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ENVIRONMENTAL COMPLIANCE BEST PRACTICES REVIEW ACTION PLAN

IMPROVING USAID/PAKISTAN ENVIRONMENTAL COMPLIANCE

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ACRONYMS

AED	Academy for Educational Development
AOTR	Agreement Officer's Technical Representative
BEO	Bureau Environmental Officer
CFR	Code of Federal Regulations
COTR	Contracting Officer's Technical Representative
CRISP	Community Rehabilitation Infrastructure Support Program
DCHA	Democracy, Conflict, And Humanitarian Assistance
DTW	Districts That Work
EA	Environmental Assessment
EDF	Environmental Documentation Form
EIS	Environmental Impact Statement
EMCB	Environmental Management Capacity Building
EMMP	Environmental Mitigation and Monitoring Plan
EPIQ II	Environmental Policy and Institutional Strengthening
ETD	Environmental Threshold Decision
FATA	Federally Administered Tribal Areas
FCC	Foreman Christian College
IEE	Initial Environmental Examination
IP	Implementing Partner
MEO	Mission Environmental Officer
NEPA	National Environmental Policy Act
OTI	Office of Transition Initiatives
PAIMAN	Pakistan Initiative for Mothers And Newborns
PEA	Programmatic Environmental Assessment
PERRP	Pakistan Earthquake Reconstruction and Recovery Program
PERSUAP	Pesticide Evaluation Report and Safer Use Action Plan
PIO	Public International Organization
PIPS	Pakistan Institute of Parliamentarian Studies
REA	Regional Environmental Advisor
SO	Strategic Objective
UN IOM	United Nations International Organization for Migration
USAID	United States Agency for International Development

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SECTION I BACKGROUND AND METHODOLOGY

The U.S. Government reopened the USAID mission in Islamabad in 2002. From 2002 through 2007, USAID has provided nearly \$2.4 billion (including Emergency Economic Assistance) to address pressing needs in education, health, economic growth, and good governance, as well as assistance for reconstruction in areas devastated by the October 2005 earthquake. Currently USAID/Pakistan has eight strategic objectives (SOs), including:

- SO 3: Education Sector Reform Support Program
- SO 4: Democracy and Governance Program
- SO 5: Emergency Economic Assistance
- SO 6: Economic Growth Program
- SO 7: Health and Population Welfare Program
- SO 8: Earthquake Reconstruction Program
- SO 9: Pakistan Program Support
- SO 10: Federally Administered Tribal Areas (FATA) Development Program, including FATA/OTI program

To comply with USAID's environmental procedures, 22 CFR 216, USAID/Pakistan prepared Initial Environmental Examination (IEEs) and ANE Bureau Environmental Officer (BEO) approved Environmental Threshold Decisions (ETDs) at the strategic objective level. However, the Mission has encountered serious challenges in complying with USAID's environmental procedures, 22 CFR 216. The USAID/Pakistan program presents special challenges with respect to environmental compliance. The program has grown rapidly since recommencement in 2002, after a seven year hiatus. A larger percentage of the program also is committed to physical interventions (i.e. construction of facilities) than in most USAID bilateral programs. Physical interventions are by their nature subject to environmental review, so the USAID/Pakistan program has a substantial workload related to environmental compliance that requires a systematic approach to assure the effectiveness of the process and prevent delays in activity implementation.

USAID's environmental procedures are mandated by law and therefore are not voluntary. Their intent is to improve the sustainability of USAID interventions. The environmental review process is therefore most effective when undertaken during project planning, when it can improve the environmental and social soundness of proposed activities. When environmental review is done after an activity's detailed design is complete, it becomes more an obligatory regulatory requirement and less a planning tool, thereby limiting its usefulness. When undertaken during project planning, environmental review enhances stakeholder acceptance, and provides an opportunity to avoid or mitigate potentially significant adverse impacts to the natural and physical environment, and to human health. USAID's environmental procedures are the U.S. Foreign Assistance Act's equivalent of the U.S. National Environmental Policy Act (NEPA).

Chris Perine, Environmental Impact Assessment Specialist, conducted this environmental compliance best practice review from April 1-22, 2009 in Islamabad, Pakistan with funding provided by the Environmental Management Capacity Building (EMCB) task order under the Environmental Policy and Institutional Strengthening II Indefinite Quantity Contract (EPIQ II). Mr. Perine's review included the following tasks:

1. Meetings with USAID/Pakistan Mission Environmental Officer (MEO) Mahmood Hussain to obtain a historical overview of Mission environmental compliance, priority issues and continuing challenges.
2. Review of all USAID/Pakistan environmental compliance documentation.
3. Meetings with Program teams to review their specific program activities and answer their questions about the environmental review process and their responsibilities with respect to the process.
4. Meetings with the USAID/Pakistan Mission Director, Deputy Mission Director and Legal Advisor to obtain their perspectives on the Mission environmental compliance and provide them with preliminary impressions of ways to improve environmental compliance.
5. Review of current USAID/Pakistan documentation regarding environmental compliance procedures (i.e., mission order regarding environmental compliance, appointment memos for the MEO, Deputy MEOs).
6. Targeted field visits to assess activities facing environmental compliance issues.
7. Targeted technical assistance to Program teams and implementing partners to improve the effectiveness of their environmental review activities. Implementing partners to whom technical assistance has been provided as part of this assignment include:
 - a. SO 3: Education Sector Reform Support: Foreman Christian College, a grantee under the program;
 - b. SO 4: Democracy and Governance: The Urban Institute, implementing partner for the Districts that Work Project;
 - c. SO 7: Health and Population Welfare: John Snow Inc, implementing partner for the Pakistan Initiative for Mothers and Newborns (PAIMAN) project;
 - d. SO 8: Earthquake Reconstruction: CDM, implementing partner for the Pakistan Earthquake Reconstruction and Recovery Project (PERRP); and
 - e. SO 10: Federally Administered Tribal Areas, including FATA/OTI program: Sheladia, construction activity partner on the AED-led Upper FATA program and CHF, lead partner on the Lower FATA program.

8. Analysis of all information obtained from the forgoing tasks and development of a plan and accompanying tools to improve Mission-wide environmental compliance.

SECTION II MISSION STATUS ON ENVIRONMENTAL COMPLIANCE

Status Summary

The following table summarizes the environmental compliance status of USAID/Pakistan's current programs.

USAID/Pakistan Environmental Compliance Status

Strategic Objective	Determinations	Mitigation Measures	Environmental Mitigation and Monitoring Plan
SO 3: Education Sector Reform Support	<ul style="list-style-type: none"> • Categorical Exclusion • Negative Determination with Conditions 	<ul style="list-style-type: none"> • General language in IEE regarding sound design, monitoring etc. No specific mitigation measures identified • Discussion of developing an environmental review checklist prior to implementation of small scale construction activities 	No EMMP prepared
SO 4: Democracy and Governance	<ul style="list-style-type: none"> • Categorical Exclusion • Deferral • Negative Determination with Conditions 	<ul style="list-style-type: none"> • General language in IEE regarding sound design, monitoring etc. No specific mitigation measures identified • Discussion of developing an environmental review checklist prior to implementation of small scale construction activities 	No EMMP prepared
SO 5: Emergency Economic Assistance	<ul style="list-style-type: none"> • Categorical Exclusion 	NA	NA

Strategic Objective	Determinations	Mitigation Measures	Environmental Mitigation and Monitoring Plan
SO 6: Economic Growth	<ul style="list-style-type: none"> • Categorical Exclusion • Negative Determination with Conditions • Positive Determination • PERSUAP (pesticides being funded under SO 6 were identified/added to the SO 8 PERSUAP) 	<ul style="list-style-type: none"> • General language in IEE regarding sound design, monitoring etc. No specific mitigation measures identified • Discussion of developing an environmental review checklist prior to implementation of small scale construction activities 	No EMMP prepared
SO 7: Health and Population Welfare	<ul style="list-style-type: none"> • Categorical Exclusion • Negative Determination with Conditions 	<ul style="list-style-type: none"> • Environmental Review Checklist attached to IEE, containing a list of potential environmental issues, but no suggested mitigation measures 	No EMMP prepared
SO 8: Earthquake Reconstruction	<ul style="list-style-type: none"> • Categorical Exclusion • Negative Determination with Conditions • Positive Determination • PERSUAP 	<ul style="list-style-type: none"> • Program implementing partner has developed basic environmental review system for each project activity that includes basic mitigation measures 	Environmental review system includes identification of specific mitigation measures; no specific monitoring program included
SO 9: Pakistan Program Support	<ul style="list-style-type: none"> • Categorical Exclusion • Negative Determination with Conditions 	<ul style="list-style-type: none"> • IEE references a State Department environmental checklist to be used for assessing each program activity • IEE includes an attached worker health and safety plan for program activity construction phase 	No EMMP prepared

Strategic Objective	Determinations	Mitigation Measures	Environmental Mitigation and Monitoring Plan
SO 10: Federally Administered Tribal Areas	<ul style="list-style-type: none"> • Categorical Exclusion • Negative Determination with Conditions • Positive Determination • PERSUAP 	<ul style="list-style-type: none"> • IEE includes a relatively detailed environmental documentation form (EDF) to be prepared for each program activity subject to a negative determination with conditions • A standard set of mitigation measures typically associated with activities undertaken through this program is attached to the IEE. Specific mitigation measures are selected from the list for each completed EDF 	The EDF includes a requirement to develop a mitigation an EMMP for each activity

Status of IEEs, Compliance and Monitoring

This section summarizes the status of environmental documentation for each USAID/Pakistan SO and provides a breakdown of environmental compliance issues.

SO 3: Education Sector Reform Support

Summary:

SO 3 includes an original IEE (dated May 8, 2003) and two IEE amendments (dated June 1, 2006 and August 1, 2008). The original IEE included a Categorical Exclusion, a Negative Determination with Conditions and a Positive Determination. The subsequent amendments added additional funding, extended the program end date and added additional activities to the Categorical Exclusion and Negative Determination classifications. Project activities that received Negative Determination with Conditions and Positive Determination include small scale construction and large scale construction, respectively. The program’s construction activities include construction of new education facilities and rehabilitation of existing education facilities. The IEE and IEE amendments each specify the preparation of an environmental review checklist form and the completion of that form for each activity granted a Negative Determination with Conditions.

Implementing Partner Environmental Compliance Capacity:

Low: The program implementing partner(s) have not retained any organization with environmental compliance technical capacity.

Issues:

1. No environmental review form has been prepared for the program and therefore no environmental review has been completed for any of the project's small scale construction activities.
2. No environmental review was completed for a larger scale construction activity, the construction of a five-story science building at the Forman Christian College (FCC) in Lahore.

Recommended Action:

1. Prepare an environmental documentation form and complete the form for each small scale activity granted a Negative Determination with Conditions; although the small-scale construction activities associated with the program have been completed, it is important that the activities completed are documented and that an EMMP be prepared and implemented to assure that the completed activities have not resulted in any unanticipated environmental impacts.
2. Complete the environmental documentation form and associated environmental review for the FCC building in Lahore.

