engineers. It had undoubtedly greatly increased their awareness of environmental issues while it is not conceivable that such a short program largely given in foreign language could have given them a deep understanding of them.

It is the review team's assessment that the thana officials are largely interested in the procedural aspects of the environmental program, that is the requirements for Preliminary Environmental Reviews (PER) and Scheme Environmental Assessments (SEA), and not substantive issues. A team member attended the end of one review session. The sessions are due to start at 10:00 a.m. and finish at 4:00 p.m. Sessions are reputed to start late. He arrived at 2:20 p.m. when the rap-up speech was just ending. This enabled him to have a discussion with the PIOs present. They considered the session very useful. When asked what were their major concerns they replied only that they needed engineering assistance to design bridges and culverts, the subject of the jurisdictional dispute. When asked what were their major environmental problems, they looked puzzled and could not answer. When asked for their suggestions, one was for more local participation in sub-project design. This could reflect a desire to remove design restrictions imposed by CARE and thus to benefit special interests rather than a genuine concern to use local knowledge to protect the environment.

**The hiring of an Environmental Management Specialist for a minimum 3-year period** - an Environmental Management Specialist was hired in September 1991. His current contract runs to September 1993, a two year period. An Environmental Management Unit (EMU) has been established and a local environmental analyst added to the staff. While an excellent start has been made to establishing an environmental program as described in this section, this small unit cannot hope to implement an effective program for an activity as large and complex as IFFW and the follow-on IFFD. Its capacity will need to be greatly increased.

**Project classification** - A three level environmental project classification significant system was recommended to be based on physical criteria. This recommendation, which identifies minor, moderate, and significant impact project categories uses different defining criteria than that identified for the categories of minor, moderate and significant impact projects in the mitigation section. This EIA process has been designed requiring a PER of sub-projects and a follow-up SEA of those meeting certain criteria. An Environmental Reference Handbook has been prepared which describes environmental issues and includes the PER/SEA requirements as an appendix. Two accompanying booklets have been prepared describing illustrative case studies of a road and canal project respectively. The procedure is to be implemented beginning with the Year 1994 schemes submitted in March 1993. A Louis Berger team member undertook a trial SEA for sub-project accompanied by the CARE Environmental Management Analyst and the CARE Dhaka Sub-Office Project Engineer. Based on this an assessment was made that the implementation of this procedure is entirely feasible. It is estimated that on average each SEA will require four person days to complete. This includes time for review and processing revisions of sub-project design. As indicated in Section 7 below, it is estimated that this will require an additional 98 staff to fully apply. The implementation of the PER/SEA procedure therefore requires a major commitment of resources under the IFFD Project. In addition, the review and processing of SEAs will require a level of discretion foreign to CARE's management approach and will therefore impel CARE to undertake a complete review of its operations.

**Specific biodiversity protection measures** - the specific biodiversity measures recommended were related to the design of earthworks to facilitate fish passage and revegetate embankments. There was no sign of these measures being put into practice and culverts and bridges are not currently being designed due to the jurisdictional dispute between BDG ministries mentioned above.

**Engineering oversight** - It was recommended that USAID-funded FFW recruit, whenever possible, technical assistance from an existing engineering and environmental science assistance that works with the BDG, but is autonomous. This has not been done and does not appear to be practical.

**Hydrological information** - It was recommended that the USAID-funded FFW program collaborate with other on-going research efforts to obtain quantitative information on rainfall, flood flow conditions and floodplain characteristics related to agro-ecological changes. There is no sign that this is being done in a systematic way. There appears to be a lack of understanding of water flow related issues and their relationship to FFW environmental activities except in generalized terms such as the need for better cross-flow and drainage on road embankments. This is a serious weakness of the program, as hydrology is the key issue concerning the deltic floodplain ecology of Bangladesh. CARE projects have the potential for significant cumulative impacts on hydrology. This is compounded by modern agricultural practices (i.e. groundwater pumping, beel draining, etc.), the hydrologic impacts of which have

not been fully studied. CARE needs the capacity to address the hydrologic impacts of its projects.

**Research Activities** - This appears to recommend that CARE should undertake field research to quantify impacts of its existing and proposed activities. This does not appear to be happening for lack of man-power.

**Overall Review** - At the present time the IFFW environmental activity appears to be more a peripheral activity driven by USAID environmental regulations and project cycle requirements rather than an integral component of IFFW development. The PER/SEA procedure have been formalized and tested but not put into practice. As indicated above in relation to the construction of bridges and culverts for roads and non-implementation of requirements for proforma sub-project funding applications to meet environmental criteria, decisions having significant environmental impacts are continually being taken without objective consideration of the impacts.

## 6. OBSERVATIONS

The CARE FFW program commenced in 1975 and USAID Environmental Procedures (22 CFR 216) were enacted in June 1976 (41 FR 26913) but were not applied to the CARE-Bangladesh FFW program until 1990. Since that time an EA has been prepared for the road construction/reconstruction activities under the upcoming IFFD Project. An environmental impact review process has been designed but not implemented and an environmental training program is under way. Considering the resources available an excellent start has been made. However, there appears to be an under-appreciation on the part of the USAID Mission in Dhaka of the magnitude of the task which must be undertaken. Its magnitude is beginning to dawn on the management of the CARE operation. CARE process about 4,000 sub-projects per year covering 315 thanas. The implementation of the PER/SEA procedure for CARE FFW activities is an attempt to adapt and institutionalize U.S. style environmental procedures within an accelerated time frame for an activity which affects a significant proportion of the people of Bangladesh, a country with a population of over 100 million. Realistic goals are needed if this effort is to succeed. Currently, as described in Section 4, environmental requirements are not being applied. Training has been given in the PER/SEA procedures. It is planned to implement them on a trial basis in the 1993/94 season.

Despite its shortcomings and problems, the CARE FFW program can be seen to highly successful in achieving its twin goals of providing food and employment opportunities for destitute people and supporting development in the rural areas of Bangladesh. In a field more distinguished by its failures, it is doubtful whether any other multi-national agency or bi-lateral aid program has the capacity to make such a positive impact. While the fact that environmental requirements are not being applied would appear to be justification for USAID to cease funding it, to stop the CARE FFW program could lead to regression in the development in many rural areas of the country, the loss of a significant income source for a significant number of destitute people and an increase in the death rate due to malnutrition and associated health problems. The emphasis necessary, therefore, is on implementing a feasible environmental program.

The current focus on re-orienting the CARE FFW to meet development needs by undertaking new types of activities greatly compounds the problem of implementing an effective environmental activity. New types of activities includes both new types of projects and new approaches to implementation, that is working through NGOs at union level rather than the BDG at than level. For example the proposal to rehabilitate urban drains will require considerations of occupational health and safety. It will also require CARE to train municipal government in its requirements. CARE-Bangladesh has developed a sophisticated administrative system to undertake its current activities. This is largely focussed on USAID financed transportation infrastructure in rural areas. However, CARE also undertakes a range of different activities

funded by donor agencies other than USAID such the CIDA and ODA. Each activity is administered through some outside agency, whether a BDG local or central government agency or another NGO. Where new activities have to be implemented through a new agency, or a different department in the same agency, an extensive training and monitoring program will have to be undertaken to implement the environmental procedures. This will divert resources and have a strong negative impact on CARE's ability to implement a successful environmental activity.

A major problem in the implementation of a successful environmental activity is CARE's somewhat rigid structure based on the real and perceived needs to ensure that full payment reaches the FFW laborers and that the sub-project selection and implementation process is not unduly distorted by political pressures. The basis of the PER/SEA procedure is to allow discretion in determining the appropriateness of mitigation measures and whether to approve proformas on a sub-project by sub-project basis. It must be clear as to who has the authority to make these determinations and what skilled advice he/she will require. The implications in terms of work load on the responsible CARE officials and the numbers and skills of their environmental advisors needs to be carefully assessed. Specifically it should review the impacts of the roads again and determine whether PER/SEA procedure could be replaced with construction standards and project limitations which would ensure that road reconstruction and other activities do not have a significant impact on the environment. The disadvantage of such a system is that, as with current restrictions on new construction of over 500 feet, it may have to be so restrictive as to prevent the implementation of many environmentally sound projects and prevent CARE being able to authorize projects to the limits of the wheat allocation available. It is thus recommended that any new EA again cover roads as well as other activities. However, in view of the high cost of implementing the PER/SEA procedure and practical and administrative problems involved, CARE should include a review of the procedure in the scope of work for the upcoming EA for IFFD activities.

It is not within the of this review to study the administrative structure of CARE and to advise on the means of delegating discretionary powers to lower levels of management without negative impacts on the project's overall performance. Two studies have recently been undertaken on CARE's institutional and management capabilities<sup>2</sup>. The first study was strong in its overall analysis but unfortunately did not provide the level of detailed analysis necessary to determine how the environmental program can interface with CARE's administrative system, providing the

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<sup>2</sup>Fox, Leslie M., Integrated Food-for-Development Program. Institutional Analysis/Management Assessment: a Project Wide Managerial and Feasibility Analysis, Associates in Rural Development, December 1992 and DAI/IDA Food for Work Analysis Team, Integrated Food for Development Program. Feasibility and Management Capability Analysis: Project-Wide and Component-Specific, February 1993.

level of control combined with discretionary choice necessary for the program to function effectively. The second study, which was reviewed as an initial draft only, did not assess the CARE structure but rather develops a central premise to be that the IFFD Project should be operated on public participatory basis at Union level. The concept is that local people should be encouraged to take a positive role in selecting projects and by inference, in developing an environmental consciousness. Unfortunately it did not contain an assessment of the administrative implications. In the absence of some alternative approach, taken to its ultimate development and based on CARE having about 3,000 unions in its service area, it is estimated that such a system would require between 300 and 1,200 highly competent and motivated environmental extension agents to be implemented. The problems of who should employ these agents, CARE, a BDG agency, or CARE supported NGOs and how they can be mobilized to meet USAID's statutory requirements are not addressed. The magnitude of this task is totally out of scale in terms of the capabilities of an organization which is in the initial stages of developing its environmental activities. At the time of writing, a final draft has not been seen and it is not known how this issue has been addressed.

## 7. RECOMMENDATIONS

1. The primary goal of the CARE environmental program should be to implement projects with strong overall positive impacts as well as minimizing negative impacts. This point is made because the USAID regulations and the EIA process to which CARE is responding emphasizes the avoidance of negative impacts.
2. In a project such as IFFW/IFFD, there is naturally a significant concern that the costs of administration do not outmatch the benefits to the local population. There is, therefore, pressure to minimize the costs of implementing an environmental program which may be seen as peripheral to the central focus of a development program. However, the USAID FFW program which has been in continuous operation for seventeen years, employs about 500,000 laborers and has had a major impact on the rural scene in Bangladesh as can be witnessed by a journey through a countryside which is criss-crossed by rural feeder roads built on embankments, many of which have been funded by USAID under the FFW program. In the long term, the USAID IFFW/IFFD projects can have environmental impacts which greatly exceed the cash value of the wages paid to laborers and significantly shape the nation's future environment and the sustainability of its agricultural system. If environmental impacts and long term economic consequences are taken into account, the net developmental impact can be negative. For example the costs to agriculture of waterlogging and loss of fertilization from flooding may far outweigh the economic benefits of a road which does not contain adequate culverts and bridges. Considering the resources available, CARE has established a highly credible environmental program. However, considering that:
  - a). CARE simultaneously supports several thousand individual road and canal sub-projects and each is unique in some of its features and each requires the implementation of the PER/SEA procedure;
  - b). the complexity of environmental issues;
  - c). the general lack of understanding of these issues;
  - d). the requirement to simultaneously implement an environmental monitoring capability and training program to cover CARE's staff and Bangladesh counterpart staff servicing 6 CARE sub-offices and 315 thanas;
  - e). the effort required to understand and meet USAID regulatory requirements; and
  - f). the pressures placed to consider new environmental issues by current continually

shifting plans to diversify FFW activities under the IFFD project;

the CARE environmental program should be greatly expanded under IFFD as detailed below.

3. In its administration of existing FFW programs and in the development of new activities, CARE should take a more holistic approach in combining technical, administrative, social and environmental issues. Each impacts on the other. The technical specifications, construction standards, selection criteria, the capabilities of counterpart BDG agencies, the method of payment and the monetization of wheat all have environmental implications which should be considered in activity design. For example, the monetization of wheat and payment through construction contracts can lead to reduced benefits to target unskilled laborers and increased benefits to more highly skilled construction workers. Activities should seek to have positive environmental consequences and the level of positive impacts should be an important criterion in activity selection.
4. The implications of the size of the task of implementing an effective environmental program conforming to USAID requirements should be considered by CARE. The majority of IFFW activities are currently administered through Ministry of Relief and Ministry of Local Government officials at the thana level. Union chairmen are increasingly to be involved. These officials will have to be trained in the environmental requirements of USAID funded IFFW/IFFD sub-projects which differs from those funded by other donor agencies. This implies:
  - a). In considering new activities, the need to work with and train a different BDG counterpart agency, or different staff within the same agencies, should be an important criterion in the selection of the activity. The capability of CARE to service this need and for the counterpart agency to absorb it will be a negative factor. The opportunity for additional training and awareness of environmental issues in BDG agencies will be a positive factor.
  - b). The magnitude of the task of implementing an environmental program will place a severe strain on CARE's resources. CARE should consider restricting the geographical extent of its activities to those its environmental program can effectively service. To the extent that other donors are still in the field, it should consider the possibility of dividing the country with other FFW donors so that it concentrates its activities in certain districts leaving other districts to be serviced by other donors. This would have a double benefit: it would allow CARE to implement its program in greater depth and it would make it more difficult for local officials to get environmentally unsound projects funded by other donors.

- c). CARE should resist pressure by USAID to continually consider new activities and methods of operation.
5. The CARE environmental program should have three separate components:
- o Monitoring of the EIA process to conform to USAID requirements,
  - o Environmental training, and
  - o Technical assistance.

The monitoring program will require a level-of-effort similar to the engineering monitoring program. Only time and effort will determine whether CARE field engineers, and eventually thana engineers, can be trained and used as environmental monitors. CARE should plan to have at least one environmental specialist in each sub-office primarily concerned with IFFW/IFFD activities at a future date. These should be first trained at headquarters and then be assigned to sub-offices.

The training program should be designed to both disseminate and collect knowledge about the environment. The goal of the training program is to develop a consciousness and understanding of environmental issues and strategies in order to develop net positive impacts on CARE activities. Training for CARE staff has addressed environmental in substantive terms. However, the current training program for thana staff emphasizes the formalistic requirements of the PER/SEA process and appears to be seen by recipients as how to handle a new procedural requirement, something akin to the filling out a tax form. Concern with substantive environmental issues is likely to occur when schemes start to be rejected after review by the PER/SEA procedure and the reasons are understood. It should be envisioned that in the long term, this formal training program for CARE and BDG staff should be accompanied by a non-formal training and public participation program for the local level working through the union parishads. This program should not solely aim at increasing environmental awareness but also should draw upon villagers intimate knowledge of their own environment on which they eke a meager existence and are subject to its unpredictableness. However, it is strongly recommended that initially the training program should concentrate on CARE and BDG than personnel. The inclusion of a full-time expatriate training expert for environmental training only in the IFFD proposal is strongly supported.

The technical assistance group should aim to develop a multi-disciplinary team of Bangladeshi environmental specialists to service the specialist needs of the CARE environmental program. It is recommended that specialists in the following areas be included:

- o Terrestrial ecology
- o Aquatic ecology
- o Flood and wetland ecology
- o Tree planting
- o Agriculture
- o Soil science
- o Water quality
- o Hydrology
- o Rural sociology
- o Public participation

It is recommended that this team be largely recruited from entry level university graduates and should develop on-the-job experience with CARE even though this implies time to gain experience. It is strongly recommended against depending on support from BDG for this technical assistance as this should be a field oriented and not an administrative activity. It is hoped that many individuals who gain experience through CARE will at a later date join BDG agencies to strengthen their environmental activities. If this is successful it will assist in the development in the institutional capacity of BDG and could, in itself, be considered a successful outcome of IFFD.

It is understood that there are two vacant positions in the Environmental Management Unit. It is strongly recommended that these be filled as soon as possible.

6. As indicated in the previous section, the development of an effective environmental activity for CARE will take a significant amount of time. It is recommended that a five-year development of the program be planned under IFFD with targets for the implementation of specific components.
7. The PER/SEA process set up by CARE is a good basic structure for implementing an EIA process. However, the term "environmental assessment" (EA) reflects a specific procedure under USAID regulations. All EAs have to be approved by the USAID Asia Bureau in Washington. Therefore, it is recommended that the term "scheme environmental assessment" (SEA) be changed to "scheme environmental review" to avoid possible confusion between the requirements of the USAID regulations and the CARE internal EIA review process developed as a mitigation measure under a USAID EA. The EA process and Washington review should be confined to the activity level and not to individual sub-projects.

It is also clear that the PER/SEA process cannot be effectively implemented immediately. Resistance to the restrictions it places on the discretion of CARE and BDG staff and the administrative burden it adds will encourage every possible effort to circumvent it. As

it is applied its shortcomings will become apparent and it will have to be revised. A long-term realistic strategy should be developed to implement the procedure over a time period combining enforcement with training and technical assistance.

The PER/SEA procedure should reflect the requirements of Sections 118 and 119 of the Foreign Assistance Act and exclude all activities which impact on relatively undisturbed forest lands, protected areas and national parks. In the context of CARE's activities in Bangladesh, the procedure should specifically circumscribe activities in the Sunderban region.

In order to comply with USAID regulations, activities allowable under IFFD should be precisely described in the Project Paper (PP) and EA together with all the required mitigation measures. The PER/SEA procedure should ensure that only schemes complying with the conditions set in the PP/EA are permitted.

8. However, in view of the high cost of implementing the PER/SEA procedure and practical and administrative problems involved, CARE should include a review of the procedure in the scope of work for the upcoming EA for IFFD activities. Specifically it should review the impacts of the roads again and determine whether PER/SEA procedure could be replaced with construction standards and project limitations which would ensure that road reconstruction and other activities do not have a significant impact on the environment. The disadvantage of such a system is that, as with current restrictions on new construction of over 500 feet, it may have to be so restrictive as to prevent the implementation of many environmentally sound projects and prevent CARE being able to authorize projects to the limits of the wheat allocation available. It is thus recommended that any new EA again cover roads as well as other activities.
9. CARE should establish the proposed GIS system in order to implement a record and monitoring system. This system should be a tool for determining the effectiveness of the CARE environmental program and also for identifying potential environmentally unsound projects.
10. The environmental management plan is a useful tool for implementing an environmental program for an activity and is recommended. It is described in Volume II.
11. Similarly, the environmental monitoring plan is a useful tool for monitoring the environmental effects of an activity and is recommended. It, also, is described in Volume II.

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12. It is recommended that the position of Environmental Management Specialist be re-designated Environmental Unit Manager and he should report directly to the CARE-Bangladesh Country Director. This recognizes the managerial nature of the position and the importance of the environmental program to CARE. This should be designated as an expatriate position.

## 8. IMPLEMENTATION PLAN

The following is an outline plan to implement an environmental program for the CARE IFFD program which meets requirements of USAID regulations. This is based on the PER/SEA procedures which are described as a mitigation measure in the Programmatic EA which was submitted and presumably approved. At this stage the implementation plan, which has major implications, has not been studied in depth in the context of its impacts on CARE's administrative structure and capabilities to the extent necessary. It was prepared as the first iteration of a plan which will require successive refinement for two purposes, to assist CARE in getting its environmental program off the ground and to provide a basis for CARE to estimate the resources needed and to prepare their final proposal for the IFFD Project which has to be submitted in less than two weeks after the submittal of this draft report. It, therefore, foresees a phased implementation schedule during which it should be carefully and continually reviewed in-house for the specific purpose of modifying it to reflect experience gained in its implementation.

In order, to be able to estimate the work load, CARE divided the Year 92/93 proforma applications from sub-offices according their PER classification. This classification: minor, moderate or significant potential environmental impacts, is dependent on arbitrary criteria which do not necessarily reflect true environmental concerns but are the best measure available for designing a policy. The results are as follows:

	<u>Minor</u>	<u>Moderate</u>	<u>Significant</u>
Earthworks	41%	38%	21%
Structures	42%	56%	2%
Total sub-projects	42%	47%	11%

In order to phase the system in, the following schedule is recommended:

**Year 93/94** The PER/SEA procedures will be largely undertaken during the period March-September 1993 under the IFFW project. Only two additional environmental slots are authorized for the EMU. Training has been given to CARE field staff but at the time of writing, their capabilities in applying the SEA procedures have yet to be fully tested. Therefore, it is proposed that the SEAs be performed on sub-projects classified as having a significant potential impact from one sub-office only. The Dhaka office had no sub-projects rated with significant potential impacts in Year 92/93. Based on proformas submitted in the 92/93 season, the

Mymensingh office has 94 earthworks projects and 36 structures classified as having significant potential impacts, a total of 130 SEAs. This is the recommended target. Mymensingh is suggested as the target district for logistical reasons. It is only a two-hour drive from Dhaka. Based on 4 person days per SEA, 520 person days are required to complete these SEAs. Based on the EMU having a total staff of 4 spending 50 percent of its time preparing SEAs over a six month period of 120 work days, the EMU can contribute 240 person days and the Mymensingh will be required to contribute 280 person-days equivalent to the full-time participation of over two field staff. The SEA process requires review and decision making, a process which does not match CARE's current structure. It is likely to be somewhat time-consuming initially. On this basis, one person-day per SEA should be allowed for SEA review, totalling 130 person days. In practice, the people involved will be the Sub-Office Administrator, the Sub-Office Project Engineer and the Environmental Unit Manager. This implies that about one third of their time between March 15 and September 15 will be spent reviewing SEAs. This should have the positive benefit of providing an incentive and impetus to the process of effective delegation of authority. Each SEA team will be comprised of two people. It is recommended that one of these always be a member of the Mymensingh Sub-Office field staff. This provides a double benefit as it allow the calculation of quantities required for the SEA process to be done by trained staff and thus saving time during the pre-survey and will make field staff thoroughly familiar with SEA requirements. Field staff should be rotated so that all the staff gain experience in the SEA process. Working with field staff, EMU staff will gain a good exposure to the realities of the SEA process which will be an added benefit. The preparation of PERs is a relatively short process and will be absorbed in the PER/SEA process. A summary of the total commitment to the PER/SEA process during the Period March 15 to September 15, 1993 is as follows:

#### Mymensingh Office

SEA Preparation - 2 field staff equivalent full time (staff to be rotated)  
SEA Review - 33% commitment of time by Administrator and Project Engineer

#### Environmental Management Unit

SEA Preparation - 2 staff equivalent  
SEA Review - 33% commitment of time by Environmental Unit Manager

As indicated above the term "staff equivalent" is intended to indicate that

the work can be divided by many staff members but that this provides an estimate of the extra number of staff needed to ensure the completion of the work. On completion of the PER/SEA procedure for the 93/94 season on September 15, the EMU should revise the procedure based on experience and re-design the forms accordingly. A training program should be developed based on experience which will require the commitment of both EMU and sub-office staff time. In addition, additional EMU and field staff need to be recruited to undertake SEA review in the 94/95 season. An environmental monitoring program should be undertaken of projects completed in the 92/93 season and on-going in the 93/94 season.

**Year 94/95** It is suggested that all sub-projects at all sub-offices classified as potentially having significant impacts by the PER process be subject to SEAs. An environmental specialist reporting administratively to the Sub-Office Administrator and technically to the Environmental Unit Manager should be appointed in the Mymensingh office to undertake all reviews there. Based on an estimate of 4,000 sub-projects, 11 percent requiring SEAs this will require 1,760 person days for undertaking SEAs and 440 person days for reviewing SEAs. Based on completing this work in the six-month period, March 15-September 15, 1994, this will require additional resources equivalent to 15 staff throughout the CARE operation plus one environmental specialist at Mymensingh and a 33 percent commitment of time by the Sub-Office Administrator and Project Engineer at the other sub-offices. If it is assumed that the EMU can contribute the equivalent of 7 staff, 6 additional staff (8 minus 2 assigned in Mymensingh in Year 93/94) will be required in sub-offices and field offices. In addition a training coordinator will be required in each sub-office to assure the implementation of ongoing training programs. Thus the additional resources will be as follows:

	<u>93/94</u>	<u>94/95</u>	<u>Total</u>
EMU	2 spec.	5 spec <sup>1</sup>	7 spec.
Mymensingh			
-staff	2 staff		2 staff
-env. spec.		1 spec <sup>2</sup>	<u>1 spec.</u>
			3 Tot.
Other sub-offices		6 staff	6 staff

Training coordinators		6 train	6 train
Totals	4 staff	18 pers.	22 pers.

<sup>1</sup>The term specialist refers to an environmental specialist as compared to the term staff which refers sub-office field staff.

<sup>2</sup>Assuming that the specialist is drawn from the EMU and replaced.

It is assumed that the environmental specialist for the Mymensingh sub-office will be drawn from the 93/94 EMU staff having gained experience in SEA work. It is suggested that a detailed review of PER/SEA program be undertaken after September 15, 1994 and the level SEA requirements be reviewed in light of experience. In addition to this review, the EMU Technical Assistance Group should be built up and assignment of environmental specialists should be made to each sub-office. Training activities should continue. Efforts should be made to formalize procedures such as the design of structures and the use and re-habilitation of borrow areas.

Year 95/96 Though this program may be modified based on review, the following assumptions are made for budgeting purposes. It is assumed that the SEA criteria will be re-set so that 50 percent of sub-projects with potential moderate impacts will be subject to SEAs in addition to the potentially significant impact sub-projects. It is assumed that one environmental specialist will be placed in each sub-office and that he will be responsible for the review of SEAs. It is assumed that the SEAs will be completed by field staff. EMU staff will provide technical support, monitoring and training services. The EMU will consist of the Environmental Unit Manager, Deputy Manager and 6 professionals. 35 (24 + 11) percent of sub-projects will require SEAs, totalling 1,400 sub-projects requiring 5,600 person days to complete, equivalent to 43 field staff. An additional 35 field staff will be required. The following additional staff will be required:

	<u>93-95</u>	<u>95/96</u>	<u>Total</u>
EMU	7 spec.	-1 spec <sup>1</sup>	6 spec.
Sub-offices			
-staff	8 staff	35 staff	47 staff
-env. spec.	1 spec.	5 spec.	6 spec.

Training Coordinators	6 train		6 train
Total	22 persons	39 persons	61 persons

It is assumed that the 5 additional sub-office environmental specialists would be drawn from the EMU and 4 new specialists will be recruited to replace them.

**Year 96/97** It is assumed that all sub-projects with potentially moderate and significant impacts will require SEAs. In order to undertake the review of SEAs effectively at sub-office level, two environmental specialists will be required at each sub-office. 58 percent of sub-projects will require SEAs totalling 2,320 sub-projects, requiring 9,280 person days to complete equivalent to a staff of 78 persons. The EMU staffing will increase to 2 managers plus 8 professionals. This will require the following staffing:

	<u>93-96</u>	<u>96/97</u>	<u>Total</u>
EMU	6 spec.	2 Spec.	8 spec.
Sub-offices			
-staff	43 staff	31 staff	74 staff
-env. spec.	6 spec.	6 spec.	12 spec.
Training Coordinators	6 train		6 train
Totals	61 persons	39 persons	100 persons

**Year 97/98** It is assumed that staffing levels will stay at Year 96/97 levels.

It should be noted that this implementation plan is based on SEAs carried out between March 15 and September 15 of each year during which there will be 120 working days available. No doubt this raises the question of what to do with the additional staff for the rest of the year and whether the SEA period can be extended. It must be stressed that the SEA process will be a discretionary one. It will require many sub-project proformas to be returned to thanas for modifications and will lead to many discussions of what is environmentally acceptable and what is not. This will require much staff time to resolve. It is foreseen that the additional staff will be fully occupied if not stretched. In addition, training is foreseen as a continuing inter-active process between the EMU, environmental specialists at sub-offices and field staff. It will also

be an inter-active process with thana staff. In this context an inter-active process should enable sub-office and thana personnel to contribute to the body of knowledge being built up at the EMU and disseminated throughout the CARE-Bangladesh operation. It should lead to the identification of environmental issues requiring investigation and research. It is also certainly to be hoped that this extensive knowledge base on the environment will be made available to all organizations interested in environment of Bangladesh and especially BDG agencies.