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SO 4: Democracy and Governance

Summary:

SO 4 includes an original IEE (dated June 1, 2003) and two IEE amendments (dated April 28, 2006 and July 11, 2008). The original IEE included a Categorical Exclusion and a Deferral. The Deferral was for planned but undefined small scale construction activities to be undertaken through a grants program. The IEE states that an amendment will be prepared recommending a Negative Determination with Conditions once those activities have been defined. The subsequent amendments added additional funding, extended the program end date and added additional activities. IEE amendment 1 (dated April 28, 2006 and not labeled as an amendment) added additional activities to the Categorical Exclusion and added a Negative Determination for the now defined small scale grant activities, which were described as (a) rehabilitation of government buildings, (b) construction of primary and secondary schools, (c) construction of medical clinics and (d) rehabilitation of existing farm to market roads. IEE Amendment 2 (dated July 11, 2008 and labeled as amendment 1)

added additional activities to the Categorical Exclusion and an additional activity to the Negative Determination with Conditions. The latter was for construction of the Pakistan Institute of Parliamentarian Studies (PIPS), a two-story building with capacity for approximately 80 employees. The two IEE amendments both state that environmental review checklists will be prepared and completed for all construction activities. The small-scale construction activities under the grants program are called Districts That Work (DTW).

Implementing Partner Environmental Compliance Capacity:

Medium: The DTW Implementing Partner, the Urban Institute, has retained environmental management expertise to prepare environmental review documentation for project activities. The project staff relies, however, on engineers to complete the regular environmental compliance work.

Issues:

1. The DTW implementing partner prepared a project level IEE (dated December 2008). With assistance from Mr. Perine, the IEE was revised to include a mechanism for monitoring of mitigation measure implementation and effectiveness. The IEE was approved by the Asia Bureau Environmental Officer on May 21, 2009.
2. No environmental review has yet been completed for the PIPS building.

Recommended Action:

1. Revise DTW IEE to (a) include a monitoring plan and (b) circulate IEE for USAID/Pakistan and Asia BEO approval (done)
2. Prepare an environmental documentation form for PIPS and complete the form and associated environmental review as soon as possible (i.e., prior to final design and construction of the building).

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SO 5: Emergency Economic Assistance

Summary:

SO 5 includes an original IEE (dated May 27, 2005) and two IEE amendments (dated April 28, 2006 and November 6, 2007). All activities in the original IEE and in both amendments have been classified Categorical Exclusions. The subsequent amendments added additional funding, extended the program end date and added additional activities. Activities under this SO are limited to cash transfer to the Government of Pakistan for activities about which USAID does not have knowledge or control.

Implementing Partner Environmental Compliance Capacity: NA

Issues: No issues identified

Recommended Action: No action necessary

Implementing Partner Contact for Follow up: NA

SO 6: Economic Growth

Summary:

SO 6 includes an original IEE (dated June 1, 2003) and four IEE amendments (dated January 25, 2006, April 28, 2006, May 29, 2008 and August 26, 2008). The original IEE includes a Categorical Exclusion and a Negative Determination with Condition. The subsequent amendments added additional funding, extended the program end date and added additional activities. The Negative Determination with Conditions for all SO 6 activities is for small-scale construction associated with farm and agribusiness structures and infrastructure. The IEE and IEE amendments state that an environmental checklist will be prepared and completed for each activity subject to the Negative Determination with Conditions. All of these small scale construction activities were envisioned to be part of a grants program. However, according to Zack Orend, USAID/Pakistan Economic Growth Advisor, the grants component was removed from the SO portfolio. In addition, pesticides are being purchased using SO funds. The pesticides proposed for purchase under SO 6 were evaluated in a Pesticides Evaluation Report and Safe Use Action Plan (PERSUAP) prepared primarily for SO 8, Earthquake Reconstruction and Recovery.

Implementing Partner Environmental Compliance Capacity:
None known

Issues:

1. There are four new projects under the Economic Growth SO with potential physical infrastructure-related activities. These are all new projects and include: (a) Empowering Pakistan – Growth, (b) Empowering Pakistan – Trade, (c) Empowering Pakistan Firms and Empowering Pakistan – Jobs. In all cases, the SOWs for these projects discuss construction of facilities or renovation of existing facilities. In all cases, it will be necessary for the relevant Contract Officer's Technical Representatives/Agreement Officer's Technical Representatives (COTRs/AOTRs) to assure that the project implementing partners meet the SO 6 IEE requirement to conduct environmental review of all activities subject to a Negative Determination with Conditions (i.e. all physical infrastructure-related activities).
2. The Community Rehabilitation Infrastructure Support Program (CRISP) is in start up. The project includes substantial infrastructure development at the local level. It is important that the implementing partner adopt a compliant and effective environmental compliance system from the outset of the project.

Recommended Action:

1. Incorporate environmental compliance requirements into pending economic growth program project contracts/cooperative agreements. If this is not possible, assure that COTRs/AOTRs provide a copy of the SO 6 IEE to project implementing partners and that implementing partners include completion of necessary environmental compliance documentation in their work plans. It is recommended that the environmental documentation form contained in Annex C to this report be used to review all relevant activities for each of these projects.
2. Undertake a project level IEE for CRISP.

SO 7: Health and Population Welfare

Summary:

SO 7 includes an original IEE (dated June 1, 2003) and four IEE amendments (dated February 21, 2006, March 9, 2008, May 6, 2008 and September 3, 2008). The original IEE included a Categorical Exclusion. IEE amendments 1-3 all included Categorical Exclusions and Negative Determinations with Conditions. IEE Amendment 4 included a Categorical Exclusion. Activities for which Negative Determination with Conditions were approved in the IEE amendments small scale construction and renovation of health care facilities, including health clinics and dormitories. Support for disposal of medical waste generated at health care facilities also is discussed. Procurement of incinerators is contemplated by the implementing partner for this purpose. IEE Amendments 2 and 3 include an attached environmental review checklist to be completed for all small scale construction activities, including the provision of medical waste disposal solutions (though incineration is not specified in the IEE).

Implementing Partner Environmental Compliance Capacity:

Medium: The project implementing partner, John Snow Inc. (JSI) has a staff member designated to prepare environmental review documentation. Though not an environmental management specialist, he has received some training and his work is being supplemented by short term technical experts.

Issues:

1. The implementing partner has prepared the required environmental review form for each of the construction related activities undertaken or planned thus far under the project. However, the completed review forms contained limited details about the specific activities undertaken at each site (i.e. health clinic rehabilitation). These activities generally are limited to interior rehabilitation work, including painting, plumbing and electrical work, but the type of work should be specified for each individual site.
2. The environmental issues associated with disposal of medical waste, either by land filling or incineration, differ significantly from those environmental issues associated with the small-scale construction activities for which the very rudimentary environmental review form developed for this SO program was intended. Therefore preparation of the environmental review form assessing these activities requires special attention and enhancement.

2. Construction of a dormitory building is planned. This activity would be new construction and on a significantly larger scale than the rehabilitation activities (i.e. health clinics) that constitute the bulk of the construction-related work under this SO. Environmental review of the dormitory construction therefore requires that the implementing partner undertake a more rigorous process.

Recommended Action:

1. The implementing partner will revise the completed environmental review forms to include description of the type of activities undertaken at each project site and a protocol for environmental monitoring (i.e., EMMP).

2. Funding for activities related to medical waste disposal, either by purchase and installation of incinerators or by construction of segregated landfill facilities, must be screened more thoroughly than the small-scale activities construction activities that make up the bulk of the physical interventions under this SO, assessing the specific environmental issues associated with this type of activity. The environmental review forms should specifically detail issues related to (a) the composition of medical waste to be incinerated, the approximate volume of waste per month and the composition of air emissions from incineration. This recommendation has been passed along to the project implementing partner.

3. Environmental review of the planned construction of a dormitory required a more rigorous environmental review than possible using the approved checklist form. The implementing partner has agreed to provide greater detail related to (a) project description, (b) mitigation measures and (c) monitoring protocols. The implementing partner will use an EMMP table to specify monitoring activities. The implementing partner will use an environmental documentation form to be provided by Mr. Perine and will prepare the associated environmental review.

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SO 8: Earthquake Reconstruction and Recovery

Summary:

SO 8 include an original IEE (dated November 3, 2005) for which a Categorical Exclusion, a Negative Determination with Conditions and a Positive Determination were approved. The Negative Determination with Conditions applies to small-scale construction to rehabilitation of structures damaged by the earthquake (schools and health clinics) and to new construction of similar facilities. The Positive Determination applies to large scale construction of health care facilities, hospitals, government administrative buildings and similar structures. The Negative Determination with Conditions specifies that an environmental screen checklist will be prepared and

completed for each small scale construction activity. The program implementing partner has prepared an engineering site assessment form that includes basic environmental review for each project site. The review form includes a section for mitigation measures. The implementing partner is spraying the structures of the buildings constructed with a pesticide called biflex to control termites. No large scale construction activities have been undertaken thus far so no Environmental Assessments (EAs) have been prepared under this SO. A PERSUAP also has been prepared and approved for the use of pesticides to support agricultural activities under the SO 8 livelihood improvement component.

Implementing Partner Environmental Compliance Capacity:

Medium: Implementing partner CDM has developed an environmental review system to assess each construction activity it undertakes. The review methodology and results are focused primarily on engineering issues and solutions, with some attention to environmental management issues. The review system does not include provision for monitoring. The CDM team relies on engineers to complete the regular environmental compliance work.

Issues:

1. The environmental review checklist used to assess small scale construction activities does not include any environmental monitoring requirements or protocol.
2. A pesticide, biflex, is being used during construction and rehabilitation of small scale that has not been assessed by a PERSUAP.

Recommended Action:

1. Revise the environmental review checklist to include a requirement to conduct monitoring during construction and after construction is completed to assess the effectiveness of implemented mitigation measures.
2. Amend the PERSUAP completed for the program's livelihood improvement component for agriculture activities to include the pesticides, biflex, that is being used by the implementing partner of small scale construction activities to control termites.

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SO 9: Pakistan Program Support

Summary:

SO 9 includes an original IEE (dated September 26, 2006) and two IEE amendments (dated October 8, 2007 and May 8, 2008). The original IEE was approved for a Negative Determination with Conditions for small scale construction activities

associated with providing office space to accommodate USAID/Pakistan personnel. IEE amendments added additional funding to existing small scale construction activities, extended the program end date and added technical assistance for which a Categorical Exclusion was granted. The IEE and IEE amendments state that all small scale construction activities must be subjected to environmental review using the U.S. State Department Office of Overseas Building Operations' environmental checklist and Safety and Construction Accident Prevention Plan. No SO 9 funding has thus far been used to fund small scale construction activities. Funds have been transferred from USAID/Pakistan to the U.S. Department of State's Overseas Building Office to fund the planned construction of a new building within the embassy compound to serve as office space for USAID/Pakistan personnel.

Implementing Partner Environmental Compliance Capacity:
NA

Issues:

1. The U.S. State Department Office of Overseas Building Operations' environmental checklist does not include any provision for environmental monitoring.

Recommended Action:

1. Add a monitoring component to the existing environmental review checklist procedure.
2. Assure that the environmental review is completed prior to construction of the planned facility.

SO 10: Federally Administered Tribal Areas (FATA) Development Program**Summary:**

SO 10 includes an original IEE (dated June 1, 2007). The IEE includes a Categorical Exclusion, a Negative Determination and a Positive Determination. The Negative Determination with Conditions applies to small scale construction of a range of physical infrastructure, including rehabilitation and renovation of existing buildings and roads, and construction of new buildings. The IEE includes an attachment with a relatively robust set of mitigation measures effective for addressing environmental impacts typical of small-scale construction activities. The IEE also includes a comparatively well-conceived Environmental Documentation Form (EDF) that must be completed for each small scale construction activity. The EDF includes provision for an EMMP. USAID's Office of Transition Initiatives (OTI) also is undertaking activities under the FATA program. OTI activities are funded by USAID/Pakistan through SO 10 and include small-scale construction with the same scope as activities identified in the SO 10 IEE. OTI activities therefore have been granted a Negative Determination with Conditions. Because they are covered under the SO 10 IEE, OTI small scale construction activities are subject to the same environmental review requirements as all other FATA program small-scale construction activities (i.e., preparation of the IEE-approved EDF). The exception to this requirement is activities being implemented by the United Nations International Organization for Migration (UN IOM) under a grant agreement with a Public International Organization (PIO). The General Counsel for the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA) ruled that 22 CFR 216 does not apply the grant agreement with IOM. A PERSUAP also is being prepared to assess pesticides being funded for agricultural support activities. OTI agricultural activities that include funding for pesticides also fall under this PERSUAP and must be assessed as such.

Implementing Partner Environmental Compliance Capacity:

The FATA program has two implementing partners that are undertaking activities to which the SO 10 IEE Negative Determination with Conditions applies. These include:

- Medium Capacity: Upper FATA – Led by Academy for Educational Development (AED), with Sheladia providing the engineering and environmental technical expertise for the infrastructure component. Experience International is leading the agriculture component, which includes support for the use of pesticides. As such, a PERSUAP is being prepared.
- Low/Medium Capacity: Lower FATA – Led by Cooperative Housing Foundation (CHF), which is providing the engineering and environmental technical expertise for the infrastructure component (apparently CHF plans to engage specialist engineering and environmental management capability in the future). Abt is leading

the agriculture component, which includes support for pesticides. It has been recommended to CHF that it coordinate with the AED/Experience International team to add the pesticides that will be used to the draft PERSUAP being prepared for the Upper FATA project.

The FATA/OTI program has two implementing partners that are undertaking activities to which the SO 10 IEE Negative Determination with Conditions applies. These include:

- Low/Medium Capacity: Upper FATA – Led by Creative Associates.
- Unknown Capacity: Lower FATA – Led by UN IOM.

Issues:

1. To date, none of the FATA program implementing partners, including the OTI program implementing partners, have been using the EDF attached to the IEE to screen small-scale construction activities. They have been preparing “sub-IEEs” that do not screen activities as thoroughly or systematically as would be required using the EDF. The OTI “sub-IEEs” make reference to the preparation of an environmental checklist, but such checklists are neither compliant with the terms of the SO 10 IEE, nor apparently have any checklists been prepared.
2. OTI program implementing partner UN IOM apparently is not required under the terms of its grant agreement (i.e. PIO) with USAID to comply with USAID’s environmental procedures. IOM has provided to USAID an Environmental Mitigation Statement that includes an environmental review form. It is unknown to what degree IOM is undertaking environmental review of the activities it is implementing.
3. There is a lack of clarity between the level of clearance needed for EDFs according to the IEE (COTR/AOTR and MEO only) and the level of clearance specified in the Deputy Mission Environmental Officer Appointment Memorandum for the (the Deputy Mission Environmental Officer clears all FATA review documents).
4. Given the complexity and volume of infrastructure-related activities funded by the FATA program, the imminent departure of current Supervisory Engineer George Gumas in May 2009 will present an additional environmental compliance challenge for the program. Mr. Gumas serves as a USAID/Pakistan Deputy MEO has been working to improve the effectiveness of the FATA program’s environmental compliance regime, across all of its components and with all of its implementing partners. It is critical that (a) Mr. Gumas’ institutional knowledge is transferred to his replacement prior to his departure and that (b) the agreements and procedures that Mr. Gumas has established with the FATA program implementing partners continue.

Recommended Action:

1. Begin using the IEE required EDF for all program small scale construction activities subject to a Negative Determination with Conditions, including those activities being undertaken by OTI. Complete and obtain approval of the PERSUAP currently being prepared, assuring that no pesticides are purchased or used under the program until the PERSUAP is approved.
2. Request that IOM provide the USAID/Pakistan OTI AOTR with quarterly reports consolidating the review forms for each of its OTI-funded activities.

4. Revise the Deputy Mission Environmental Officer Appointment Memorandum to clarify that for clearance of EDFs prepared for the FATA program, only COTR/AOTR and MEO (or DMEO) clearance is required.

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SECTION III

RECOMMENDATIONS TO STRENGTHEN USAID/PAKISTAN ENVIRONMENTAL COMPLIANCE STATUS

Review of USAID/Pakistan application of 22 CFR 216 clearly demonstrates substantial opportunities to improve both the level of compliance and the effectiveness of the procedure itself. Given the rapid increase in the size of the Mission portfolio, the percentage of that portfolio funding construction activities and the impact on Mission institutional capacity of short expatriate staff assignments, it is not unexpected for inconsistency and inefficiency in the system to develop. Implementation of the following recommendations will significantly improve compliance and enhance the quality of USAID/Pakistan interventions.

1. *Put in place Mission Order on Environmental Compliance:* Currently no Mission Order on Environmental Compliance exists. The Mission Order provides a framework and protocols for Mission action regarding environmental compliance. It is a good tool for raising awareness regarding environmental compliance among Mission staff and helping to orient new staff of their role and responsibility within the system. A draft Mission Order on Environmental Compliance for USAID/Pakistan is contained in Annex A.

Recommended Deadline: July 1, 2009

2. *Update Mission Environmental Officer and Deputy Mission Environmental Officer Appointment Memoranda:* Currently there is no appointment memo in place for Mahmood Hussain, although he is serving as MEO. It is important that an official memo be in place. Appointment memos for two Deputy MEOs do exist for Bob MacLeod, Director, Earthquake Reconstruction Program and George Gumas, Supervisory Engineer, FATA Program. These memos should be adjusted to clarify their roles when serving as Acting MEO to clear IEEs or EAs, and when each is clearing lower level environmental review documents (i.e. EDFs) associated with Negative Determinations with Conditions. Draft Appointment Memoranda for the MEO and Deputy MEOs are contained in Annex B.

Recommended Deadline: July 1, 2009

3. *Set Up a USAID/Pakistan Mission Environmental Unit:* The level of funding, volume of construction-related activities and geographical and technical scope of the USAID/Pakistan program argue strongly for a centralized approach to managing environmental compliance actions. This unit ideally should be separate from any of the technical (i.e., SO) offices. Alternatives for locating the environmental unit include placing it in the Program Office or directly under the Mission Director.

Recommended Deadline: August 1, 2009

4. *Improve Coordination between MEO and Program Teams:* Mahmood Hussain, current MEO strives to remain updated on program team activities that might require an IEE, an IEE amendment or environmental review. However, collaboration between the MEO and program teams could be more structured to better ensure that new activities and substantial changes to ongoing activities are in compliance, and that follow-on monitoring required in IEEs and PERSUAPs is implemented and reported. The MEO and program teams should both strive to proactively bring the MEO into the project development process early in the design phase. The

MEO needs (a) the active support of USAID/Pakistan management and (b) adequate time and resources (i.e. not overburdened with other responsibilities) to be effective in the role.

Recommended Deadline: Immediately

5. Assure that COTRs/AOTRs are preparing IEEs and that project implementing partners are preparing all environmental compliance documents (i.e. environmental reviews, EAs) required by IEEs. Preparation of environmental compliance documentation is the responsibility of project teams, not the MEO. The MEO's role is to provide technical advice, and review and clear environmental compliance documentation. It is not realistic for MEOs to prepare environmental documentation.

Recommended Deadline: Immediately

6. Consolidate all construction and other physical interventions subject to environmental compliance review under a single office in USAID/Pakistan: This review clearly demonstrates that having construction and other activities subject to environmental review spread throughout the Mission portfolio is directly affecting the effectiveness of environmental compliance. Construction activities are most effective when the engineering and environmental functions are integrated from the start – throughout the design, implementation and operation phases of each project. Consolidating construction activities into a single office will enhance project soundness and improve compliance with Agency environmental compliance requirements.

Recommended Deadline: September 1, 2009

7. Use a standardized, easy to use and thorough Environmental Documentation Form for all new IEEs: This recommendation should be applied to all new IEEs and should be attached to all approved IEEs and IEE amendments with activities subject to a Negative Determination with Conditions. Substantial inconsistency and a lack of specificity characterize the language and approach to addressing environmental review in USAID/Pakistan IEEs. Some IEEs include only general language about the need to prepare environmental review checklists and observe sound environmental design principles. In cases where specific review tools are either attached to the IEE itself or have been developed subsequent to IEE approval by project implementing partners, the approaches are diverse in terms of the level of rigor and therefore in the quality of results. Inconsistency and lack of specificity create confusion for SO team personnel and project implementing partner staff members, most of whom are not environmental management specialists and therefore require specific and consistent guidance to assure quality results. A draft standard Environmental Documentation Form, including environmental mitigation measures and monitoring tools, is contained in Annex C.

Recommended Deadline: July 1, 2009

8. Require that all projects that include construction, renovation or rehabilitation of facilities include an implementing partner with proven environmental management capability to address required environmental compliance: Review of current implementing partner environmental management capacity clearly indicates a lack of technical depth to effectively address Agency environmental compliance requirements. It is the responsibility of implementing partners to assure compliance with the terms of approved IEEs and other environmental compliance documentation. It is therefore critical that they have the technical capacity, through a mix of local and expatriate specialists to fulfill that obligation.

Recommended Deadline: July 1, 2009

9. Prepare project level IEEs for all future procurements: The current USAID/Pakistan practice is the preparation of SO level IEEs, with project level environmental compliance accomplished through a variety of environmental review procedures. Standardization of the environmental review procedure is the subject of Recommendation 5. However, best practice is to prepare an IEE at the project level, rather than at the SO level. An IEE therefore should be prepared at the project level prior to the issuance of each contract, cooperative agreement or grant agreement, for each of these procurements. The project level IEE should evaluate all of the activities or activity types that will be funded through the project.