Some public participation activities in the form of attending and addressing public meetings can also be included within these staffing levels. However, they make no provision for local participation at the level recommended by the DAI/IDA team whether at an experimental or operational level. This would need significant additional resources and would stretch the EMU's capabilities to implement this program to a level which is likely to have a detrimental effect on its development.

Table I summarizes IFFW/IFFD staffing level projections.

**TABLE 1,  
IFFW/IFFD ENVIRONMENTAL STAFFING LEVEL PROJECTIONS**

<b>Fiscal Year (FY) and Goals (Proformas Reviewed, Number of Sub-Offices)</b>						
<b>Staff Type*</b>	<b>FY 93/94 Significant Proformas 1 Sub-Office</b>	<b>FY 94/95 Significant Proformas 6 Sub-Offices</b>	<b>FY 95/96 Significant and 50% Moderate 6 Sub-Offices</b>	<b>FY 96/97 All Significant and Moderate 6 Sub-Offices</b>	<b>FY 97/98 All Significant and Moderate 6 Sub-Offices</b>	
E.M.U. Environmental Specialist	2	7	6	8	8	
Sub-Office Environmental Specialist	0	1	6	12	12	
Sub-Office Engineering Staff	2	8	43	74	74	
Sub-Office Training Coordinator	0	6	6	6	6	
<b>TOTAL STAFF</b>	<b>4</b>	<b>22</b>	<b>61</b>	<b>100</b>	<b>100</b>	
Projected SEA Workload	130	440	1400	2320	2320	

\* Measured in staff equivalents

NOTE: Additional administrative effort in first two years is not reflected in the table

***APPENDIX A***  
***SCOPE OF WORK***

Scope of Work  
Environmental Assessment  
CARE- International in Bangladesh  
Integrated Food for Development

I. PROBLEM STATEMENT

CARE International in Bangladesh (CARE) is seeking a qualified consultant to provide short-term assistance in developing procedures for assessing the potential environmental impacts of the proposed USAID- funded Integrated Food For Development (IFFD) project. IFFD is the follow-on project of the existing PL-480 Title II Integrated Food for Work Program (IFFW). The environmental assessment procedures are proposed to be incorporated with the joint USAID/ CARE design of IFFD during Fall 1992. The new procedures will ensure that all new proposed program activities will be reviewed for their environmental impact in a manner that is complementary with the Environmental Procedures of the United States Agency for International Development as set-forth in Title 22 Code of Federal Regulations (CFR), Part 216.

II. PROJECT BACKGROUND

Since 1975, CARE-Bangladesh on behalf of United States Agency for International Development (USAID) annually has monitored rehabilitation of approximately 1800 schemes for rural earthen roads & canals and construction of 1800 small drainage structures and bridges spanning less than 40 feet in rural Bangladesh under CARE's Integrated Food for Work (IFFW) Project. The IFFW project provides dry season employment to over 500,000 male and female laborers in 300 Thanas spanning 44 out of 64 districts of Bangladesh. The actual implementation of the schemes is done primarily by the Ministry of Relief, although recently a few projects have been implemented by non-governmental organizations (NGO). Currently CARE Bangladesh employs 230 Bangladesh engineers to survey the schemes before and after construction and to spot-check the 3600 sites on a random basis to assess the progress and quality of work.

As CARE's five-year agreement with the Government of Bangladesh (GoB) ends in September 1993, the IFFD program design process aims to have a signed agreement between CARE and USAID and between CARE and the GoB for the new project by October 1993. Interim target dates include an IFFD Multi-year Plan (MYP) and Program Proposal by the end of October 1992 and an USAID IFFD Program Paper by the end of March 1993.

The new IFFD program will include multiple new sub-program components that diversify the interests of the IFFD. CARE must adopt procedures for systematically determining the environmental impact of all major IFFD sub-program components. The general procedures must be commensurate with the environmental procedures of USAID and approved by USAID (Dhaka mission and Washington). Each sub-program component outside of the scope of the original 1990 environmental assessment must be reviewed under these new procedures and the results reported to AID for its concurrence prior to implementing any individual sub-program schemes. This is not a scheme-specific review process but rather addresses the broader impacts of the sub-

program component activities. Following approval of each sub-program component, individual schemes within a sub-program component will be reviewed as per the recently adopted PER/SEA system described below.

#### CARE- Bangladesh, Environmental Management Unit

The present CARE IFFW Project was assessed for its impact on the environment of Bangladesh by the donor agency, USAID in 1990. The Environmental Management section was created in September 1991 in response to concerns that the Integrated Food For Work project (IFFW) was causing significant environmental damage during implementation of its schemes. The Environmental Management section prepared new environmental review criteria for selection of individual schemes proposed in local counter-part initiatives. A general project environmental assessment tool (see PER/SEA below) was created to assess the potential environmental impacts of proposed schemes. Training materials, lesson plans and a multiple year training program also were prepared to assist CARE staff in implementing the new review process and to prepare them for training their local counterparts.

#### Assessment of Environmental Impact (PER/SEA)

In order to more effectively target available CARE manpower for environmental review, the PER/SEA system was developed as a two-step process which identifies larger projects for environmental impact assessment. All schemes are initially screened in the office using the Preliminary Environmental Review (PER) and classified as potentially having either minor, moderate or significant adverse impacts. This classification generally is based on criteria such as the size of area affected or the amount of wheat resources requested per linear length of alignment. Thus larger projects or those that appear to use a higher amount of wheat according to the PER are selected for closer scrutiny via the Scheme Environmental Assessment (SEA) process.

The SEA is conducted jointly as a field examination by CARE and GoB staff. The SEA identifies those features occurring within the scheme influence area that may be affected by the scheme implementation. This may include valuable stands of vegetation, homestead sites, water-wells, potential drainage problems, potential "borrow pits" which provide earth for the earth-work schemes, fish migration routes and cultural or historically important sites.

Assisted by this additional information, CARE and local GoB staff identify potential problems that have not been addressed in the initial scheme proposal and then decide whether the scheme should be implemented as initially proposed. CARE staff can recommend revisions to the scheme proposal which will mitigate or eliminate the adverse impacts or which may enhance beneficial impacts. These revisions are then incorporated into the scheme proposal prior to conducting the joint pre-survey where the actual allocation of wheat or taka resources for the scheme is defined. It should be noted that SEA can be invoked if conditions are found during

the pre-survey which indicate that moderate or significant environmental impacts may occur during implementation of a scheme that was initially classified as Minor during the PER.

### III. CONSULTANT ACTIVITIES

The consultant will provide expertise in the design and implementation of a procedure for examining the environmental impacts of proposed new sub-project components. The consultant will generate a set of procedures that provide a level of environmental review that is compatible with the standards set-forth in the USAID Environmental Regulations, 22 CFR, Part 216. In order to accomplish such a assignment, the following major tasks should be undertaken (although this should not be interpreted as the only tasks necessary to accomplish the assignment):

Conduct opening discussions with CARE staff including: Environmental Management Specialist, Project Coordinator, Deputy Country Director, and Assistant Country Director.

Review the USAID Environmental Regulations, 22 CFR, Part 216 and clarify interpretations, if necessary, with AID/Dhaka Environmental Officer or AID/ Washington.

Review present CARE procedures for environmental assessment.

Develop policy and procedures for project environmental review with input from IFFW Environmental Management Specialist and with other CARE project coordinators.

Provide policy and procedures for review and comment by CARE senior staff and AID (Dhaka and Washington) staff.

### PRIMARY OUTPUTS

The consultant will write a policy and set of environmental procedures that can be attached as an annex for the IFFD Project Proposal document submitted to USAID. The procedures must be agreeable to CARE International, AID/ Dhaka and AID/ Washington.

Note: All written materials should be provided in Word Perfect 5.1 formate and provided on 3 & 1/2 inch computer disk media. Lotus 123 or Quatro Pro are the standard spreadsheet programs used at CARE and should be used, if necessary, for preparation of tables.

### V. TIME FRAME

Prior to starting, the consultant must provide a time schedule for implementation of work. The consultant is expected to start approximately 25 November 1992. The consultant should be

familiar with the various IFFD and IFFW documents prior to arrival in country, such as the IFFW 1985-93 Multi-year Operation Plan, the Programmatic Environmental Assessment and the draft IFFD Project Proposal. CARE will provide these documents in advance.

## VI. CONTACTS

Primary CARE contact will be Steven Nakashima, the IFFW Environmental Management Specialist.

ref: c:\steven\myp\sowea.pro  
Revised 25 October 92

***APPENDIX B***  
***LIST OF PREPARERS***

## LIST OF PREPARERS

The subject document was prepared by the Louis Berger International, Inc. (LBI) team of R. Andrew Blelloch, P.E. Director of Environmental Services and Richard E. Marx, P.P., Senior Environmental Planner in country between the dates of February 6, and March 2, 1993.

***APPENDIX C***  
***LIST OF CONTACTS***

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## APPENDIX C

### LIST OF CONTACTS

Edward Brand, Country Director  
CARE-International, Bangladesh

Nick Richie, Deputy Country Director  
CARE-International, Bangladesh

Jonathan D. Hodgdon, Coordinator, IFFW  
CARE-International, Bangladesh

Ronald Audette, Coordinator, RMP  
CARE-International, Bangladesh

Nancy Blum, Coordinator, Disaster Preparedness Unit  
CARE-International, Bangladesh

Helene Cameron, Administrator  
CARE-Jessore Sub-office

Peter Nesbitt, Administrator  
CARE-Mymensingh Sub-office

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CARE-International, Bangladesh

Rosalie A. Fanale, Director  
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Julie Defler, Deputy Director  
PD&E, USAID, Dhaka, Bangladesh

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PD&E, USAID, Dhaka, Bangladesh

Herbert Smith, Food for Peace Officer  
USAID, Dhaka, Bangladesh

Zahir Sadeque  
PD&E, USAID, Dhaka, Bangladesh

Neazul Haque, Asst. Secretary  
Ministry of Relief, Bangladesh

Harun-Al-Rashid MD. Karimdad, Director  
FFW-DORR, Bangladesh

Marfique Ahmed, Asst. Engineer  
LGED, Bangladesh

Gaston Eyben, Director of Operation  
World Food Programme, Bangladesh

Masud Haider, Advisor  
World Food Programme

Richard Holloway  
PACT/PRIP, Bangladesh

Sultan Miah, Consultant  
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CARE-International, Bangladesh

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Office of Food & Agriculture, USAID, Bangladesh

Mokhlesur Rahaman, Fisheries Biologist  
ISPAN, Dhaka, Bangladesh

M. Aminul Islam, Ph.D., Environmental Scientist  
ISPAN, Dhaka, Bangladesh

Richard Wall,  
ISPAN, Dhaka, Bangladesh

Per Bertilsson, Chief Technical Adviser  
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Muhammad Tafazzal Hoque, Fisheries Specialist  
Northwest Hydraulic Consultants Ltds.  
Dhaka, Bangladesh

Thomas Wagner, GIS Systems Specialist  
ISPAN, Dhaka, Bangladesh

Timothy C. Martin, Team Leader  
ISPAN, Dhaka, Bangladesh

**APPENDIX D**  
**USAID ENVIRONMENTAL PROCEDURES**  
**(22 CFR 216)**

## APPENDIX A—AGENCY FOR INTERNATIONAL DEVELOPMENT, ADDRESS AND LOCATIONS OF OFFICE REFERENCED IN THE REGULATIONS AND NOTICES—Continued

	Mailing address	Location
Tunisia	USAID to Tunisia, c/o American Embassy, Tunis, Tunisia	149 Avenue de la Liberté, Tunis, Tunisia
Turkey	USAID PK 39, Cankaya, Ankara, Turkey	Cinnah Caddesi, No. 16, Ankara, Turkey
Upper Volta	AID Country Development Officer, c/o American Embassy, Ouagadougou, Upper Volta	Boite Postale 35, Ouagadougou, Upper Volta
Uruguay	Office of AID Representative/Montevideo, c/o American Embassy, Montevideo, Uruguay	Luiso Muller 1776, Montevideo, Uruguay
Yemen	Office of AID Affairs, c/o American Embassy, Sana, Yemen	American Embassy, Sana, Yemen Arab Republic
Zaire	USAID to Republic of Zaire, c/o American Embassy, Kinshasa, Republic of Zaire	310 Ave des Avelours, Kinshasa, Zaire

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

## PART 216—ENVIRONMENTAL PROCEDURES

## Sec.

- 216.1 Introduction.
- 216.2 Applicability of procedures.
- 216.3 Procedures.
- 216.4 Private applicants.
- 216.5 Endangered species.
- 216.6 Environmental assessments.
- 216.7 Environmental impact statements.
- 216.8 Public hearings.
- 216.9 Bilateral and multi-lateral studies and concise reviews of environmental issues.
- 216.10 Records and reports.

AUTHORITY: 42 U.S.C. 4332; 22 U.S.C. 2381.

SOURCE: 41 FR 26913, June 30, 1976, unless otherwise noted.

## § 216.1 Introduction.

(a) *Purpose.* In accordance with sections 118(b) and 621 of the Foreign Assistance Act of 1961, as amended, (the FAA) the following general procedures shall be used by A.I.D. to ensure that environmental factors and values are integrated into the A.I.D. decision making process. These procedures also assign responsibility within the Agency for assessing the environmental effects of A.I.D.'s actions. These procedures are consistent with Executive Order 12114, issued January 4, 1979, entitled Environmental Effects Abroad of Major Federal Actions, and the purposes of the National Environmental Policy Act of 1970, as amended (42 U.S.C. 4371 et seq.) (NEPA). They

are intended to implement the requirements of NEPA as they effect the A.I.D. program.

(b) *Environmental Policy.* In the conduct of its mandate to help upgrade the quality of life of the poor in developing countries, A.I.D. conducts a broad range of activities. These activities address such basic problems as hunger, malnutrition, overpopulation, disease, disaster, deterioration of the environment and the natural resource base, illiteracy as well as the lack of adequate housing and transportation. Pursuant to the FAA, A.I.D. provides development assistance in the form of technical advisory services, research, training, construction and commodity support. In addition, A.I.D. conducts programs under the Agricultural Trade Development and Assistance Act of 1954 (Pub. L. 480) that are designed to combat hunger, malnutrition and to facilitate economic development. Assistance programs are carried out under the foreign policy guidance of the Secretary of State and in cooperation with the governments of sovereign states. Within this framework, it is A.I.D. policy to:

(1) Ensure that the environmental consequences of A.I.D.-financed activities are identified and considered by A.I.D. and the host country prior to a final decision to proceed and that appropriate environmental safeguards are adopted;

(2) Assist developing countries to strengthen their capabilities to appre-

ciate and effectively evaluate the potential environmental effects of proposed development strategies and projects, and to select, implement and manage effective environmental programs:

(3) Identify impacts resulting from A.I.D.'s actions upon the environment, including those aspects of the biosphere which are the common and cultural heritage of all mankind; and

(4) Define environmental limiting factors that constrain development and identify and carry out activities that assist in restoring the renewable resource base on which sustained development depends.