Recommended Deadline: July 1, 2009

10. Conduct Programmatic Environmental Assessments for programs that include multiple activities that receive a Positive Determination: Programs that will fund multiple large scale construction projects that will require an EA and that are either (a) similar in nature (i.e. multiple district administrative centers) or (b) part of a cohesive set of infrastructure activities (i.e. a bridge and approach roads on either side) are good candidates for a Programmatic Environmental Assessment (PEA). A PEA assesses all the likely impacts of a set of activities, identifies mitigation measures to address all potential negative environmental impacts and includes a monitoring plan to assure the effectiveness of the mitigation measures implemented. The advantages of using a PEA approach rather than a typical EA approach for projects that include multiple activities include (a) the capacity to add additional activities to the project as long as the new activities are the same as the ones already assessed without having to do an additional EA and (b) the fact that a PEA uses a holistic approach to assess the cumulative impacts of activities that are connected, rather than assessing the impact of each activity separately through a typical EA.

Recommended Deadline: July 1, 2009

11. Include 22 CFR 216 environmental compliance and reporting requirements in all procurement actions (i.e. RFAs, RFPs, RFTOPs) that flow through to grant agreements, cooperation agreements and contracts: Making environmental compliance and compliance reporting a requirement of implementing partner activities will increase the level of compliance with IEE language and increase the likelihood of obtaining monitoring data over the life of projects. This recommendation is reflected in Attachment 2 of the draft Mission Order on Environmental Compliance contained in Annex A of this report.

Recommended Deadline: July 1, 2009

12. Provide Project Cognizant Technical Officers (COTRs/AOTRs) orientation regarding 22 CFR 216 requirements within three months of assuming their positions/hiring and in-depth training within one year: Consultations with Program teams indicate a widespread lack of familiarity with Agency environmental compliance regulations. While in-depth training generally is not realistic in the first months of a COTR/AOTR taking on a project, it is practical and extremely valuable for COTRs/AOTRs to receive an orientation session of 1-2 hours to give them enough background to understand basic concepts and know when to seek additional assistance from the MEO. In addition, USAID/Pakistan should endeavor to conduct annual 2-3 day 22 CFR 216 training workshops for all COTRs/AOTRs (and SO team leaders whenever

possible). Annual workshops are particularly appropriate for USAID/Pakistan, given the high rate of turnover of expatriate personnel.

Recommended Deadline: July 1, 2009

13. Make COTRs/AOTRs responsible for regular verification of project implementing partner adherence to IEE environmental compliance requirements and require the MEO to conduct twice per year verification of same: This recommendation complements Recommendation 9, further bolstering the likelihood that environmental compliance requirements will be effectively implemented. COTR/AOTR verification of implementing partner compliance with IEE requirements should be accomplished through a mix of regular reporting by implementing partners in their progress reports and occasional visits to project sites for firsthand observation of project activities. These occasional visits should be undertaken at least twice per year and in the company of the MEO.

Recommended Deadline: July 1, 2009

14. Make MEO assignments based on background in environmental management and provide opportunities for the MEO to obtain thorough training in 22 CFR 216 fundamentals and responsibilities: Mahmood Hussain was appointed to the role of MEO in 2008. Since his appointment, Mr. Hussain has collected USAID/Pakistan's environmental compliance documentation from various Mission personnel and locations, and organized it to serve as an effective institutional record and management tool. He also has worked with program teams to help them process IEEs and other environmental compliance documentation. His location in the Program Office has provided a reasonably good vantage point from which to be aware of ongoing and planned Mission activities, although in a Mission the size of USAID/Pakistan, it is still critical that the MEO have the active cooperation of program teams to effectively fulfill the MEO role. The current arrangement should be revisited to determine whether the background of any other USAID/Pakistan staff member is better aligned to the required MEO responsibilities. Appointment of an MEO with a background in environmental management is best practice. In addition, given the size and scope of the USAID/Pakistan portfolio, it is important that the MEO have ample time to fulfill the responsibilities of the position. A reasonable estimate of the time necessary to effectively fulfill the duties of the USAID/Pakistan MEO position is 50%. It also is important to consider whether it is more advantageous to assign a local staff member or an expatriate staff member as MEO. An expatriate MEO has the advantage of being better able to obtain and hold the attention of office directors and COTRs/AOTRs. A local MEO has the advantage of providing continuity to the position, given the short expatriate staff assignments to USAID/Pakistan. One option that capitalizes on the advantages of either approach is making the MEO position an expatriate position, with a local staff member Deputy MEO.

Recommended Deadline: July 1, 2009

15. Develop a Library of Pakistan-Specific Environmental Documentation: In order to facilitate high quality environmental compliance documentation and enhance the overall quality of Mission programming, it is important to have on-hand key Pakistan legal documents related to environmental management and up-to-date natural resources and socio-economic baseline data.

Recommended Deadline: September 1, 2009

16. *Conduct a Follow-Up Review of Recommendations from this Report:* It is very important that a follow up review is undertaken to determine the status of implementation of the recommendations from this report, and to provide additional assistance to resolve ongoing issues and facilitate adoption of recommendations not yet implemented.

Recommended Deadline: December 15, 2009

SECTION IV ACTION PLAN IMPLEMENTATION

The key components of implementing this action plan include:

1. Addressing the specific issues and recommendations identified in Section B to bring the activities under each SO into full environmental compliance. In most cases, this work can be done by the project COTRs/AOTRs and implementing partners in consultation with the MEO. In some cases, advice from the Regional Environmental Advisor for Asia (REA), the Bureau Environmental Officer (BEO) and the technical assistance available through the Environmental Management Capacity Building (EMCB) Task Order should be utilized to assure that all “gaps are plugged” and compliance is achieved for all future USAID/Pakistan programs.
2. Implementing the recommendations listed in Section C to help address current inefficiencies and deficiencies in environmental compliance and lay the groundwork for more effective environmental compliance for all future activities. Clearer USAID/Pakistan environmental compliance policy, improved environmental compliance tools, and better staff and implementing partner awareness and training can all be drawn from this action plan. The documents in the three annexes to this review document provide guidance to strengthen Mission policy and improve environmental compliance. Achieving better staff and implementing partner capacity in environmental compliance will require a concerted and consistent effort, including regular awareness briefings and annual in-depth training. Awareness briefing can be conducted by the MEO, using the Mission Order and information available for download from the MEO Resource Center at: www.encapafrika.org/meoEntry.htm. Assistance is available from the REA, the BEO and from EMCB to organize training workshops and address specific issues as they arise.

ANNEX A

USAID/Pakistan Mission Order on Environmental Compliance



MISSION ORDER			
Series	500 Management Services	MO No.	204.0
Subject	Mission Implementation of USAID Environmental Policies and Procedures	Supersedes	New
References	ADS 201, ADS 204, 22 CFR 216	Effective Date	July 1, 2009

I. PURPOSE

The purpose of this Mission Order is to provide summary guidance to Mission staff on how to comply with USAID environmental policies and procedures, reaffirm USAID/Pakistan's commitment to full compliance with USAID's mandatory environmental procedures, and set out the roles and responsibilities of organizational units in the Mission in achieving and assuring compliance. All technical and program staff should be familiar with the policies and values presented in this Mission Order. Based on ADS 204, technical offices are required to ensure that all activities are in compliance with USAID's Environmental Policy (Reg. 216), and to monitor compliance of ongoing, modified, or new activities with approved IEE, Categorical Exclusion, Environmental Assessment, Programmatic Environmental Assessment, or Environmental Impact Assessment recommendations, conditions, or mitigation measures.

II. APPLICABILITY

Compliance with USAID environmental policies and procedures is mandatory. With limited exceptions for international disaster assistance, these policies and procedures apply to existing USAID-financed activities, substantive amendments to or extensions of these and all new activities supported with USAID funds or managed by USAID. The procedures apply to activities formulated as projects, programs, Results Packages (RPs), or Assistance Objectives (AOs), and whether implemented through contracts, grants, cooperative agreements or other mechanisms. Procedures are applicable to grants and sub-grants of which the specific nature may not have been identified at the time of establishing umbrella financing mechanisms. The need to adhere to Federal Environmental Regulations, per Title 22 of the Code of Federal Regulations (CFR), Part 216, commonly referred to as Reg. 216, extends beyond the Mission to USAID's Implementing Partners, who must adhere to Reg. 216 documentation; and grantees that provide

sub-grants with USAID funds must ensure adherence to Reg 216. Procedures are also applicable to Title II PL 480 development food aid programs.

Delivery Orders to Global Bureau's Indefinite Quantity Contracts (IQCs) or buy-ins to other Global Bureau projects to implement specific activities need to be covered in the Mission Initial Environmental Evaluation (IEE) that pertains to the AOs, Intermediate Results (IR), Results Packages (RP) or project under which the activities fall.

USAID/Pakistan is fully committed to the systematic and complete implementation of USAID environmental policies and procedures.

III. LEGAL AUTHORITY

The legal authority and requirement for environmental review of all USAID activities is derived from the following documents:

1. Section 117 of the Foreign Assistance Act (FAA) of 1961, as amended
Section 117 requires preparing and taking fully into account an environmental assessment "of any proposed program or project significantly affecting the environment of any foreign country."
2. National Environmental Policy Act (NEPA), 42 USC 4371, et seq.
NEPA mandates that before Federal agencies make decisions, they must consider the effects of their actions on the quality of the human environment.
3. Executive Order (EO) 12114 dated January 4, 1979
EO12114 requires that Federal agencies apply NEPA's general requirements when operating outside the United States.
4. Title 22 of the Code of Federal Regulations, Part 216, dated October 9, 1980
22 CFR 216 codifies USAID's environmental procedures, and has the force of law. Regulation 216 (Reg. 216) outlines a particular implementation of the general environmental impact assessment (EIA) process, and conforms to norms of good EIA practice.

The legal authority and requirement for additional environmental analyses of USAID programs with respect to tropical forests and biological diversity in the host country derive from the following:

Section 118 and 119 of the Foreign Assistance Act of 1961, as amended
Sections 118 "Tropical Forests" and 119 "Endangered Species" of the FAA codify the more specific U.S. interests in forests and biological diversity. These two provisions require that all country plans include (a) an analysis of the actions necessary in that country to conserve biological diversity and tropical forests; and (b) the extent to which current or proposed USAID actions meet those needs. Section 118/119 analyses are specific legal requirements of all USAID operating unit strategic plans. It should be noted that 22 CFR 216.5 presents a requirement that is similar to FAA Sections 118 and 119, as it requires USAID to conduct assistance programs in a

manner that is sensitive to the protection of endangered or threatened species and their critical habitats.

IV. DEFINITIONS

Technical and program staff should be familiar with several key definitions as they review this policy document:

Environment: the natural and physical environment with respect to effects occurring outside the United States.

Initial Environmental Examination: the first review of the reasonably foreseeable effects of a proposed action on the environment. It provides a brief statement of the factual basis for a Threshold Decision as to whether an Environmental Assessment and Environmental Impact Statement will be required.

Threshold Decision: a formal Agency decision which determines, based on an IEE, whether a proposed Agency action is a major action significantly affecting the environment.

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

Environmental Impact Statement: a detailed study of the reasonably foreseeable positive and negative environmental impacts of a proposed USAID action and its reasonable alternatives on the United States, the global environment, or areas outside the jurisdiction of any nation.