(c) *Definitions*—(1) *CEQ Regulations*. Regulations promulgated by the President's Council on Environmental Quality (CEQ) (FEDERAL REGISTER, Volume 43, Number 230, November 29, 1978) under the authority of NEPA and Executive Order 11514, entitled Protection and Enhancement of Environmental Quality (March 5, 1970) as amended by Executive Order 11991 (May 24, 1977).

(2) *Initial Environmental Examination*. An Initial Environmental Examination is the first review of the reasonably foreseeable effects of a proposed action on the environment. Its function is to provide a brief statement of the factual basis for a Threshold Decision as to whether an Environmental Assessment or an Environmental Impact Statement will be required.

(3) *Threshold Decision*. A formal Agency decision which determines, based on an Initial Environmental Examination, whether a proposed Agency action is a major action significantly affecting the environment.

(4) *Environmental Assessment*. A detailed study of the reasonably foreseeable significant effects, both beneficial and adverse, of a proposed action on the environment of a foreign country or countries.

(5) *Environmental Impact Statement*. A detailed study of the reasonably foreseeable environmental impacts, both positive and negative, of a proposed A.I.D. action and its reasonable alternatives on the United States, the global environment or areas outside the jurisdiction of any nation as described in § 216.7 of these proce-

dures. It is a specific document having a definite format and content, as provided in NEPA and the CEQ Regulations. The required form and content of an Environmental Impact Statement is further described in § 216.7 *infra*.

(6) *Project Identification Document (PID)*. An internal A.I.D. document which initially identifies and describes a proposed project.

(7) *Program Assistance Initial Proposal (PAIP)*. An internal A.I.D. document used to initiate and identify proposed non-project assistance, including commodity import programs. It is analogous to the PID.

(8) *Project Paper (PP)*. An internal A.I.D. document which provides a definitive description and appraisal of the project and particularly the plan or implementation.

(9) *Program Assistance Approval Document (PAAD)*. An internal A.I.D. document approving non-project assistance. It is analogous to the PP.

(10) *Environment*. The term environment, as used in these procedures with respect to effects occurring outside the United States, means the natural and physical environment. With respect to effects occurring within the United States see § 216.7(b).

(11) *Significant Effect*. With respect to effects on the environment outside the United States, a proposed action has a significant effect on the environment if it does significant harm to the environment.

(12) *Minor Donor*. For purposes of these procedures, A.I.D. is a minor donor to a multidonor project when A.I.D. does not control the planning or design of the multidonor project and either (i) A.I.D.'s total contribution to the project is both less than \$1,000,000 and less than 25 percent of the estimated project cost, or (ii) A.I.D.'s total contribution is more than \$1,000,000 but less than 25 percent of the estimated project cost and the environmental procedures of the donor in control of the planning or design of the project are followed, but only if the A.I.D. Environmental Coordinator determines that such procedures are adequate.

[45 FR 70244, Oct. 23, 1980]

§ 216.2 Applicability of procedures.

(a) *Scope.* Except as provided in § 216.2(b), these procedures apply to all new projects, programs or activities authorized or approved by A.I.D. and to substantive amendments or extensions of ongoing projects, programs, or activities.

(b) *Exemptions.* (1) Projects, programs or activities involving the following are exempt from these procedures:

- (i) International disaster assistance;
- (ii) Other emergency circumstances; and
- (iii) Circumstances involving exceptional foreign policy sensitivities.

(2) A formal written determination, including a statement of the justification therefore, is required for each project, program or activity for which an exemption is made under paragraphs (b)(1)(ii) and (iii) of this section, but is not required for projects, programs or activities under paragraph (b)(1)(i) of this section. The determination shall be made either by the Assistant Administrator having responsibility for the program, project or activity, or by the Administrator, where authority to approve financing has been reserved by the Administrator. The determination shall be made after consultation with CEQ regarding the environmental consequences of the proposed program, project or activity.

(c) *Categorical Exclusions.* (1) The following criteria have been applied in determining the classes of actions including in § 216.2(c)(2) for which an Initial Environmental Examination, Environmental Assessment and Environmental Impact Statement generally are not required:

(i) The action does not have an effect on the natural or physical environment;

(ii) A.I.D. does not have knowledge of or control over, and the objective of A.I.D. in furnishing assistance does not require, either prior to approval of financing or prior to implementation of specific activities, knowledge of or control over, the details of the specific activities that have an effect on the physical and natural environment for which financing is provided by A.I.D.;

(iii) Research activities which may have an effect on the physical and natural environment but will not have a significant effect as a result of limited scope, carefully controlled nature and effective monitoring.

(2) The following classes of actions are not subject to the procedures set forth in § 216.3, except to the extent provided herein:

(i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);

(ii) Controlled experimentation exclusively for the purpose of research and field evaluation which are confined to small areas and carefully monitored;

(iii) Analyses, studies, academic or research workshops and meetings;

(iv) Projects in which A.I.D. is a minor donor to a multidonor project and there is no potential significant effects upon the environment of the United States, areas outside any nation's jurisdiction or endangered or threatened species or their critical habitat;

(v) Document and information transfers;

(vi) Contributions to international, regional or national organizations by the United States which are not for the purpose of carrying out a specifically identifiable project or projects;

(vii) Institution building grants to research and educational institutions in the United States such as those provided for under section 122(d) and Title XII of Chapter 2 of Part I of the FAA (22 USCA 2151 p. (b) 2220a (1979));

(viii) Programs involving nutrition, health care or population and family planning services except to the extent designed to include activities directly affecting the environment (such as construction of facilities, water supply systems, waste water treatment, etc.);

(ix) Assistance provided under a Commodity Import Program when prior to approval, A.I.D. does not have knowledge of the specific commodities to be financed and when the objective in furnishing such assistance requires neither knowledge, at the time the as-

assistance is authorized, nor control, during implementation, of the commodities or their use in the host country.

(x) Support for intermediate credit institutions when the objective is to assist in the capitalization of the institution or part thereof and when such support does not involve reservation of the right to review and approve individual loans made by the institution;

(xi) Programs of maternal or child feeding conducted under Title II of Pub. L. 480;

(xii) Food for development programs conducted by food recipient countries under Title III of Pub. L. 480, when achieving A.I.D.'s objectives in such programs does not require knowledge of or control over the details of the specific activities conducted by the foreign country under such program;

(xiii) Matching, general support and institutional support grants provided to private voluntary organizations (PVOs) to assist in financing programs where A.I.D.'s objective in providing such financing does not require knowledge of or control over the details of the specific activities conducted by the PVO;

(xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.); and

(xv) Activities which involve the application of design criteria or standards developed and approved by A.I.D.

(3) The originator of a project, program or activity shall determine the extent to which it is within the classes of actions described in paragraph (c)(2) of this section. This determination shall be made in writing and be submitted with the PID, PAIP or comparable document. This determination, which must include a brief statement supporting application of the exclusion shall be reviewed by the Bureau Environmental Officer in the same manner as a Threshold Decision under § 216.3(a)(2) of these procedures. Notwithstanding paragraph (c)(2) of this section, the procedures set forth in § 216.3 shall apply to any project, program or activity included

in the classes of actions listed in paragraph (c)(2) of this section, or any aspect or component thereof, if at any time in the design, review or approval of the activity it is determined that the project, program or activity, or aspect or component thereof, is subject to the control of A.I.D. and may have a significant effect on the environment.

(d) *Classes of Actions Normally Having a Significant Effect on the Environment.* (1) The following classes of actions have been determined generally to have a significant effect on the environment and an Environmental Assessment or Environmental Impact Statement, as appropriate, will be required:

(i) Programs of river basin development;

(ii) Irrigation or water management projects, including dams and impoundments;

(iii) Agricultural land leveling;

(iv) Drainage projects;

(v) Large scale agricultural mechanization;

(vi) New lands development;

(vii) Resettlement projects;

(viii) Penetration road building or road improvement projects;

(ix) Powerplants;

(x) Industrial plants;

(xi) Potable water and sewerage projects other than those that are small-scale.

(2) An Initial Environmental Examination normally will not be necessary for activities within the classes described in § 216.2(d), except when the originator of the project believes that the project will not have a significant effect on the environment. In such cases, the activity may be subjected to the procedures set forth in § 216.3.

(e) *Pesticides.* The exemptions of paragraph (b)(1) of this section and the categorical exclusions of paragraph (c)(2) of this section are not applicable to assistance for the procurement or use of pesticides.

(45 FR 70244, Oct. 23, 1980)

#### § 216.3 Procedures.

(a) *General procedures—(1) Preparation of the Initial Environmental Examination.* Except as otherwise pro-

vided, an Initial Environmental Examination is not required for activities identified in § 216.2(b)(1), (c) (2), and (d). For all other A.I.D. activities described in § 216.2(a) an Initial Environmental Examination will be prepared by the originator of an action. Except as indicated in this section, it should be prepared with the PID or PAIP. For projects including the procurement or use of pesticides, the procedures set forth in paragraph (b) of this section will be followed, in addition to the procedures in this paragraph. Activities which cannot be identified in sufficient detail to permit the completion of an Initial Environmental Examination with the PID or PAIP, shall be described by including with the PID or PAIP: (i) An explanation indicating why the Initial Environmental Examination cannot be completed; (ii) an estimate of the amount of time required to complete the Initial Environmental Examination; and (iii) a recommendation that a Threshold Decision be deferred until the Initial Environmental Examination is completed. The responsible Assistant Administrator will act on the request for deferral concurrently with action on the PID or PAIP and will designate a time for completion of the Initial Environmental Examination. In all instances, except as provided in paragraph (a)(7) of this section, this completion date will be in sufficient time to allow for the completion of an Environmental Assessment or Environmental Impact Statement, if required, before a final decision is made to provide A.I.D. funding for the action.

(2) *Threshold decision.* (i) The Initial Environmental Examination will include a Threshold Decision made by the officer in the originating office who signs the PID or PAIP. If the Initial Environmental Examination is completed prior to or at the same time as the PID or PAIP, the Threshold Decision will be reviewed by the Bureau Environmental Officer concurrently with approval of the PID or PAIP. The Bureau Environmental Officer will either concur in the Threshold Decision or request reconsideration by the officer who made the Threshold Decision, stating the rea-

sons for the request. Differences of opinion between these officers shall be submitted for resolution to the Assistant Administrator at the same time that the PID is submitted for approval.

(ii) An Initial Environmental Examination, completed subsequent to approval of the PID or PAIP, will be forwarded immediately together with the Threshold Determination to the Bureau Environmental Officer for action as described in this section.

(iii) A Positive Threshold Decision shall result from a finding that the proposed action will have a significant effect on the environment. An Environmental Impact Statement shall be prepared if required pursuant to § 216.7. If an impact statement is not required, an Environmental Assessment will be prepared in accordance with § 216.6. The cognizant Bureau or Office will record a Negative Determination if the proposed action will not have a significant effect on the environment.

(3) *Negative Declaration.* The Assistant Administrator, or the Administrator in actions for which the approval of the Administrator is required for the authorization of financing, may make a Negative Declaration, in writing, that the Agency will not develop an Environmental Assessment or an Environmental Impact Statement regarding an action found to have a significant effect on the environment when (i) a substantial number of Environmental Assessments or Environmental Impact Statements relating to similar activities have been prepared in the past, if relevant to the proposed action, (ii) the Agency has previously prepared a programmatic Statement or Assessment covering the activity in question which has been considered in the development of such activity, or (iii) the Agency has developed design criteria for such an action which, if applied in the design of the action, will avoid a significant effect on the environment.

(4) *Scope of Environmental Assessment or Impact Statement—(i) Procedure and Content.* After a Positive Threshold Decision has been made, or a determination is made under the pesticide procedures set forth in para-

graph (b) of this section that an Environmental Assessment or Environmental Impact Statement is required, the originator of the action shall commence the process of identifying the significant issues relating to the proposed action and of determining the scope of the issues to be addressed in the Environmental Assessment or Environmental Impact Statement. The originator of an action within the classes of actions described in § 216.2(d) shall commence this scoping process as soon as practicable. Persons having expertise relevant to the environmental aspects of the proposed action shall also participate in this scoping process. (Participants may include but are not limited to representatives of host governments, public and private institutions, the A.I.D. Mission staff and contractors.) This process shall result in a written statement which shall include the following matters:

(a) A determination of the scope and significance of issues to be analyzed in the Environmental Assessment or Impact Statement, including direct and indirect effects of the project on the environment.

(b) Identification and elimination from detailed study of the issues that are not significant or have been covered by earlier environmental review, or approved design considerations, narrowing the discussion of these issues to a brief presentation of why they will not have a significant effect on the environment.

(c) A description of (1) the timing of the preparation of environmental analyses, including phasing if appropriate, (2) variations required in the format of the Environmental Assessment, and (3) the tentative planning and decision making schedule; and

(d) A description of how the analysis will be conducted and the disciplines that will participate in the analysis.

(ii) These written statements shall be reviewed and approved by the Bureau Environmental Officer.

(iii) *Circulation of Scoping Statement.* To assist in the preparation of an Environmental Assessment, the Bureau Environmental Office may circulate copies of the written statement, together with a request for written

comments, within thirty days, to selected federal agencies if that Officer believes comments by such federal agencies will be useful in the preparation of an Environmental Assessment. Comments received from reviewing federal agencies will be considered in the preparation of the Environmental Assessment and in the formulation of the design and implementation of the project, and will, together with the scoping statement, will be included in the project file.

(iv) *Change in Threshold Decision.* If it becomes evident that the action will not have a significant effect on the environment (i.e., will not cause significant harm to the environment), the Positive Threshold Decision may be withdrawn with the concurrence of the Bureau Environmental Officer. In the case of an action included in § 216.2(dx2), the request for withdrawal shall be made to the Bureau Environmental Officer.

(5) *Preparation of Environmental Assessments and Environmental Impact Statement.* If the PID or PAIP is approved, and the Threshold Decision is positive, or the action is included in § 216.2(d), the originator of the action will be responsible for the preparation of an Environmental Assessment or Environmental Impact Statement as required. Draft Environmental Impact Statements will be circulated for review and comment as part of the review of Project Papers and as outlined further in § 216.7 of those procedures. Except as provided in paragraph (a)(7) of this section, final approval of the PP or PAAD and the method of implementation will include consideration of the Environmental Assessment of final Environmental Impact Statement.

(6) *Processing and Review Within A.I.D.* (i) Initial Environmental Examinations, Environmental Assessments and final Environmental Impact Statements will be processed pursuant to standard A.I.D. procedures for project approval documents. Except as provided in paragraph (a)(7) of this section, Environmental Assessments and final Environmental Impact Statements will be reviewed as an integral part of the Project Paper or equivalent document. In addition to these procedures, Envi-

Environmental Assessments will be reviewed and cleared by the Bureau Environmental Officer. They may also be reviewed by the Agency's Environmental Coordinator who will monitor the Environmental Assessment process.

(ii) When project approval authority is delegated to field posts, Environmental Assessments shall be reviewed and cleared by the Bureau Environmental Officer prior to the approval of such actions.

(iii) Draft and final Environmental Impact Statements will be reviewed and cleared by the Environmental Coordinator and the Office of the General Counsel.

(7) *Environmental Review After Authorization of Financing.* (i) Environmental review may be performed after authorization of a project, program or activity only with respect to subprojects or significant aspects of the project, program or activity that are unidentified at the time of authorization. Environmental review shall be completed prior to authorization for all subprojects and aspects of a project, program or activity that are identified.

(ii) Environmental review should occur at the earliest time in design or implementation at which a meaningful review can be undertaken, but in no event later than when previously unidentified subprojects or aspects of projects, programs or activities are identified and planned. To the extent possible, adequate information to undertake deferred environmental review should be obtained before funds are obligated for unidentified subprojects or aspects of projects, programs or activities. (Funds may be obligated for the other aspects for which environmental review has been completed.) To avoid an irreversible commitment of resources prior to the conclusion of environmental review, the obligation of funds can be made incrementally as subprojects or aspects of projects, programs or activities are identified; or if necessary while planning continues, including environmental review, the agreement or other document obligating funds may contain appropriate covenants or conditions precedent to disbursement for unidentified subpro-

jects or aspects of projects, programs or activities.

(iii) When environmental review must be deferred beyond the time some of the funds are to be disbursed (e.g. long lead times for the delivery of goods or services), the project agreement or other document obligating funds shall contain a covenant or covenants requiring environmental review, including an Environmental Assessment or Environmental Impact Statement, when appropriate, to be completed and taken into account prior to implementation of those subprojects or aspects of the project, program or activity for which environmental review is deferred. Such covenants shall ensure that implementation plans will be modified in accordance with environmental review if the parties decide that modifications are necessary.

(iv) When environmental review will not be completed for an entire project, program or activity prior to authorization, the Initial Environmental Examination and Threshold Decision required under paragraphs (a)(1) and (2) of this section shall identify those aspects of the project, program or activity for which environmental review will be completed prior to the time financing is authorized. It shall also include those subprojects or aspects for which environmental review will be deferred, stating the reasons for deferral and the time when environmental review will be completed. Further, it shall state how an irreversible commitment of funds will be avoided until environmental review is completed. The A.I.D. officer responsible for making environmental decisions for such projects, programs or activities shall also be identified (the same officer who has decision making authority for the other aspects of implementation). This deferral shall be reviewed and approved by the officer making the Threshold Decision and the officer who authorizes the project, program or activity. Such approval may be made only after consultation with the Office of General Counsel for the purpose of establishing the manner in which conditions precedent to disbursement or covenants in project and other agreements will avoid an irreversible commitment of resources

before environmental review is completed.

(8) *Monitoring.* To the extent feasible and relevant, projects and programs for which Environmental Impact Statements or Environmental Assessments have been prepared should be designed to include measurement of any changes in environmental quality, positive or negative, during their implementation. This will require recording of baseline data at the start. To the extent that available data permit, originating offices of A.I.D. will formulate systems in collaboration with recipient nations, to monitor such impacts during the life of A.I.D.'s involvement. Monitoring implementation of projects, programs and activities shall take into account environmental impacts to the same extent as other aspects of such projects, programs and activities. If during implementation of any project, program or activity, whether or not an Environmental Assessment or Environmental Impact Statement was originally required, it appears to the Mission Director, or officer responsible for the project, program or activity, that it is having or will have a significant effect on the environment that was not previously studied in an Environmental Assessment or Environmental Impact Statement, the procedures contained in this part shall be followed including, as appropriate, a Threshold Decision, Scoping and an Environmental Assessment or Environmental Impact Statement.

(9) *Revisions.* If, after a Threshold Decision is made resulting in a Negative Determination, a project is revised or new information becomes available which indicates that a proposed action might be "major" and its effects "significant", the Negative Determination will be reviewed and revised by the cognizant Bureau and an Environmental Assessment or Environmental Impact Statement will be prepared, if appropriate. Environmental Assessments and Environmental Impact Statements will be amended and processed appropriately if there are major changes in the project or program, or if significant new information becomes available which relates to the impact of the project, program or activity on

the environment that was not considered at the time the Environmental Assessment or Environmental Impact Statement was approved. When ongoing programs are revised to incorporate a change in scope or nature, a determination will be made as to whether such change may have an environmental impact not previously assessed. If so, the procedures outlined in this part will be followed.

(10) *Other Approval Documents.* These procedures refer to certain A.I.D. documents such as PIDs, PAIPs, PPs and PAADs as the A.I.D. Internal Instruments for approval of projects, programs or activities. From time to time, certain special procedures, such as those in § 216.4, may not require the use of the aforementioned documents. In these situations, these environmental procedures shall apply to those special approval procedures, unless otherwise exempt, at approval times and levels comparable to projects, programs and activities in which the aforementioned documents are used.

(b) *Pesticide Procedures—(1) Project Assistance.* Except as provided in paragraph (b)(2) of this section, all proposed projects involving assistance for the procurement or use, or both, of pesticides shall be subject to the procedures prescribed in paragraphs (b)(1) (i) through (v) of this section. These procedures shall also apply, to the extent permitted by agreements entered into by A.I.D. before the effective date of these pesticide procedures, to such projects that have been authorized but for which pesticides have not been procured as of the effective date of these pesticide procedures.

(i) When a project includes assistance for procurement or use, or both, of pesticides registered for the same or similar uses by USEPA without restriction, the Initial Environmental Examination for the project shall include a separate section evaluating the economic, social and environmental risks and benefits of the planned pesticide use to determine whether the use may result in significant environmental impact. Factors to be considered in such an evaluation shall include, but not be limited to the following:

- (a) The USEPA registration status of the requested pesticide;
- (b) The basis for selection of the requested pesticide;
- (c) The extent to which the proposed pesticide use is part of an integrated pest management program;
- (d) The proposed method or methods of application, including availability of appropriate application and safety equipment;
- (e) Any acute and long-term toxicological hazards, either human or environmental, associated with the proposed use and measures available to minimize such hazards;
- (f) The effectiveness of the requested pesticide for the proposed use;
- (g) Compatibility of the proposed pesticide with target and nontarget ecosystems;
- (h) The conditions under which the pesticide is to be used, including climate, flora, fauna, geography, hydrology, and soils;
- (i) The availability and effectiveness of other pesticides or nonchemical control methods;
- (j) The requesting country's ability to regulate or control the distribution, storage, use and disposal of the requested pesticide;
- (k) The provisions made for training of users and applicators; and
- (l) The provisions made for monitoring the use and effectiveness of the pesticide.

In those cases where the evaluation of the proposed pesticide use in the Initial Environmental Examination indicates that the use will significantly effect the human environment, the Threshold Decision will include a recommendation for the preparation of an Environmental Assessment or Environmental Impact Statement, as appropriate. In the event a decision is made to approve the planned pesticide use, the Project Paper shall include to the extent practicable, provisions designed to mitigate potential adverse effects of the pesticide. When the pesticide evaluation section of the Initial Environmental Examination does not indicate a potentially unreasonable risk arising from the pesticide use, an Environmental Assessment or Environmental Impact Statement shall nevertheless be prepared if the environmental effects of the project otherwise require further assessment.

(ii) When a project includes assistance for the procurement or use, or both, of any pesticide registered for the same or similar uses in the United States but the proposed use is restricted by the USEPA on the basis of user hazard, the procedures set forth in

paragraph (b)(1)(i) of this section will be followed. In addition, the Initial Environmental Examination will include an evaluation of the user hazards associated with the proposed USEPA restricted uses to ensure that the implementation plan which is contained in the Project Paper incorporates provisions for making the recipient government aware of these risks and providing, if necessary, such technical assistance as may be required to mitigate these risks. If the proposed pesticide use is also restricted on a basis other than user hazard, the procedures in paragraph (b)(1)(iii) of this section shall be followed in lieu of the procedures in this section.

(iii) If the project includes assistance for the procurement or use, or both of:

(a) Any pesticide other than one registered for the same or similar uses by USEPA without restriction or for restricted use on the basis of user hazard; or

(b) Any pesticide for which a notice of rebuttable presumption against reregistration, notice of intent to cancel, or notice of intent to suspend has been issued by USEPA.

The Threshold Decision will provide for the preparation of an Environmental Assessment or Environmental Impact Statement, as appropriate (§ 216.6(a)). The EA or EIS shall include, but not be limited to, an analysis of the factors identified in paragraph (b)(1)(i) of this section.

(iv) Notwithstanding the provisions of paragraphs (b)(1)(i) through (iii) of this section, if the project includes assistance for the procurement or use, or both, of a pesticide against which USEPA has initiated a regulatory action for cause, or for which it has issued a notice of rebuttable presumption against reregistration, the nature of the action or notice, including the relevant technical and scientific factors will be discussed with the requesting government and considered in the IEE and, if prepared, in the EA or EIS. If USEPA initiates any of the regulatory actions above against a pesticide subsequent to its evaluation in an IEE, EA or EIS, the nature of the action will be discussed with the recipient government and considered in an

amended IEE or amended EA or EIS, as appropriate.

(v) If the project includes assistance for the procurement or use, or both of pesticides but the specific pesticides to be procured or used cannot be identified at the time the IEE is prepared, the procedures outlined in paragraphs (b) (i) through (iv) of this section will be followed when the specific pesticides are identified and before procurement or use is authorized. Where identification of the pesticides to be procured or used does not occur until after Project Paper approval, neither the procurement nor the use of the pesticides shall be undertaken unless approved, in writing, by the Assistant Administrator (or in the case of projects authorized at the Mission level, the Mission Director) who approved the Project Paper.

(2) *Exceptions to Pesticide Procedures.* The procedures set forth in paragraph (b)(1) of this section shall not apply to the following projects including assistance for the procurement or use, or both, of pesticides.

(i) Projects under emergency conditions.

Emergency conditions shall be deemed to exist when it is determined by the Administrator, A.I.D., in writing that:

(a) A pest outbreak has occurred or is imminent; and

(b) Significant health problems (either human or animal) or significant economic problems will occur without the prompt use of the proposed pesticide; and

(c) Insufficient time is available before the pesticide must be used to evaluate the proposed use in accordance with the provisions of this regulation.

(ii) Projects where A.I.D. is a minor donor, as defined in § 216.1(c)(12) of this part, to a multi-donor project.

(iii) Projects including assistance for procurement or use, or both, of pesticides for research or limited field evaluation purposes by or under the supervision of project personnel. In such instances, however, A.I.D. will ensure that the manufacturers of the pesticides provide toxicological and environmental data necessary to safeguard the health of research personnel and the quality of the local environment in

which the pesticides will be used. Furthermore, treated crops will not be used for human or animal consumption unless appropriate tolerances have been established by EPA or recommended by FAO/WHO, and the rates and frequency of application, together with the prescribed preharvest intervals, do not result in residues exceeding such tolerances. This prohibition does not apply to the feeding of such crops to animals for research purposes.

(3) *Non-Project Assistance.* In a very few limited number of circumstances A.I.D. may provide non-project assistance for the procurement and use of pesticides. Assistance in such cases shall be provided if the A.I.D. Administrator determines in writing that (i) emergency conditions, as defined in paragraph (b)(2)(i) of this section exists; or (ii) that compelling circumstances exist such that failure to provide the proposed assistance would seriously impede the attainment of U.S. foreign policy objectives or the objectives of the foreign assistance program. In the latter case, a decision to provide the assistance will be based to the maximum extent practicable, upon a consideration of the factors set forth in paragraph (b)(1)(i) of this section and, to the extent available, the history of efficacy and safety covering the past use of the pesticide in the recipient country.

[43 FR 20491, May 12, 1978, as amended at 45 FR 70245, Oct. 23, 1980]

#### § 216.4 Private applicants.

Programs, projects or activities for which financing from A.I.D. is sought by private applicants, such as PVOs and educational and research institutions, are subject to these procedures. Except as provided in § 216.2 (b), (c) or (d), preliminary proposals for financing submitted by private applicants shall be accompanied by an Initial Environmental Examination or adequate information to permit preparation of an Initial Environmental Examination. The Threshold Decision shall be made by the Mission Director for the country to which the proposal relates. If the preliminary proposal is submitted to the A.I.D. Mission, or shall be

made by the officer in A.I.D. who approves the preliminary proposal. In either case, the concurrence of the Bureau Environmental Officer is required in the same manner as in § 216.3(a)(2), except for PVO projects approved in A.I.D. Missions with total life of project costs less than \$500,000. Thereafter, the same procedures set forth in § 216.3 including as appropriate scoping and Environmental Assessments or Environmental Impact Statements, shall be applicable to programs, projects or activities submitted by private applicants. The final proposal submitted for financing shall be treated, for purposes of these procedures, as a Project Paper. The Bureau Environmental Officer shall advise private applicants of studies or other information foreseeably required for action by A.I.D.

(45 FR 70247, Oct. 23, 1980)

#### § 216.5 Endangered species.

It is A.I.D. policy to conduct its assistance programs in a manner that is sensitive to the protection of endangered or threatened species and their critical habitats. The Initial Environmental Examination for each project, program or activity having an effect on the environment shall specifically determine whether the project, program or activity will have an effect on an endangered or threatened species, or critical habitat. If the proposed project, program or activity will have the effect of jeopardizing an endangered or threatened species or of adversely modifying its critical habitat, the Threshold Decision shall be a Positive Determination and an Environmental Assessment or Environmental Impact Statement completed as appropriate, which shall discuss alternatives or modifications to avoid or mitigate such impact on the species or its habitat.