V. AGENCY POLICIES AND PROCEDURES

Title 22 of the U.S. Code of Federal Regulations, Part 216, (October 1980) codifies USAID's environmental procedures. Compliance is a legal requirement as well as Agency policy, and therefore, USAID/Pakistan policy. The overarching goals of USAID's environmental policy, as stated in 22 CFR 216.1(b), are the following:

- 1) Ensure that the environmental consequences of USAID-financed activities are identified and considered by USAID 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 appreciate 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 USAID'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.

Specific policies and procedures by which these goals are to be met are spelled out in the following documents:

Title 22 of the Code of Federal Regulations, Part 216, dated October 9, 1980.

Automated Directives System (ADS) Chapter 201.3.9.2, “Environmental Analysis”

This brief section of ADS 201 provides guidance for complying with FAA Sections 118 and 119 through the preparation of an Environmental Analysis as part of Strategic Plan development.

ADS 204 – Environmental Procedures

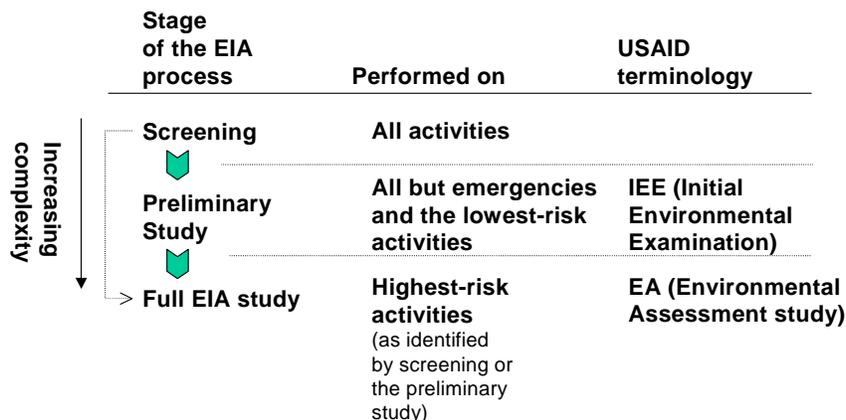
This chapter of the ADS spells out in detail the USAID policies and procedures related to environmental compliance.

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

VI. ENVIRONMENTAL COMPLIANCE REQUIREMENTS OVER LIFE OF PROJECT

In general, the procedures specify an EIA process (Figure 1) that must be applied to all activities *before implementation*—including new activities introduced into an existing program or substantive changes to existing activities.

Figure 1: The USAID EIA process: from screening to full impact study



This pre-implementation EIA process, defined by Reg. 216, frequently results in environmental management requirements (mitigation measures) that must be implemented and monitored over the life of the activity.

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

1. Environmental considerations must be taken into account in activity planning (ADS 201.3.11.2.b & 204.1)
2. No activity is implemented without approved Reg. 216 environmental documentation. This documentation must be approved PRIOR to any irreversible commitment of resources (ADS 204.3.4.a(5) & 201.3.11.2.b).

This documentation is the output of the EIA process specified by Reg. 216 and takes one of three forms: Request for Categorical Exclusion, Initial Environmental Examination (IEE) or Environmental Assessment (EA). Guidance on Reg. 216 documentation preparation is available at <http://www.encapafrika.org/meoEntry.htm>. Attachment 1 provides a model RCE, and Attachment 2, a model IEE.

Documentation is APPROVED only when it is signed by the Mission Environmental Officer, the Mission Director and the Bureau Environmental Officer. As a condition of approval, most IEEs and all EAs contain environmental mitigation and monitoring requirements (“IEE or EA conditions”).

Note that Activity Approval Documents must summarize how environmental documentation requirements have been met. (ADS 201.3.11.16).

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

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

An annotated EMMP template is attached (Attachment 1) and is also available at www.encapafrika.org/meoEntry.htm.

5. Environmental compliance is assessed in annual performance reports (ADS 203.3.8.5; 204.3.3).

Annual performance reports must assess environmental compliance of existing activities, including whether all activities are covered by approved Reg. 216 environmental documentation, whether the mitigation measures specified in IEEs and EAs are being implemented, and whether these measures are adequate. If activities are discovered to be out of compliance, the report must specify actions to be taken to remedy the situation.

6. Environmental compliance documentation is maintained in Assistance Objective Team files (ADS 202.3.4.6).

A more extensive discussion of LOP environmental compliance requirements is found in the Bureau for Africa's MEO Handbook, available via www.encapafrica.org/meo_resources/MEO_Handbook_Final_sept30_Final.pdf.

VII. RESPONSIBILITIES FOR IMPLEMENTATION

Primary responsibility - Office Directors/Team Leaders, COTR/AOTRs, and Activity Managers: The ADS (ADS 204.2) makes clear that primary responsibility and accountability for environmental compliance is shared by the Office Director/Team Leader and each Contracting/Agreement Officer's Technical Representative (COTR/AOTR) or Activity Manager. *Specific responsibilities established by the ADS and Mission policy for these positions are set out in Table 1 below. All USAID/Pakistan staff must fulfill the enumerated environmental compliance responsibilities attendant to their position.*

Final responsibility - Mission Director: Final responsibility for environmental compliance lies with the Mission Director. The Mission Director must approve all Reg. 216 documentation for Mission activities (ADS 204.3.8).

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

Advice and Gate-keeping - Mission Environmental Officer (MEO): The MEO (1) is a core member of each mission program team and serves the team as a compliance advisor; (2) serves as a gatekeeper (quality and completeness reviewer) for Reg. 216 documentation and must clear all documentation before submission to the Mission Director; and (3) is the primary point of Mission contact with the Bureau Environmental Officer and the Regional Environmental Advisor.

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

Bureau Environmental Officers (BEOs): The BEOs, based in Washington, DC, must approve all Reg. 216 documentation for activities under the purview of their Bureau. USAID/Pakistan activities are under the purview of the Bureau for Asia.

Table 1: Environmental Compliance Responsibilities of Office Directors/Team Leaders, COTR/AOTRs, Activity Managers and the MEO

<p>Prepare Reg 216 environmental documentation Reg 216 documentation includes:</p> <ul style="list-style-type: none"> ✓ Requests for Categorical Exclusions (RCEs) ✓ Initial Environmental Examinations (IEEs) ✓ Environmental Assessment Scoping Statements ✓ Environmental Assessments (EAs) ✓ Amendments to all of the above 	<p>COTR/AOTR/Activity Manager (MEO reviews/provides advice). EXCEPT:</p> <ul style="list-style-type: none"> ✓ Teams may engage partners or outside contractors to prepare IEEs under the supervision of the COTR/AOTR/Activity Manager. EA Scoping Statements and EAs are almost always prepared by 3rd-party contractors. ✓ Title II IEEs are prepared by Implementing Partners as part of their Multi-year Assistance Program (MYAP) submissions.
<p>Approve and Clear Reg. 216 Documentation</p>	<p>All of the following must clear:</p> <ul style="list-style-type: none"> ✓ COTR/AOTR, Activity Manager or Office Director/Team Leader ✓ MEO ✓ Mission Director (for approval) ✓ Bureau Environmental Officer (for approval)
<p>Clear sub-project/sub-grant Environmental Reviews</p>	<p>COTR/AOTR/Activity Manager AND MEO (higher-risk activities are forwarded for REA & BEO review)</p>
<p>Incorporate environmental compliance requirements into procurement documents</p>	<p>COTR/AOTR/Activity manager, Office of Acquisition and Assistance (MEO assists)</p>
<p>Ensure Reg. 216 documentation is current and covers all activities being implemented</p>	<p>COTR/AOTR/Activity Manager</p>
<p>Assure an EMMP addressing all relevant mitigation and monitoring conditions is developed, and reflected in workplan, budget, and PMP.</p>	<p>COTR/AOTR/Activity Manager (MEO may review) Contractors/IPs will in most cases develop EMMPs for COTR/AOTR/Activity Manager review. If they do not, this responsibility falls directly on the COTR/AOTR/Activity Manager.</p>
<p>Monitoring to ensure partner/contractor compliance with IEE/EA conditions.</p>	<p>COTR/AOTR/Activity Manager (MEO and REA assist)</p>
<p>Ensure that environmental compliance lessons learned are incorporated in closure reports & environmental compliance issues are included in SOWs for evaluations.</p>	<p>MEO</p>
<p>Prepare environmental compliance section of Mission Annual Reports</p>	<p>MEO, with support from COTRs/AOTRs and Activity Managers</p>
<p>Maintain environmental compliance documentation</p>	<p>Program Officer, COTR/AOTR/Activity Manager/Team Leader, MEO</p>

VIII. ADDITIONAL DIRECTIVES

In the course of and in addition to fulfilling the responsibilities listed in Table 1, the following directives and responsibilities apply Mission-wide:

1. Awareness of Activity Determinations and Conditions: It is the responsibility of each COTR/AOTR and Activity Manager to know the Reg. 216 Determination, including any conditions, assigned to the activities under their purview. These conditions are assigned in the Reg. 216 documentation that applies to the activity. The possible determinations are enumerated in Table 2 below:

Table 2: Four Possible Results of the IEE

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

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

2. Team-level Compliance Planning: As specified by ADS 204.3.4, each program team must collaborate effectively with the MEO during all program designs and approvals to create a system and adequate resources to ensure compliance with the Agency’s Environmental Procedures.
3. Functional specifications for Environmental Compliance Language for Procurement Instruments: The ADS states that Activity Managers are responsible for ensuring that environmental conditions from IEEs and EAs are incorporated into solicitation and award documents. (ADS 204.3.4.a.(6); 303.3.6.3.e). The ADS help document, “*Environmental Compliance Language for Use in Solicitations and Awards*” (Attachment 2), provides a combination of step-by-step guidance and standard text to assemble environmental compliance language meeting these requirements for any solicitation or award. Its use is strongly recommended. It is USAID/Pakistan Mission policy that environmental compliance language in all solicitation *and* award instruments requires that:
 - o The partner verifies current and planned activities annually against the scope of the approved environmental documentation.

- Where activities demand environmental management expertise, appropriate qualifications and proposed approaches to compliance are addressed in technical and cost proposals.
 - The partner develops an EMMP fully responsive to all IEE/EA conditions, unless this already exists in the Reg. 216 documentation or will be developed by program staff.
 - Budgets and workplans integrate the EMMP.
 - PMPs measure EMMP implementation.
4. Confirming Reg. 216 documentation coverage in the course of project designs, amendments, extensions, and during the preparation of the Annual Reports. During these exercises, the Team should review planned/ongoing activities against the scope of existing, approved Reg. 216 documentation and either: (1) confirm that the activities are fully covered or (2) assure that such documentation is developed and approved *prior* to implementation. For activities begun under a disaster assistance exemption, the Team must confirm that their exempt status still applies.

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

5. Critical Non-compliance Situations: If any USAID/Pakistan staff member believes that (1) failure to implement mitigation measures or (2) unforeseen environmental impacts of project implementation are creating a significant and imminent danger to human health or the integrity of critical environmental resources, IMMEDIATELY notify the COTR/AOTR, MEO and Mission Management.