(45 FR 70247, Oct. 23, 1980)

#### § 216.6 Environmental assessments.

(a) *General purpose.* The purpose of the Environmental Assessment is to provide Agency and host country decision makers with a full discussion of significant environmental effects of a proposed action. It includes alterna-

tives which would avoid or minimize adverse effects or enhance the quality of the environment so that the expected benefits of development objectives can be weighed against any adverse impacts upon the human environment or any irreversible or irretrievable commitment of resources.

(b) *Collaboration with Affected Nation on Preparation.* Collaboration in obtaining data, conducting analyses and considering alternatives will help build an awareness of development associated environmental problems in less developed countries as well as assist in building an indigenous institutional capability to deal nationally with such problems. Missions, Bureaus and Offices will collaborate with affected countries to the maximum extent possible, in the development of any Environmental Assessments and consideration of environmental consequences as set forth therein.

(c) *Content and Form.* The Environmental Assessment shall be based upon the scoping statement and shall address the following elements, as appropriate:

(1) *Summary.* The summary shall stress the major conclusions, areas of controversy, if any, and the issues to be resolved.

(2) *Purpose.* The Environmental Assessment shall briefly specify the underlying purpose and need to which the Agency is responding in proposing the alternatives including the proposed action.

(3) *Alternatives including the proposed action.* This section should present the environmental impacts of the proposal and its alternatives in comparative form, thereby sharpening the issues and providing a clear basis for choice among options by the decision maker. This section should explore and evaluate reasonable alternatives and briefly discuss the reasons for eliminating those alternatives which were not included in the detailed study; devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits; include the alternative of no action; identify the Agency's preferred alternative or alternatives, if one or more exists; include ap-

appropriate mitigation measures not already included in the proposed action or alternatives.

(4) *Affected environment.* The Environmental Assessment shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. The descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in the Environmental Assessment shall be commensurate with the significance of the impact with less important material summarized, consolidated or simply referenced.

(5) *Environmental consequences.* This section forms the analytic basis for the comparisons under paragraph (c)(3) of this section. It will include the environmental impacts of the alternatives including the proposed action; any adverse effects that cannot be avoided should the proposed action be implemented; the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity; and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented. It should not duplicate discussions in paragraph (c)(3) of this section. This section of the Environmental Assessment should include discussions of direct effects and their significance; indirect effects and their significance; possible conflicts between the proposed action and land use plans, policies and controls for the areas concerned; energy requirements and conservation potential of various alternatives and mitigation measures; natural or depletable resource requirements and conservation potential of various requirements and mitigation measures; urban quality; historic and cultural resources and the design of the built environment, including the reuse and conservation potential of various alternatives and mitigation measures; and means to mitigate adverse environmental impacts.

(6) *List of preparers.* The Environmental Assessment shall list the names and qualifications (expertise, experience, professional discipline) of the persons primarily responsible for

preparing the Environmental Assessment or significant background papers.

(7) *Appendix.* An appendix may be prepared.

(d) *Program assessment.* Program Assessments may be appropriate in order to assess the environmental effects of a number of individual actions and their cumulative environmental impact in a given country or geographic area, or the environmental impacts that are generic or common to a class of agency actions, or other activities which are not country-specific. In these cases, a single, programmatic assessment will be prepared in A.I.D./Washington and circulated to appropriate overseas Missions, host governments, and to interested parties within the United States. To the extent practicable, the form and content of the programmatic Environmental Assessment will be the same as for project Assessments. Subsequent Environmental Assessments on major individual actions will only be necessary where such follow-on or subsequent activities may have significant environmental impacts on specific countries where such impacts have not been adequately evaluated in the programmatic Environmental Assessment. Other programmatic evaluations of classes of actions may be conducted in an effort to establish additional categorical exclusions or design standards or criteria for such classes that will eliminate or minimize adverse effects of such actions, enhance the environmental effect of such action or reduce the amount of paperwork or time involved in these procedures. Programmatic evaluations conducted for the purpose of establishing additional categorical exclusions under § 216.2(c) or design considerations that will eliminate significant effects, for classes of actions shall be made available for public comment before the categorical exclusions or design standards or criteria are adopted by A.I.D. Notice of the availability of such document shall be published in the FEDERAL REGISTER. Additional categorical exclusions shall be adopted by A.I.D. upon the approval of the Administrator, and design consideration in accordance with usual agency procedures.

(e) *Consultation and review.* (1) When Environmental Assessments are prepared on activities carried out within or focused on specific developing countries, consultation will be held between A.I.D. staff and the host government both in the early stages of preparation and on the results and significance of the completed Assessment before the project is authorized.

(2) Missions will encourage the host government to make the Environmental Assessment available to the general public of the recipient country. If Environmental Assessments are prepared on activities which are not country-specific, the Assessment will be circulated by the Environmental Coordinator to A.I.D.'s Overseas Missions and interested governments for information, guidance and comment and will be made available in the U.S. to interested parties.

(f) *Effect in other countries.* In a situation where an analysis indicates that potential effects may extend beyond the national boundaries of a recipient country and adjacent foreign nations may be affected, A.I.D. will urge the recipient country to consult with such countries in advance of project approval and to negotiate mutually acceptable accommodations.

(g) *Classified material.* Environmental Assessments will not normally include classified or administratively controlled material. However, there may be situations where environmental aspects cannot be adequately discussed without the inclusion of such material. The handling and disclosure of classified or administratively controlled material shall be governed by 22 CFR Part 9. Those portions of an Environmental Assessment which are not classified or administratively controlled will be made available to persons outside the Agency as provided for in 22 CFR Part 212.

145 FR 70247, Oct. 23, 1980)

**§ 216.7 Environmental impact statements.**

(a) *Applicability.* An Environmental Impact Statement shall be prepared when agency actions significantly affect:

(1) The global environment or areas outside the jurisdiction of any nation (e.g., the oceans);

(2) The environment of the United States; or

(3) Other aspects of the environment at the discretion of the Administrator.

(b) *Effects on the United States: Content and form.* An Environmental Impact Statement relating to paragraph (a)(2) of this section shall comply with the CEQ Regulations. With respect to effects on the United States, the terms environment and significant effect wherever used in these procedures have the same meaning as in the CEQ Regulations rather than as defined in § 216.1(c)(12) and (13) of these procedures.

(c) *Other effects: Content and form.* An Environmental Impact Statement relating to paragraphs (a)(1) and (a)(3) of this section will generally follow the CEQ Regulations, but will take into account the special considerations and concerns of A.I.D. Circulation of such Environmental Impact Statements in draft form will precede approval of a Project Paper or equivalent and comments from such circulation will be considered before final project authorization as outlined in § 216.3 of these procedures. The draft Environmental Impact Statement will also be circulated by the Missions to affected foreign governments for information and comment. Draft Environmental Impact Statements generally will be made available for comment to Federal agencies with jurisdiction by law or special expertise with respect to any environmental impact involved, and to public and private organizations and individuals for not less than forty-five (45) days. Notice of availability of the draft Environmental Impact Statements will be published in the FEDERAL REGISTER. Cognizant Bureaus and Offices will submit these drafts for circulation through the Environmental Coordinator who will have the responsibility for coordinating all such communications with persons outside A.I.D. Any comments received by the Environmental Coordinator will be forwarded to the originating Bureau or Office for consideration in final policy decisions and the preparation of a final Environmental Impact Statement. All such comments will be attached to the final State-

ment, and those relevant comments not adequately discussed in the draft Environmental Impact Statement will be appropriately dealt with in the final Environmental Impact Statement. Copies of the final Environmental Impact Statement, with comments attached, will be sent by the Environmental Coordinator to CEQ and to all other Federal, state, and local agencies and private organizations that made substantive comments on the draft, including affected foreign governments. Where emergency circumstances or considerations of foreign policy make it necessary to take an action without observing the provisions of § 1506.10 of the CEQ Regulations, or when there are overriding considerations of expense to the United States or foreign governments, the originating Office will advise the Environmental Coordinator who will consult with Department of State and CEQ concerning appropriate modification of review procedures.

(45 FR 70249, Oct. 23, 1980)

#### § 216.8 Public hearings.

(a) In most instances AID will be able to gain the benefit of public participation in the impact statement process through circulation of draft statements and notice of public availability in CEQ publications. However, in some cases the Administrator may wish to hold public hearings on draft Environmental Impact Statements. In deciding whether or not a public hearing is appropriate, Bureaus in conjunction with the Environmental Coordinator should consider:

- (1) The magnitude of the proposal in terms of economic costs, the geographic area involved, and the uniqueness or size of commitment of the resources involved;
- (2) The degree of interest in the proposal as evidenced by requests from the public and from Federal, state and local authorities, and private organizations and individuals, that a hearing be held;
- (3) The complexity of the issue and likelihood that information will be presented at the hearing which will be of assistance to the Agency; and
- (4) The extent to which public involvement already has been achieved

through other means, such as earlier public hearings, meetings with citizen representatives, and/or written comments on the proposed action.

(b) If public hearings are held, draft Environmental Impact Statements to be discussed should be made available to the public at least fifteen (15) days prior to the time of the public hearings, and a notice will be placed in the FEDERAL REGISTER giving the subject, time and place of the proposed hearings.

(41 FR 26913, June 30, 1976. Redesignated at 45 FR 70249, Oct. 23, 1980)

#### § 216.9 Bilateral and multilateral studies and concise reviews of environmental issues.

Notwithstanding anything to the contrary in these procedures, the Administrator may approve the use of either of the following documents as a substitute for an Environmental Assessment (but not a substitute for an Environmental Impact Statement) required under these procedures:

- (a) Bilateral or multilateral environmental studies, relevant or related to the proposed action, prepared by the United States and one or more foreign countries or by an international body or organization in which the United States is a member or participant; or
- (b) Concise reviews of the environmental issues involved including summary environmental analyses or other appropriate documents.

(45 FR 70249, Oct. 23, 1980)

#### § 216.10 Records and reports.

Each Agency Bureau will maintain a current list of activities for which Environmental Assessments and Environmental Impact Statements are being prepared and for which Negative Determinations and Declarations have been made. Copies of final Initial Environmental Examinations, scoping statements, Assessments and Impact Statements will be available to interested Federal agencies upon request. The cognizant Bureau will maintain a permanent file (which may be part of its normal project files) of Environmental Impact Statements, Environmental Assessments, final Initial Environmental Examinations, scoping

statements, Determinations and Declarations which will be available to the public under the Freedom of Information Act. Interested persons can obtain information or status reports regarding Environmental Assessments and Environmental Impact Statements through the A.I.D. Environmental Coordinator.

(45 FR 70249, Oct. 23, 1980)

**PART 217—NONDISCRIMINATING ON THE BASIS OF HANDICAP IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

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**APPENDIX A TO PART 217—FEDERAL FINANCIAL ASSISTANCE TO WHICH THESE REGULATIONS APPLY**

**AUTHORITY:** 29 U.S.C. 794, unless otherwise noted.

**SOURCE:** 45 FR 66415, Oct. 8, 1980, unless otherwise noted.

**Subpart A—General Provisions**

**§ 217.1 Purpose.**

The purpose of this part is to effectuate section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity within the United States receiving Federal financial assistance.

**§ 217.2 Application.**

This part applies to all programs carried on within the United States by recipients of Federal financial assistance pursuant to any authority held or delegated by the Administrator of the Agency for International Development, including the federally-assisted programs and activities listed in appendix A of this part. (appendix A may be revised from time to time by notice in the FEDERAL REGISTER). It applies to money paid, property transferred, or other Federal financial assistance extended under any such program after the effective date of this regulation, even if the application for such assistance is approved prior to such effective date. This part does not apply to (a) any Federal financial assistance by way of insurance or guaranty contracts, (b) money paid, property transferred or other assistance extended under any such program before the effective date of this part, (c) any assistance to any individual who is the ultimate beneficiary under any such program, and (d) any procurement of goods or services, including the procurement of training. This part does not bar selection and treatment reasonably related to the foreign assistance objective or such other authorized purpose as the Federal assist-

***APPENDIX E***  
***FOREIGN ASSISTANCE ACT***  
***SECTIONS 117, 118 AND 119***

FOREIGN ASSISTANCE ACT - SEC. 117

SEC. 117.65: ENVIRONMENT AND NATURAL RESOURCES:

- (a) The Congress finds that if current trends in the degradation of natural resources in developing countries continue, they will severely undermine the best efforts to meet basic human needs to achieve sustained economic growth, and to prevent international tension and conflict. The Congress also finds that the world faces enormous, urgent, and complex problems, with respect to natural resources, which require new forms of cooperation between the United States and developing countries to prevent such problems from becoming unmanagable. It is, therefore, in the economic and security interests of the United States to provide leadership both in thoroughly reassessing policies relating to natural resources and the environment, and in cooperating extensively with developing countries in order to achieve environmentally sound development.
- (b) In order to address the serious problems described in subsection (a), the President is authorized to furnish assistance under this part for developing and strengthening the capacity of developing countries to protect and manage their environment and natural resources. Special efforts shall be made to maintain and where possible to restore the land, vegetation, water, wildlife, and other resources upon which depend economic growth and human well-being especially of the poor.
- (c) (1) The President, in implementing programs and projects under this chapter, shall take fully into account the impact of such programs and projects upon the environment and natural resources of developing countries. Subject to such procedures as the President considers appropriate, the President shall require all agencies and officials responsible for programs or projects under this chapter.
- (A) to prepare and take fully into account an environment impact statement for any program or project under this chapter significantly affecting the environment of the global commons outside the jurisdiction of any country, the environment of the United States, or other aspects of the environment which the President may specify; and
- (B) to prepare and take fully into account an environmental assessment of any proposed program or project under this chapter significantly affecting the environment of any foreign country.

Such agencies and officials should, where appropriate, use local technical resources in preparing environmental impact statements and environmental assessments pursuant to this subsection.

(2) The President may establish exceptions from the requirements of this subsection for emergency conditions and for cases in which compliance with those requirements would be seriously detrimental to the foreign policy interests of the United States.