IX. ENVIRONMENTAL COMPLIANCE RESOURCES AND KEY CONTACTS

The MEO Resource Center contains a wide range of environmental compliance and best practice materials, including step-by-step guidance to development of Reg. 216 documentation and sectoral guidance for design of Environmental Mitigation and Monitoring Measures. The Center is hosted on Africa Bureau’s ENCAP website (www.encapafrika.org/meoEntry.htm).

Key contacts: As of March 2009, key environmental compliance contacts for USAID/Pakistan are as follows:

Mission Environmental Officer	USAID/Pakistan: Mahmood Hussain (mhussain@usaid.gov)
Regional Environmental Advisor/Asia (REA)	Asia (USAID/Almaty): Andrei Barannik (abarannik@usaid.gov)
Bureau Environmental Officer (BEO, Washington, DC)	Bureau for Asia: John Wilson (jwilson@usaid.gov)

X. DEVIATIONS TO PROCEDURES

Compliance with USAID's environmental procedures established in Reg. 216 as authorized by the FAA of 1961 Section 117 is mandatory. Under no circumstances will there be exceptions to the Agency environmental policies and procedures.

XI. EFFECTIVE DATE

This Mission Order is effective immediately, and shall remain in effect until such time as it is cancelled or superseded.

Robert Wilson
Mission Director

**Recommended Template:
Environmental Mitigation and Monitoring Plan (EMMP)**

An EMMP should either be included in or developed for (1) all IEEs that have at least one “Negative Determination with Conditions” and (2) all Environmental Assessments (EAs).

If the EMMP is not developed as part of the IEE, the implementing partner should usually lead development of the EMMP, subject to review and oversight by the MEO and CTO.

In all cases, the tasks identified in the EMMP are incorporated into the implementing partner’s Work Plan, budget, and reporting.

The following EMMP format is recommended. It can be adapted, as necessary.

Environmental Mitigation and Monitoring Plan
Activity Title:
Implementing Partner:

List all activities in IEE that received a “negative determination with conditions.” <i>Do not list any other activities.</i>	If mitigation measures are well-specified in the IEE, quote directly from IEE If they are not well-specified in the IEE, define more specifically here.	Specify indicators to (1) determine if mitigation is in place and (2) successful. For example, visual inspections for seepage around pit latrine; sedimentation at stream crossings, etc.)	For example: “monitor weekly, and report in quarterly reports. If XXX occurs, immediately inform USAID activity manager.”	If appropriate, <i>separately</i> specify the parties responsible for mitigation, for monitoring and for reporting.



**Environmental Compliance: Language for Use in Solicitations and Awards
An Additional Help for ADS Chapter 204**

Revision Date: 05/19/2008

Responsible Office: EGAT

File Name: 204sac_051908

Environmental Compliance: Language for Use in Solicitations and Awards

ABOUT THIS LANGUAGE

The following recommended language is for use by Cognizant Technical Officers (CTOs), Activity Managers, Contracting Officers (COs), Mission Environmental Officers (MEOs), Program Officers, Bureau Environmental Officers (BEOs), and other USAID staff involved in solicitations, awards, and activity design and management.

Its purpose is to ensure adequate time is provided for environmental review and that environmental factors and mitigation measures identified in approved environmental impact assessment documentation are incorporated in the design and approval of each program and activity before the Operating Unit, Team, Activity Manager or CTO makes an irreversible commitment of resources for the program or activity. It also is intended to help improve application of USAID's environmental procedures (22 CFR 216 or Regulation 216¹) to create more sustainable and successful implementation of activities, projects and programs.

- By explicitly enumerating the environmental compliance responsibilities of project implementers, use of this recommended language can help ensure that environmental compliance requirements stemming from the Regulation 216 process are fully integrated into project designs, work plans, and implementation of activities.
- Use of the language also alerts USAID staff and implementing partners early on to the need for a budget to implement environmental compliance measures and to the importance of providing sufficient Regulation 216 technical capacity to implement, monitor, and report on environmental compliance. Doing so is intended to ensure that compliance is maintained throughout design and implementation—over the entire life of a project or program.
- Further, the language contributes to mainstreaming of environmental concerns by integrating environmental compliance into USAID's typical project design and implementation processes.

The language can be used in any type of procurement instrument (contracts, cooperative agreements, grants, etc.). Although not explicitly required by ADS 305 for Host Country Contracts, this language also can be used for Host Country solicitations and in Implementation Letters and is especially appropriate when contracting for construction services and technical or professional services.

For greatest benefit, Technical Teams and other USAID staff should review and discuss the recommended language during project design, and modify it, as may be necessary, so it is well-integrated with the program description. Together the COTR/AOTR, CO, and MEO should identify where and which language to insert based on the type of solicitation and award. For activities that are designed and managed out of AID/Washington (in Pillar or Regional Bureaus), the BEO would serve a similar technical role as the MEO does at the Mission level. The MEO, REA, BEO, or other trained staff may be able to provide staff training or guidance, if necessary, on use of the language in solicitations and contracting documents.

¹ Full text of 22 CFR 216 can be found at: http://www.usaid.gov/our_work/environment/compliance/reg216.pdf

HOW TO ASSEMBLE COMPLIANCE LANGUAGE

To assemble the compliance language for a particular solicitation or award, the following table should be used as guidance. Multiple situations can apply to a single procurement; if this is the case, use all indicated language. You may need to revise and/or renumber the language depending on which elements you select and where you place them in the award or solicitation. [Bracketed text] in the model language indicates that you must select the appropriate option or provide other input.

Approved Regulation 216 documentation ² exists and it contains. . .	
Categorical Exclusions and Negative Determinations only	1a through 1c 4a through 4c
at least one Negative Determination with conditions ²	1a through 1c 2 4a through 4c 5a through 5d 8a through 8d (optional: to be used when project will involve environmental compliance expertise; collaborate with MEO, or BEO for projects originating out of AID/W, for guidance, as needed)
at least one Positive Determination	1a through 1c 3 4a through 4c 5a through 5d 8a through 8d
The contractor/recipient will be required to prepare Regulation 216 documentation (an EA or IEE)	1a through 1c 4a through 4c 5a through 5d 6a through 6c 8a through 8d 2 If there is also an existing IEE that contains a Negative Determination with conditions 3 If there is also an existing IEE that contains a Positive Determination

²Note: “Approved Regulation 216 documentation” refers to a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO).

MODEL LANGUAGE

1. Insert paragraphs 1a, 1b, and 1c in all solicitations and resulting awards:

- In RFAs, insert in the Program Description or in the RFA's instructions regarding Technical Application Format
- In RFPs, insert in the appropriate section, often the "Special Contract Requirements"

1a) The Foreign Assistance Act of 1961, as amended, Section 117 requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's Automated Directives System (ADS) Parts 201.5.10g and 204 (<http://www.usaid.gov/policy/ads/200/>), which, in part, require that the potential environmental impacts of USAID-financed activities are identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. [Offeror/respondent/contractor/recipient] environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this [RFP/RFA/contract/grant/cooperative agreement].

1b) In addition, the contractor/recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern.

1c) No activity funded under this [contract/grant/CA] will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as "approved Regulation 216 environmental documentation.")

2. If the approved Regulation 216 documentation includes any Negative Determinations with conditions, insert 2.

This language stipulates that the activity(ies) must be implemented in compliance with the conditions specified in the Negative Determination.

2) An Initial Environmental Examination (IEE) [(insert IEE # and download reference here, if available)] has been approved for [the Program(s)/Project] funding this [RFA/RFP/contract/grant/cooperative agreement (CA)]. The IEE covers activities expected to be implemented under this [contract/grant/CA]. USAID has determined that a Negative Determination with conditions applies to one or more of the proposed activities. This indicates that if these activities are implemented subject to the specified conditions, they are expected to have no significant adverse effect on the environment. The [offeror/applicant/contractor/recipient] shall be responsible for implementing all IEE conditions pertaining to activities to be funded under this [solicitation/award].

3. If the approved Regulation 216 documentation includes a Positive Determination, insert 3.

This language specifies that an approved Environmental Assessment (EA) must exist prior to implementation of the activity(ies), and that the activity(ies) must be implemented in compliance with the conditions in the approved EA.

3) An Initial Environmental Examination (IEE) has been approved for the [*Program or project funding*] this [*RFA/RFP/contract/agreement*] and for activities to be undertaken herein [*(insert IEE # and download reference here, if available)*]. The IEE contains a Positive Determination for the following proposed activities: [*(specify)*]. This indicates that these activities have the potential for significant adverse effects on the environment. Accordingly, the [*contractor/recipient*] is required to [*comply with the terms of*/prepare and submit***] an Environmental Assessment (EA) addressing the environmental concerns raised by these activities. No activity identified under this Positive Determination can proceed until Scoping as described in §216.3(a)(4) and an EA as described in §216.6 are completed and approved by USAID (Note that the completed Scoping Statement is normally submitted by the MEO to the BEO when the project originates in a Mission. The Statement may be circulated outside the Agency by the BEO with a request for written comments within 30 days and approved by the BEO subsequently. Approval of the Scoping Statement must be provided by the BEO before the EA can be initiated.)

[*]If an EA already exists, and the contractor/recipient will not be required to prepare the EA, but will be required to comply with the terms of an existing EA.

[**]If contractor/recipient must prepare and submit an EA, also insert 6a through 6c.

Note: If the contractor is to prepare an EA, then this should be specified in the RFP/RFA instructions. The final negotiation of the EA will be incorporated into the award. Paragraphs 8a through d will always apply when the approved environmental documentation includes a Positive Determination, whether the contractor/recipient is preparing the EA or simply required to comply with an existing EA.

4. Insert for all solicitations and awards

The language requires that the contractor/recipient must ensure all activities, over the life of the project, are included in the approved Regulation 216 documentation.

4a) As part of its initial Work Plan, and all Annual Work Plans thereafter, the [*contractor/recipient*], in collaboration with the USAID Cognizant Technical Officer and Mission Environmental Officer or Bureau Environmental Officer, as appropriate, shall review all ongoing and planned activities under this [*contract/grant/CA*] to determine if they are within the scope of the approved Regulation 216 environmental documentation.

4b) If the [*contractor/recipient*] plans any new activities outside the scope of the approved Regulation 216 environmental documentation, it shall prepare an amendment to the documentation for USAID review and approval. No such new activities shall be undertaken prior to receiving written USAID approval of environmental documentation amendments.

4c) Any ongoing activities found to be outside the scope of the approved Regulation 216 environmental documentation shall be halted until an amendment to the documentation is submitted and written approval is received from USAID.

5. If the approved Regulation 216 documentation contains one or more Negative Determinations with conditions and/or an EA, insert 5a through 5d. (These paragraphs should also always be used when the contractor/recipient is writing an IEE or EA.)

The language requires the contractor/recipient to integrate mitigation measures and monitoring into project work plans.

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

5a) Unless the approved Regulation 216 documentation contains a complete environmental mitigation and monitoring plan (EMMP) or a project mitigation and monitoring (M&M) plan, the [contractor/recipient] shall prepare an EMMP or M&M Plan describing how the [contractor/recipient] will, in specific terms, implement all IEE and/or EA conditions that apply to proposed project activities within the scope of the award. The EMMP or M&M Plan shall include monitoring the implementation of the conditions and their effectiveness.

5b) Integrate a completed EMMP or M&M Plan into the initial work plan.

5c) Integrate an EMMP or M&M Plan into subsequent Annual Work Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment.

5. For solicitations, if the Proposal Instructions specifies that the [contractor/recipient] will be required to prepare Regulation 216 documentation (IEE or EA) for some or all activities, insert 6a through 6c.

6a) Cost and technical proposals must reflect IEE or EA preparation costs and approaches.

6b) [Contractor/recipient] will be expected to comply with all conditions specified in the approved IEE and/or EA.

6c) If an IEE, as developed by the [contractor/recipient] and approved by USAID, includes a Positive Determination for one or more activities, the contractor/recipient will be required to develop and submit an EA addressing these activities.

Note: In this case, always insert paragraphs 8a through 8d, as well.

7. For solicitations and awards when sub-grants are contemplated, and the IEE gives a Negative Determination with conditions that specifies use of a screening tool for sub-grants, insert 7a and 7b.

7a) A provision for sub-grants is included under this award; therefore, the [contractor/recipient] will be required to use an Environmental Review Form (ERF) or Environmental Review (ER) checklist using impact assessment tools to screen grant proposals to ensure the funded proposals will result in no adverse environmental impact, to develop mitigation measures, as necessary, and to specify monitoring and reporting. Use of the ERF or ER checklist is called for when the nature of the grant proposals to be funded is not well enough known to make an informed decision about their potential environmental impacts, yet due to the type and extent of activities to be funded, any adverse impacts are expected to be easily mitigated. Implementation of sub-grant activities cannot go forward until the ERF or ER checklist is completed and approved by USAID. [Contractor/Recipient] is responsible for ensuring that mitigation measures specified by the ERF or ER checklist process are implemented.

7b) The [contractor/recipient] will be responsible for periodic reporting to the USAID Cognizant Technical Officer, as specified in the Schedule/Program Description of this solicitation/award.

8. For solicitations ONLY: Insert 8a through 8d when:

- the approved Regulation 216 documentation is a Positive Determination or an EA; or
- when the contractor/recipient will be expected to prepare Regulation 216 documentation; or
- when there is a sub-grant fund that requires use of an Environmental Review Form or Environmental Review checklist; and/or
- when there is a Negative Determination with conditions that will require environmental compliance expertise to prepare and/or implement an EMMP or M&M Plan, as determined in collaboration with the MEO or BEO for projects originating out of AID/W.

8a) USAID anticipates that environmental compliance and achieving optimal development outcomes for the proposed activities will require environmental management expertise. Respondents to the [RFA/RFP] should therefore include as part of their [application/proposal] their approach to achieving environmental compliance and management, to include:

8b) The respondent's approach to developing and implementing an [IEE or EA or environmental review process for a grant fund and/or an EMMP or M&M Plan].

8c) The respondent's approach to providing necessary environmental management expertise, including examples of past experience of environmental management of similar activities.

8d) The respondent's illustrative budget for implementing the environmental compliance activities. For the purposes of this solicitation, [offerors/applicants] should reflect illustrative costs for environmental compliance implementation and monitoring in their cost proposal.

ANNEX B

Updated Mission Environmental Officer and Deputy Mission Environmental Officer Appointment Memorandum



USAID | **PAKISTAN**
FROM THE AMERICAN PEOPLE

MEMORANDUM

TO: All USAID/Pakistan Staff
Rebekah Eubanks, Regional Legal Advisor
Andrei Barannik, Regional Environmental Advisor
John Wilson, Asia Bureau Environmental Officer
James Hester, Agency Environmental Coordinator

FROM: Robert Wilson, Director, USAID/Pakistan

SUBJECT: Appointment of Mission Environmental Officer and Deputy Mission Environmental Officers (2)

Effective **date** and until further notice, Mahmood Hussain is appointed as the USAID/Pakistan Mission Environmental Officer (MEO), concurrent with his other duties. Effective **date** and until further notice, Robert MacLeod and **XXX** are appointed as USAID/Pakistan Deputy Mission Environmental Officers (D/MEO), concurrent with their other duties. As of this date, all Mission 22 CFR 216 documents must be cleared by the MEO (or in his/her absence, by one of the Deputy MEOs) prior to forwarding to the Mission Director for his/her concurrence and transmittal to the Bureau Environmental Officer in USAID/W. This includes Initial Environmental Examinations (IEEs), Requests for Categorical Exclusions and Deferrals, Environmental Assessments (EA), Environmental Impact Statements, Amendments to any of these documents or other 22 CFR 216 determinations. After MEO clearance and prior to submission to the Mission Director, all 22 CFR 216 documents must be reviewed by the Regional Environmental Advisor and cleared by the Regional Legal Advisor.

Deputy MEOs are authorized to clear environmental screening documents required by the IEEs and prepared by Implementing Partners for (a) SO 8, Earthquake Reconstruction Program (MacLeod) and (b) SO 10, Federally Administered Tribal Areas (FATA) Program (**XXX**). These environmental clearance documents require only Deputy MEO and CTO clearance.

Effective implementation of 22 CFR 216 environmental procedures, and implementation of sound environmental practices and considerations, is achieved through the combined efforts of the Mission Environmental Officer and Deputy Mission Environmental Officers, the Regional Environmental Advisor, the Regional Legal Advisor and the Bureau Environmental Officer, in partnership with the Mission Director, Office Directors, Strategic Objective Teams, Contracting/Agreement Officer's Technical Representatives (COTRs/AOTRs) and Activity Managers, and program management staff. The MEO (or the Deputy MEO) is hereby appointed as a member of every Strategic Objective team in the Mission to advise and support on 22 CFR 216 compliance during activity design, implementation and evaluation.

Approved:

Robert Wilson
Mission Director

Date:

Clearance Sheet for Appointment of Mission Environmental Officer and Deputy Mission Environmental Officers

Clearance:

Azza El-Abd, PRM _____

Date: _____

Rebekah Eubanks, RLA _____

Date: _____

Joseph Williams, DD _____

Date: _____

ANNEX C

Environmental Documentation Form Template



Note

These instructions accompany the Environmental Documentation Form for all activities for the **INSERT PROJECT NAME** under SO **INSERT SO NUMBER AND NAME**

Who must submit environmental documentation?

This form is required of each activity sponsored by USAID under the **INSERT PROJECT NAME** except those activities which USAID has determined in an approved Request for Categorical Exclusion or Initial Environmental Examination to warrant Categorical Exclusions from environmental compliance procedures.

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

Step 2. List all components in the activities

In Table 1 (Section B) of the form, list all activities associated with the activities. Include all phases: planning, design, construction, operation and maintenance. Include ancillary activities. (These are activities that are required to build or operate the primary activity. Examples include building or improving a road to provide heavy vehicles access to the project site, excavation of fill material or gravel for construction, laying utility pipes to connect with energy, water sources or sewage disposal).

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

For *each* activity listed in Table 1, refer to the list of examples in the risk classification table below to determine whether it is very low-risk, high risk, or moderate risk. (Activities which do not appear in either the low-risk or the high-risk list are considered moderate risk by default, but a illustrative list of moderate risk activities not specifically defined in Reg. 216 but typical of small scale construction related is included in the risk classification table). Enter the results in Table 1.

Environmental Risk Classification for Project Activities

Very low-risk activities (§216.2(c)(2))	Moderate risk activities (typical activities not defined in §216)	High-risk activities (§216.2(d)(1))
<p>Provision of education, technical assistance, or training. (Note that activities directly affecting the environment. do not qualify)</p> <p>Community awareness initiatives</p> <p>Controlled experimentation exclusively for the purpose of research and field evaluation confined to small areas and carefully monitored (when no protected or other sensitive environmental areas could be affected)</p> <p>Technical studies and analyses and other information generation activities not involving intrusive sampling of endangered species or critical habitats</p> <p>Document or information transfers</p> <p>Nutrition, health care or family planning. (a) some included activities could directly affect the environment (construction, water supply systems, etc.) or (b) biohazardous (esp. HIV/AIDS) waste is handled or blood is tested</p> <p>Rehabilitation of water points for domestic household use, shallow, hand-dug wells or small water storage devices (when no protected or other sensitive environmental areas could be affected). Note that USAID guidance on potable water requires water quality testing for arsenic, coliform, nitrates and nitrites</p> <p>Support for intermediate credit arrangements (when no significant biophysical environmental impact can reasonably be expected)</p> <p>Programs of maternal and child feeding conducted under Title II of Public Law 480</p> <p>Food for development programs under Title III of P.L. 480, when no on-the-ground biophysical interventions are likely</p> <p>Studies or programs intended to develop the capability of recipients to engage in development planning. (Activities directly affecting the environment do not qualify)</p>	<p>Rehabilitation or renovation of existing structures where the footprint of the structure is unchanged</p> <p>Small scale construction of new structures on land that is already developed</p> <p>Rehabilitation of existing roadways where the right-of-way is not extended and the alignment is not altered, and no new bridges, culverts or other structures spanning bodies of water or wetlands will be constructed (beyond rehabilitation of any existing structures)</p> <p>Rehabilitation of existing irrigation systems where no new canals or other infrastructure will be constructed</p> <p>Rehabilitation or renovation of existing sanitary latrines that include a sealed septic system (i.e. no open systems or drainage fields)</p> <p>Construction of new sanitary latrines that include a sealed septic system (i.e. no open systems or drainage fields)</p> <p>Rehabilitation or renovation of existing small scale piped systems</p> <p>Construction of new small scale (i.e. village level) piped water systems</p>	<p>River basin or new lands development</p> <p>Planned resettlement of human populations</p> <p>Penetration road building, or rehabilitation of roads (primary, secondary, some tertiary) over 10 km length, and any roads which may pass through or near relatively undegraded forest lands or other sensitive ecological areas</p> <p>Substantial piped water supply and sewerage construction</p> <p>Major bore hole or water point construction</p> <p>Large-scale irrigation</p> <p>Water management structures such as dams and impoundments</p> <p>Drainage of wetlands or other permanently flooded areas</p> <p>Large-scale agricultural mechanization</p> <p>Agricultural land leveling</p> <p>Procurement or use of <u>restricted use</u> pesticides, or wide-area application in non-emergency conditions under non-supervised conditions</p> <p>Light industrial plant production or processing (sawmill operation, agro-industrial processing of forestry products)</p> <p>High-risk and typically not funded by USAID:</p> <p>Actions determined likely to significantly degrade protected areas, such as introduction of exotic plants or animals</p> <p>Actions determined likely to jeopardize threatened and endangered species or adversely modify their habitat (esp. wetlands, tropical forests)</p> <p>Conversion of forest lands to rearing of livestock</p> <p>Planned colonization of forest lands</p> <p>Procurement or use of timber harvesting equipment</p> <p>Commercial extraction of timber</p> <p>Construction of dams or other water control structures which flood relatively undegraded forest lands</p> <p>Construction, upgrading or maintenance of roads (including temporary haul roads for logging or other extractive industries) which pass through relatively undegraded forest lands.</p>

Step 4. Determine if you should write an environmental review

Examine the screening results as they are entered in Table 1.