FAA - SEC 118.66: TROPICAL FORESTS:

(a) Importance of Forests and Tree Cover. -In enacting section (103(b)(3) of this Act the Congress recognized the importance of forests and tree cover to the developing countries. The Congress is particularly concerned about the continuing and accelerating alteration, destruction, and loss of tropical forests in developing countries which pose a serious threat to development and the environment. Tropical forest destruction and loss-

(1) result in shortages of wood, especially wood for fuel; loss of biologically productive wetlands; siltation of lakes, reservoirs, and irrigation systems; floods; destruction of indigenous peoples; extinction of plant and animal species; reduced capacity for food production; and loss of genetic resources; and

(2) can result in desertification and destabilization of the earth's climate.

Properly managed tropical forests provide a sustained flow of resources essential to the economic growth of developing countries, as well as genetic resources of value to developed and developing countries alike.

(b) PRIORITIES. -The concerns expressed in subsection (a) and the recommendations of the United States Inter-agency Task Force on Tropical Forests shall be given high priority by the President-

(1) in formulating and carrying out programs and policies with respect to developing countries, including those relating to bilateral and multilateral assistance and those relating to private sector activities; and

(2) in seeking opportunities to coordinate public and private development and investment activities which affect forests in developing countries.

(c) ASSISTANCE TO DEVELOPING COUNTRIES.-In providing assistance to developing countries, the President shall do the following:

(1) Place a high priority on conservation and sustainable management of tropical forests.

(2) To the fullest extent feasible, engage in dialogues and exchanges of information with recipient countries-

(A) which stress the importance of conserving and sustainably managing forest resources for the long-term economic benefit of those countries, as well as the irreversible losses associated with forest destruction, and

(B) which identify and focus on policies of those countries which directly or indirectly contribute to deforestation.

(3) To the fullest extent feasible, support projects and activities-

(A) which offer employment and income alternatives to those who otherwise would cause destruction and loss of forests, and

(B) which help developing countries identify and implement alternatives to colonizing forested areas.

(4) To the fullest extent feasible, support training programs, educational efforts, and the establishment or strengthening of institutions which increase the capacity of developing countries to formulate forest policies, engage in relevant land-use planning, and otherwise improve the management of their forests.

(5) To the fullest extent feasible, help end destructive slash-and-burn agriculture by supporting stable and productive farming practices in areas already cleared or degraded and on lands which inevitably will be settled, with special emphasis on demonstrating the feasibility of agroforestry and other techniques which use technologies and methods suited to the local environment and traditional agricultural techniques and feature close consultation with and involvement of local people.

(6) To the fullest extent feasible, help conserve forests which have not yet been degraded, by helping to increase production on lands already cleared or degraded through support of reforestation, fuelwood, and other sustainable forestry projects and practices, making sure that local people are involved at all stages of projects design and implementation.

(7) To the fullest extent feasible, support projects and other activities to conserve forested watersheds and rehabilitate those which have been deforested, making sure that local people are involved at all stages of project design and implementation.

(8) To the fullest extent feasible, support training, research, and other actions which lead to sustainable and more environmentally sound practices for timber harvesting, removal, and processing, including reforestation, soil conservation, and other activities to rehabilitate degraded forest lands.

(9) To the fullest extent feasible, support research to expand knowledge of tropical forests and identify alternatives which will prevent forest destruction, loss, or degradation, including research in agroforestry, sustainable management of natural forests, small-scale farms and gardens, small-scale animal husbandry, wider application of adopted traditional practices, and suitable crops and crop combinations.

(10) To the fullest extent feasible, conserve biological diversity in forest areas by -

(A) supporting and cooperating with United States Government agencies, other donors (both bilateral and multilateral), and other appropriate governmental, intergovernmental, and nongovernmental organizations in efforts to identify, establish, and maintain a representative network of protected tropical forest ecosystems on a world-wide basis;

(B) whenever appropriate, making the establishment of protected areas a condition of support for activities involving forest clearance or degradation; and

(C) helping developing countries identify tropical forest ecosystems and species in need of protection and establish and maintain appropriate protected areas.

(11) To the fullest extent feasible, engage in efforts to increase the awareness of United States Government agencies and other donors, both bilateral and multilateral, of the immediate and long-term value of tropical forests.

(12) To the fullest extent feasible, utilize the resources and abilities of all relevant United States Government agencies.

(13) Require that any program or project under this chapter significantly affecting tropical forests (including projects involving the planting of exotic plant species) -

(A) be based upon careful analysis of the alternatives available to achieve the best sustainable use of the land, and

(B) take full account of the environmental impacts of the proposed activities on biological diversity, as provided for in the environmental procedures of the Agency for International Development.

(14) Deny assistance under this chapter for-

(A) the procurement or use of logging equipment, unless an environmental assessment indicates that all timber harvesting operations involved will be conducted in an environmentally sound manner which minimizes forest destruction and that the proposed activity will produce positive economic benefits and sustainable forest management systems; and

(B) actions which significantly degrade national parks or similar protected areas which contain tropical forests or introduce exotic plants or animals into such areas.

(15) Deny assistance under this chapter for the following activities unless an environmental assessment indicates that the proposed activity will contribute significantly and directly to improving the livelihood of the rural poor and will be conducted in an environmentally sound manner which supports sustainable development:

(A) Activities which would result in the conversion of forest lands to the rearing of livestock.

(B) The construction, upgrading, or maintenance of roads (including temporary haul roads for logging or other extractive industries) which pass through relatively undegraded forest lands.

(C) The colonization of forest lands.

(D) The construction of dams or other water control structures which flood relatively undegraded forest lands.

- (d) PVOs AND OTHER NONGOVERNMENTAL ORGANIZATIONS.- Whenever feasible, the President shall accomplish the objectives of this section through projects managed by private and voluntary organizations or international, regional, or national nongovernmental organizations which are active in the region or country where the project is located.
- (e) COUNTRY ANALYSIS REQUIREMENTS.- Each country development strategy statement or other country plan prepared by the Agency for International Development shall include an analysis of -
- (1) the actions necessary in that country to achieve conservation and sustainable management of tropical forests, and
  - (2) the extent to which the actions proposed for support by the Agency meet the needs thus identified.
- (f) ANNUAL REPORT.- Each annual report required by section 634(a) of this ACT shall include a report on the implementation of this section.

#### SEC. 119.68 ENDANGERED SPECIES

- (a) The Congress finds the survival of many animal and plant species is endangered by overhunting, by the presence of toxic chemicals in water, air and soil, and by the destruction of habitats. The Congress further finds that the extinction of animal and plant species is an irreparable loss with potentially serious environmental and economic consequences for developing and developed countries alike. Accordingly, the preservation of animal and plant species through the regulation of the hunting and trade in endangered species, through limitations on the pollution of natural ecosystems, and through the protection of wildlife habitats should be an important objective of the United States development assistance.
- (b) In order to preserve biological diversity, the President is authorized to furnish assistance under this part to assist countries in protecting and maintaining wildlife habitats and in developing sound wildlife management and plant conservation programs. Special efforts should be made to establish and maintain wildlife sanctuaries, reserves, and parks; to enact and enforce anti-poaching measures; and to identify, study, and catalog animal and plant species, especially in tropical environments.

- (c) FUNDING LEVEL.-For fiscal year 1987, not less than \$2,500,000 of the funds available to carry out this part (excluding funds made available to carry out section 104(c)(2), relating to the Child Survival Fund) shall be allocated for assistance pursuant to subsection (b) for activities which were not funded prior to fiscal year 1987. In addition, the Agency for International Development shall, to the fullest extent possible, continue and increase assistance pursuant to subsection (b) for activities for which assistance was provided in fiscal years prior to fiscal year 1987.
- (d) COUNTRY ANALYSIS REQUIREMENTS.-Each country development strategy statement or other country plan prepared by the Agency for International Development shall include an analysis of-
- (1) the actions necessary in that country to conserve biological diversity, and
  - (2) the extent to which the actions proposed for support by the Agency meet the needs thus identified.
- (e) LOCAL INVOLVEMENT.- To the fullest extent possible, projects supported under this section shall include close consultation with and involvement of local people at all stages of design and implementation.
- (f) PVOs AND OTHER NONGOVERNMENTAL ORGANIZATIONS.- Whenever feasible, the objectives of this section shall be accomplished through projects managed by appropriate private and voluntary organizations, or international, regional, or national nongovernmental organizations, which are active in the region or country where the project is located.
- (g) ACTIONS BY AID.-The Administrator of the Agency for International Development shall-
- (1) cooperate with appropriate international organizations, both governmental and nongovernmental;
  - (2) look to the World Conservation Strategy as an overall guide for actions to conserve biological diversity;
  - (3) engage in dialogues and exchanges of information with recipient countries which stress the importance of conserving biological diversity for the long-term economic benefit of those countries and which identify and focus on policies of those countries which directly or indirectly contribute to loss of biological diversity;

(4) support training and education efforts which improve the capacity of recipient countries to prevent loss of biological diversity;

(5) whenever possible, enter into long-term agreements in which the recipient country agrees to protect ecosystems or other wildlife habitats recommended for protection by relevant governmental or nongovernmental organizations or as a result of activities undertaken pursuant to paragraph (6), and the United States agrees to provide, subject to obtaining the necessary appropriations, additional assistance necessary for the establishment and maintenance of such protected areas;

(6) support, as necessary and in cooperation with the appropriate governmental and nongovernmental organizations, efforts to identify and survey ecosystems in recipient countries worthy of protection;

(7) cooperate with and support the relevant efforts of other agencies of the United States Government, including the United States Fish and Wildlife Service, the National Park Service, the Forest Service, and the Peace Corps;

(8) review the Agency's environmental regulations and revise them as necessary to ensure that ongoing and proposed actions by the Agency do not inadvertently endanger wildlife species or their critical habitats, harm protected areas, or have other adverse impacts on biological diversity (and shall report to the Congress within a year after the date of enactment of this paragraph on the actions taken pursuant to this paragraph);

(9) ensure that environmental profiles sponsored by the Agency include information needed for conservation of biological diversity; and

(10) deny any direct or indirect assistance under this chapter for actions which significantly degrade national parks or similar protected areas or introduce exotic plants or animals into such areas.

(h) ANNUAL REPORTS.-Each annual report required by section 634(a) of this Act shall include, in a separate volume, a report on the implementation of this section.

REDSO/WCA DOC #1397E

***APPENDIX F***  
***PER/SEA EVALUATION REPORT***

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**APPENDIX F**

**PRELIMINARY ENVIRONMENTAL REVIEW / SCHEME  
ENVIRONMENTAL ASSESSMENT  
PER /SEA  
EVALUATION REPORT**

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## EXECUTIVE SUMMARY

The Preliminary Environmental Review / Scheme Environmental Assessment (PER/SEA) procedure is a two-step process of reviewing CARE schemes for environmental soundness. This procedure is designed as part of the mitigation plan drafted in response to the 1991 Programmatic Environmental Assessment for CARE's rural road reconstruction program.

Test PER/SEAs were conducted in late 1992, and completed PER/SEA forms were analyzed in early 1993. A scheme was also subjected to the PER/SEA procedure by a member of the LBII staff to determine time and effort requirements, as well as overall utility and feasibility.

In summary, the PER/SEA process with minor modifications appears to be an effective tool in environmental awareness training, facilitating improved CARE schemes and permitting compliance with USAID environmental policies and regulations. The PER/SEA procedure also invites a high degree of local participation into the scheme development process.

General recommendations include: 1, Install the PER/SEA procedure before the pre-survey to expedite the pre-survey and to assure that environmental conditions are considered early in the scheme design and approval process; 2, Establish clear, reasonable and enforceable pre-selection criteria (criteria for scheme selection) to be incorporated into the PER/SEA procedure; 3, Provide for professional environmental review of completed SEA forms at the CARE sub-office level to assure consistency in scheme evaluation and transfer training through experience; and 4, Continue environmental training sessions for CARE engineers, Thana engineers, Project Initiation Officers (PIOs) and other key decision makers who have an interest in CARE projects. These trainings should focus on environmental problem solving as well as on how to fill out the PER/SEA forms.

## 1. PURPOSE OF THE PER/SEA PROCEDURE

The PER/SEA procedure is designed as part of the mitigation plan to satisfy the requirements resulting from the 1991 Programmatic Environmental Assessment of CARE's IFFD rural road reconstruction project. In short, the PER/SEA procedure is a two-step process wherein which all proposed schemes are subjected to a set of criteria or Preliminary Environmental Review (PER). The PER determines which schemes require further assessment through a Scheme Environmental Assessment (SEA). Scheme size and amount of wheat per mile are the primary determining factors, with larger schemes being subjected to the SEA. Other PER criteria which will trigger the SEA include; the alteration/enlargement of structures, the installation of structures which are larger than pipe culverts, the use of pesticides, the use of exotic trees, and the removal of crop land or natural land.

In addition to addressing the USAID environmental requirements, the PER/SEA procedure facilitates environmental awareness and permits scheme improvements to be made early in the design/approval process.

## 2. EVALUATION METHODOLOGY

A Preliminary Environmental Review (PER) of all CARE earthworks and structure schemes was conducted in early 1992. The reviewed schemes were assigned potential minor, moderate or significant impacts based upon the PER criteria. Sixty (10 schemes in 6 sub-offices) significant impact schemes were tested by CARE engineers late in 1992 utilizing the Scheme Environmental Assessment (SEA) forms. A sampling of the completed forms in early 1993 by this LBII evaluator found the forms to contain a wealth of information, sufficient to base decisions for environmental mitigation. A rural road reconstruction scheme in the Manikganj District, Ghior Thana (Dhaka sub-office) was subjected to the SEA procedure by this LBII evaluator. The SEA form was taken on-site to determine the relative time and effort required, the relative utility and feasibility, and to provide a detailed critique of the SEA form and to seek ways to improve its efficiency and effectiveness. A copy of the SEA form is included at the end of this appendix.

## 3. FINDINGS

In general the PER/SEA procedure appears to be workable and has the potential to be an efficient and effective means of USAID environmental regulatory compliance when incorporated into the CARE scheme approval/design process. The addition of clear, reasonable and enforceable pre-selection criteria (criteria for scheme selection) and professional environmental

review at the CARE sub-office level will provide increased assurances of not only USAID environmental regulatory compliance, but also improved CARE scheme designs.

The review of a sample of completed SEA forms have revealed that the CARE engineers have sufficient knowledge to complete the forms in enough detail and scope to base decisions on the required environmental mitigation measures. The scheme maps included with the SEA forms were especially valuable in the amount of environmental information that they convey. Some variation in the information provided and degree of understanding on mitigation measures was noted. This can be improved through on-going training and professional SEA form review.

The field exercise was performed by this LBII evaluator wherein the SEA form was completed on-site for a rural road reconstruction. The two mile alignment took three hours to review together with a CARE engineer and the Environmental Management Analyst in attendance. A two (2) person crew is recommended for this field exercise. Three villager groups were interviewed, one near the beginning of the alignment, a second in the middle, and a third near the end. A wealth of information and a good general understanding of the environmental conditions are facilitated by the utilization of the SEA form. Local opinions as to the value of the road were also be obtained through this process. In this way local informal participation is a vital and integral part of the SEA process.

The SEA process revealed the need for three pipe culverts to prevent flood restriction, waterlogging and fish migration blockage. No such culverts existed in the proforma scheme design. No other significant adverse environmental effects were observed, and a general appreciation for the road reconstruction was noted for this scheme.

The SEA form appears to be slanted towards road and other linear schemes, but is readily adaptable to other schemes with minor modifications. Specific modifications to the SEA form to improve its efficiency and effectiveness are presented in the Recommendations below.

#### 4. RECOMMENDATIONS

The PER/SEA process has been evaluated and found to have the potential for success when implemented with the following recommendations.

##### **Pre-Selection Criteria**

Clear, reasonable and enforceable pre-selection criteria (criteria for scheme selection) should be incorporated into the PER/SEA procedure. These criteria, reflecting USAID funding requirements should accompany the Preliminary Environmental review (PER) and taken into the

field with the Scheme Environmental Assessment (SEA). Some criteria can be applied to the proforma prior to the PER. Activities such as new road construction for more than 500 linear feet for example, is not permitted and can be determined from the proforma. Other, more obscure criteria, such as critical endangered species habitat, require field inspections and an SEA to make a determination. Examples of possible pre-selection criteria for consideration are presented below:

### **Road Reconstruction Pre-Selection Criteria**

1. \*No more than 500 feet of new road construction per union.  
(addresses cumulative effects of new construction)
2. ~ No reconstruction in or adjacent to natural forest lands.  
(FAA sec. 118)
3. \*No reconstruction in or adjacent to National Parks or other protected lands. (FAA sec.119)
4. ~ No reconstruction in or adjacent to endangered species critical habitats (FAA sec.119)
5. ~ No reconstruction in areas where land disputes exist concerning the proposed scheme.  
(from existing pre-selection criteria)
6. \*No reconstruction of roads which are not in the Thana/Union plan books. (from existing pre-selection criteria)
7. ~ No reconstruction or roads which significantly adversely effect the Flood Action Plan (FAP).(from 1991 mitigation plan)
8. \*No reconstruction of roads which do not connect two or more trip generating sources. (existing pre-selection criteria)
9. ~ No reconstruction or roads in uncultivated beels,haors or other natural wetlands. (from 1991 mitigation plan)

- \* pre-selection criteria applied before PER
- ~ pre-selection criteria applied during SEA

### **Canal Re-Excavation Pre-Selection Criteria**

1. \*No new canal construction.
2. \*No canal re-excavation which increases cross section volume greater than 50%.
3. ~ No canal re-excavation in or adjacent to natural forests.  
(FAA sec. 118)

4. \*No canal re-excavation in or adjacent to National Parks or other protected lands. (FAA secs. 118 and 119)
5. ~ No canal re-excavation in or adjacent to endangered species critical habitats. (FAA sec. 119)
6. ~ No canal re-excavation in areas where land disputes exist concerning the proposed scheme.
7. ~ No re-excavation of canals which significantly adversely effects the Flood Action Plan (FAP).
8. ~ No re-excavation of canals which drain uncultivated beels, haors or other natural wetlands.
9. \*No re-excavation of canals requiring new sluice gates or gated weirs.

- \* pre-selection critetia applied before PER
- ~ pre-selection criteria applied during SEA

#### **Flood Proofing Pre-Selection Criteria**

1. ~ No flood proofing to be conducted which significantly adversely effects the Flood Action Plan.
2. ~ No flood proofing in or adjacent to natural forests. (FAA sec. 118)
3. \*No flood proofing in or adjacent to National Parks or other protected lands. (FAA secs. 118 and 119)
4. ~ No flood proofing in or adjacent to endangered species critical habitats. (FAA sec. 119)
5. ~ No flood proofing in uncultivated beels, haors or other natural wetlands.
6. ~ No flood proofing in areas where land disputes exist concerning the proposed scheme.
7. ~ No flood proofing where adjacent land owner opposition exists.
8. ~ No diversion of natural channels.

- \* pre-selection criteria applied before PER
- ~ pre-selection criteria applied during SEA

## SEA Form Modifications

Below is presented question by question recommendations for modification to improve the efficiency and effectiveness of the form.

### General Section:

Question #1, Add CARE sub-office location.

Question #2, No change recommended.

Question #3, Add space for project description and for indication of inclusion in the Thana/Union Plan Book.

Question #4, Use Proforma data on existing and proposed conditions, add a column identifying the "Impact" (i.e. additional width at top and bottom, and additional height/depth). This information should be verified/updated through the pre-survey.

Question #5, To be answered by pre-survey.

Question #6, No change recommended, the map is extremely important.

Question #7, This is an opportunity to ask local villagers whether they want roadside tree planting, and what tree species they prefer.

Question #8, No change recommended.

Question #9, This is an opportunity to ask local villagers whether they want fish ponds and where.

### Ecological Impact Section:

Question #1, Add space for SEA conductor's observations.

Question #2, Add space for SEA conductor's observations.

Question #3, No change recommended.

Question #4, Make clear reference to scheme map. Add elements such as undegraded forests, national parks and other protected areas.

Question #5, The identification and recording of the number, species, diameter at breast height (DBH) of every tree in the ROW appears excessive. Reference to natural forest location and extent, existing roadside tree plantings and large (greater than 20 inch DBH) within proposed cartway or canal channel, or otherwise subjected to greater than 18 inches of fill should be noted. Trees subjected to side slope fill should not be removed, but identified to determine future fill survival rates.

Question #6, Endangered species photos or sketches should be brought on the SEA field review.

Critical habitat should also be noted.

#### **Physico-Chemical Impact Section:**

Question #1, SEA estimate only. To be verified by pre-survey. The Master Plan Organization (MPO) flood level maps should be obtained to assist in this determination.

Question #2, No change recommended.

Question #3, General location and extent of drainage congestion should be noted.

Question #4, No change recommended.

Question #5, No change recommended.

Question #6, No change recommended.

#### **Human Interest Impact Section:**

Question #1, Note approximate acres per area and total.

Question #2, To be answered in very general terms. Pre-survey calculations to determine exact acreage.

Question #3, Note general location of interference.

Question #4, To be answered by pre-survey.

Question #5, No change recommended.

Question #6, No change recommended.

#### **Summary and Recommendations Section:**

Add space for CARE sub-office professional environmental review comments and conclusions.

Add space for general comments and concerns of the local villagers.

#### **Recommendation for SEA Review**

Despite the apparent ability of the CARE engineers to adequately complete the SEA forms substantial variations exist in the summaries and recommendations in the forms. Recommendations were sometimes contrary to the results of the findings of the same SEA form. To rectify this, and to promote consistency and environmental education through experience, a person professionally trained in environmental sciences and capable of environmental problem solving and decision making should be employed at each of the CARE sub-offices. In this way quality control and consistency can be established while the bulk of the environmental review

work is done by CARE engineers with the ultimate aim of transferring this capacity to the Bangladesh Government.

Based upon the field experience with the SEA, test SEA form reviews and informal discussions about the PER/SEA process with CARE staff, it is estimated that the average earthworks scheme will require four (4) person days to complete the PER/SEA process. This involves time spent in the field review as well as documentation and quality control reviews. It is anticipated that the PERs can be performed by CARE engineers or new CARE environmental staff hires. Likewise, the SEA field review and documentation can be conducted by CARE engineers or new CARE environmental staff hires. Quality control reviews should be conducted at the sub-office level by a person with a professional environmental science background.

### **Recommendation for Continued Training**

Existing training efforts to educate CARE staff as well as Bangladesh Government staff should be continued. The need for additional environmental trainers may arise, and should be given full consideration as environmental education is the best long term way to promote environmentally sound schemes.

## **5. SEA FORM**

A copy of the existing Scheme Environmental Assessment (SEA) form is included in this annex which follows.

# CARE-BANGLADESH IFFW PROJECT

## SCHEME ENVIRONMENTAL ASSESSMENT

### (SEA) FORM

#### A. GENERAL INFORMATION

**1. Location**

District:	
Thana:	
Union(s):	

**2. Name of the project**

**3. Type of the project**

**4. Dimensions**

Total effective length	FT
Existing average base width	FT
Existing average top width	FT
Existing average height/depth	FT

**5. Wheat requirement as per joint survey**

MT

**6. Location of Scheme Influence Area (SIA)**

Show the location of the project on a map including as many features as possible around the project (SIA). Include all physical infrastructures, wetlands, existing and planned bridges and culverts, catchment area, housing area, area above flood level, forest, watercourses with major drainage direction and flows.

**6. Tree plantation:**

**A. Can the project be used for tree plantation?**

YES  
NO

**B. If YES, is there any plan?**

YES  
NO

**8. Revegetation**

**A. Is there any plan for turfing or revegetation of the scheme?**

YES  
NO

**B. If YES, give a brief description of it (consider the acreage and purpose of revegetation and the plants used for it).**

**9. Pisciculture**

**A. Can the scheme be used for fish culture?**

YES  
NO

**B. If YES, is there any plan?**

YES  
NO

---

## B. ECOLOGICAL IMPACT

---

### 1. Fish population

**A.** Will the project divide any waterbody into two or more pieces in which fish is present during the dry season? If more villagers-groups are interviewed, proceed on the back of this sheet.

Answer of villagers-group A:

Answer of villagers-group B:

Answer of villagers-group C:

*Summary / Conclusion of the answers of all villagers-groups interviewed:*

**B.** If the answer is yes, how many acres are the respective waterbodies? If more villagers-groups are interviewed proceed on the back of this sheet.

Answer of villagers-group A:

Answer of villagers-group B:

Answer of villagers-group C:

*Summary / Conclusion of the answers of all villagers-groups interviewed:*

---

**2. Fish migration**

**A.** Do fish migrate into flooded areas during the wet season within the SIA? If more villagers-groups are interviewed proceed on the back of this sheet.

Answer of villagers-group A:

Answer of villagers-group B:

Answer of villagers-group C:

*Summary / Conclusion of the answers of all villagers-groups interviewed:*

**B.** If the answer is yes, how many acres will be blocked from fish migration? If more villagers-groups are interviewed proceed on the back of this sheet.

Answer of villagers-group A:

Answer of villagers-group B:

Answer of villagers-group C:

*Summary / Conclusion of the answers of all villagers-groups interviewed:*

**3. Wetlands**

A. Will the project alter the acreage of water of existing beels, hoars, boars, fish ponds, rivers or canals (not being the canal of the project) in the dry season?

YES
NO

B. If YES, will wetlands be increased or decreased?

INCREASE
DECREASE

**4. Habitat**

Will the project remove or seriously affect (which means: partly removing or accessing) distinct landscape elements such as:

- ditches in existence for long time and not used as waste dump
- patches of forests, over thirty years old
- cluster of trees (fruit trees or wild trees), over twenty years old
- old, single trees, over thirty years old
- hedges/bushes, fairly developed and consisting of slow growing species.
- a group of plants in existence for a long time or an uncultivated field
- water bodies of the size of a fishpond or greater and not used as waste dump; especially important when these are relatively old ones, say twenty years or older
- small canal not used as a waste dump

Describe the possible removals or affects:





**4. Flooding**

**A. Will the project change the intensity/duration/location of flooding?**

YES
NO

**B. If YES, describe the changed location and the impact on settlement/homestead, agriculture (cropping pattern/cropping intensity), other land use.**

**5. Waste / discharge**

**A. Will the project obstruct waste or other discharges generated within the flood protected area?**

YES
NO

**B. If YES, please explain.**

**6. Fertile soil deposition**

**A. Will the project deprive the protected area from deposition of fertile soil carried by flood?**

YES
NO

**B. If YES, give the estimated acreage of the affected area**

_____ Acrs
------------

**D. IMPACT ON HUMAN INTEREST**

**1. Flooding / waterlogging**

A. How many acres of land will be protected from flood or waterlogging?

Acres
-------

B. Which months of the year is the area normally flooded?

--

**2. Loss of agricultural land**

A. Will the project cause loss of agricultural land?

YES
NO

B. If YES, how many acres will be lost. For each piece of land/farmer proceed on the back of this sheet.

temporarily

Acres

permanently

Acres


**3. Navigation**

A. Will the project interfere with transportation by boat during any period of the year?

B. If YES, is this

temporarily, for the following months of every year:

permanently:


**4. Employment**

How much employment in man-days per year (MD/YR) will be generated by the project?

for reconstruction

MD/YR

for maintenance after completion of construction

MD/YR


**5. Homesteads**

A. Will homesteads be partially or completely affected because of the scheme?

YES
NO

B. If YES, will the homesteads be affected due to coverage by alignment

acreaage	Acrs
number of homesteads	
number of homesteads displaced	

flooding or waterlogging

acreaage	Acrs
number of homesteads	
number of homesteads displaced	

erosion danger

acreaage	Acrs
number of homesteads	
number of homesteads displaced	

6. Cultural resources

A. Will the proposed scheme affect any archeological, historical or cultural resources?

YES
NO

B. If YES, describe the object and possible impact:

**Summary**

Summarize the result of the environmental assessment of the scheme and describe the likely environmental problems

[Empty box for Summary]

**Recommendation**

Recommend appropriate mitigating measures that can be adopted to minimize the afore mentioned problems.

[Empty box for Recommendation]

**Study conducted by:**

CARE \_\_\_\_\_ Date: \_\_\_\_\_

Name: ..... Designation: ..... Signature: .....

Name: ..... Designation: ..... Signature: .....

THANA OFFICIALS Date: \_\_\_\_\_

Name: ..... Designation: ..... Signature: .....

Name: ..... Designation: ..... Signature: .....

***APPENDIX G***  
***BIBLIOGRAPHY***

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**APPENDIX G****BIBLIOGRAPHY**

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