- If ALL the sub-activities are “very low risk,” then no further review is necessary. In Section C of the form, enter “categorical exclusion” as your recommended determination. Skip to Step 8 of these instructions.
- If ANY sub-activities are “moderate risk,” you must list mitigation measures to be followed, and should consider completing an environmental review to address these activities. Proceed to Step 5. USAID may require an environmental review.
- If any sub-activities are high risk, note that Regulation 216 usually requires a full Environmental Assessment (EA). Rather than commit to such a study, it is recommended that you complete an environmental review addressing these activities to determine if an EA will indeed be required. Because these activities are assumed to have a high probability of causing significant, adverse environmental impacts, they are closely scrutinized. *Any* proposed high-risk activity should be discussed in advance with USAID.

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

Step 5. Write the environmental review, if appropriate

The environmental review is a typically short, 2–3 page document. It follows the outline below. It presents the environmental issues associated with the activities. It also documents the mitigation and monitoring commitments made by the implementer. Its purpose is to allow the implementer and USAID to evaluate the **likely environmental impacts of the project**.

- A. Summary of activity.** Summarize background, rationale and outputs/results expected. (reference to proposal, if appropriate).
- B. Description of activities.** For all moderate and high-risk activities listed in Table 1 of the form, succinctly describe location, siting, surroundings (include a map, even a sketch map). Provide both quantitative and qualitative information about actions needed during construction and who will undertake them. (All of this information can be provided in a table). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these.
- C. Environmental Situation.** Describe the environmental characteristics of the site(s) in which these activities will take place. Focus on characteristics of the site that are of concern—e.g., water supplies, animal habitat, steep slopes, etc. Is the environmental situation at the site degrading, improving, stable with regard to these critical characteristics?
- D. Evaluation of Activities and Issues with Respect to Environmental Impact Potential.** Include impacts that could occur before construction starts, during construction and during operation, as well as any problems that might arise with

abandoning, restoring or reusing the site at the end of the anticipated life of the facility or activity.

Explain direct, indirect, induced and cumulative effects on various components of the environment (e.g., air, water, geology, soils, vegetation, wildlife, aquatic resources, historic, archaeological or other cultural resources, people and their communities, land use, traffic, waste disposal, water supply, energy, etc.)

Indicate any beneficial impacts and how the sustainability of the natural resource base will be improved.

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

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

Attachment 1 is a table of illustrative issues, impacts and mitigation measures typical for small scale construction activities. Although not exhaustive, this table is a good guide for identification of mitigation measures.

Attachment 2 is a template for listing environmental issues and mitigation measures (from Attachment 1 or developed by the environmental reviewer) to address potential environmental issues.

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

Attachment 3 is a template for detailing plans for monitoring the implementation and effectiveness of mitigation measures, e.g. Environmental Mitigation and Monitoring Plan (EMMP).

NOTE: Environmental monitoring must be for life of project, including construction and implementation phases of the activity. It is recommended that environmental monitoring be reported as part of the project's regular progress reports (i.e. quarterly progress reports), creating a separate section for environmental monitoring.

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

F. Other Information. Where possible and as appropriate, include photos of the site and surroundings; maps; or list the names of any reference materials or individuals consulted. (Photos of the site can substantially reduce the written description required in parts B and C)

Step 6. Based on the environmental review, reach a recommended determination for each high-risk or moderate-risk activity

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

- **no significant adverse impacts.** The activity in question will not result in significant, adverse environmental impacts. Special mitigation or monitoring is not required. Typically does not apply to high-risk activities.
- **no significant adverse impacts given appropriate mitigation and monitoring.** With appropriate mitigation and monitoring, none of the sub-activities will result in significant, adverse environmental impacts.
- **significant adverse impacts.** One or more of the sub-activities is likely to cause significant adverse environmental impacts and cannot be mitigated with best practices or other measures. A full environmental assessment will be required.

Enter these determinations in Table 1.

Step 7: Summarize recommended determinations

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

Step 8. Sign certifications (Section D of form), attach mitigation measures or environmental review.

Step 9. Submit forms and supporting documents (including mitigation and monitoring measures) to USAID project officer (COTR/AOTR).



Environmental Documentation Form

INSERT PROJECT NAME

A. Applicant information

Contractor/grantee(organization)	Parent grant or project
individual contact and title	Address, phone and email (if available)
activity (brief description)	Amount
Location of activity	Start and end date of activity

B. Activities, screening results, and recommended determination

TABLE 1 Proposed Sub-activities	Screening result (Step 3 of instructions)			Recommended Determinations (Step 6 of instructions. Complete for all moderate and high-risk activities)		
	Very Low Risk	Moderate Risk	High Risk	No significant adverse impact	With specified mitigation, no significant adverse impact.	Significant Adverse impact
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

(continue on additional page if necessary)

C. Summary of recommended determinations **(check all that apply)**

The activity contains. . .	<i>(equivalent regulation 216 terminology)</i>
<input type="checkbox"/> Very low risk sub-activities	<i>categorical exclusion(s)</i>
<input type="checkbox"/> After environmental review, sub-activities determined to have no significant adverse impacts	<i>negative determination(s)</i>
<input type="checkbox"/> After environmental review, sub-activities determined to have no significant adverse impacts, given appropriate mitigation and monitoring	<i>negative determination(s) with conditions</i>
<input type="checkbox"/> After environmental review, sub-activities determined to have significant adverse impacts	<i>positive determination(s)</i>

D. Certification:

I, the undersigned, certify that:

- The information on this form is correct and complete
- The following actions have been and will be taken to assure that the activity complies with environmental requirements established for the **INSERT PROJECT NAME** under the Code of Federal Regulations 22 CFR 216:
 - These design elements and best practices will be followed in implementing this activity, except with the approval of USAID.
 - Any specific mitigation or monitoring measures described in the attached information will be implemented in their entirety.
 - Compliance with these conditions will be regularly confirmed and documented by on-site inspections during the activity and at its completion.

(Signature)

(Date)

BELOW THIS LINE FOR USAID USE ONLY

Approval

USAID Project Officer	(print name)	(signature)
<input type="checkbox"/> Approved		
<input type="checkbox"/> Rejected		
USAID MEO or DMEO	(print name)	(signature)
<input type="checkbox"/> Approved		
<input type="checkbox"/> Rejected		

USAID comments: (if documentation is rejected, comments must be provided to applicant)

Guidance for Identifying Project Environmental Issues, Impacts and Mitigation Measures

The following three tables presents a set of environmental issues, impacts and mitigation measures that often are associated with small scale construction, renovation and rehabilitation activities. The tables cover (a) biological, (b) physical and chemical and (c) social and cultural issues. These tables should be used to help project Implementing Partners complete Environmental Documentation Forms (EDFs), e.g. environmental screening or review, required for activities granted Negative Determinations with Conditions in Initial Environmental Examinations (IEEs). These issues, impacts and mitigation measures are not intended to be exhaustive, but rather a guide to EDF preparers. EDF preparers likely will need to identify additional mitigation measures based on the particular nature of planned project activities. EDF preparers are encouraged to seek guidance from the USAID/Pakistan Mission Environmental Officer (MEO) regarding specific environmental issues, impacts and mitigation measures not covered in the tables. Once a final set of mitigation measures is identified, preparers will develop an Environmental Mitigation and Monitoring Plan (EMMP) using the EMMP template included in the EDF.

Table 1: Illustrative BIOLOGICAL Environmental Impacts and Recommended Mitigation Measures

Issue	Impact	Mitigation Measure
Native or local flora	Destruction of vegetation on and around the site of construction activities often occurs.	Mitigation Measure 1: Sites should be selected with as little existing vegetation as possible. During construction, the contract shall take steps to minimize damage to vegetation surrounding the site. Any trees that are damaged or destroyed inadvertently during construction should be replaced at a 1:1 ratio using native species and in the area immediately surrounding the project site. If the area is habitat for any rare or endangered species, a trained expert in local flora should be consulted.
Native or local wildlife	Disruption or destruction of wildlife habitat on and around the site of construction activities often occurs.	Mitigation Measure 1: Sites should be selected that minimize the intersection with local wildlife habitat. If the area is habitat for any rare or endangered species, a trained expert in local wildlife should be consulted.
Sensitive Ecosystems	Construction within sensitive ecosystems (i.e. biologically diverse, containing endangered flora and/or fauna, location of pristine water sources) can cause serious damage to their delicate balance and proper function.	<p>Mitigation Measure 1: To the extent possible construction sites should occupy previously developed tracts of land. If a planned site is within an area containing sensitive flora, fauna or other natural resources, activity plans must be reviewed by a training ecosystem scientist to assure that the planned activity will not damage any sensitive ecosystems.</p> <p>Mitigation Measure 2: Construction sites will specifically avoid any location in any un-degraded forest areas, wetlands or adjacent to waterways.</p> <p>Mitigation Measure 3: Any activity that includes generation of wastewater will include provision of wastewater treatment to secondary standards prior to its discharge.</p>

Issue	Impact	Mitigation Measure
Human Health/Disease Transmission	Construction, rehabilitation or expansion of sanitary latrines, solid waste management facilities or sewage conveyance systems can increase the presence of disease-carrying insects and pathogens.	<p>Mitigation Measure 1: Latrines must be constructed with ventilation adequate to minimize insects; pits or septic tanks must be constructed to segregate waste and must be maintained to remove waste regularly.</p> <p>Mitigation Measure 2: Solid waste management facilities must be constructed and managed to segregate organic and inorganic materials, composting as much organic material as possible and recycling as much paper and inorganic material as possible.</p> <p>Mitigation Measure 3: Sewage conveyance systems should be constructed using buried pipes, not open or covered drains (which attract disease vectors and are dangerous when left open or otherwise poorly maintained).</p>

Table 2: Illustrative PHYSICAL and CHEMICAL Environmental Impacts and Recommended Mitigation Measures

Issue	Impact	Mitigation Measure
Air Quality	<p>Impacts to local air quality during construction can be anticipated due to fugitive dust generation in and around the construction sites.</p> <p>Construction activities will also result in the generation of diesel exhaust from heavy equipment and generators.</p>	<p>Mitigation Measure 1: The generation of dust during construction will be mitigated through avoidance strategies as follows:</p> <ul style="list-style-type: none"> • Subcontractors will be required to spray water during windy conditions. • Trucks carrying earth, sand or stone will be covered to avoid spilling. • Open burning will be prohibited on the construction sites. <p>Mitigation Measure 2: The generation of diesel exhaust emissions during construction will be mitigated through avoidance strategies as follows:</p> <ul style="list-style-type: none"> • All equipment will be in good operating condition • Machinery will not be left idling unless necessary during winter operations.
Soil Erosion	<p>Construction activities can result in increased turbidity of runoff water due to soil erosion.</p>	<p>Mitigation Measure 1: Impacts due to soil erosion will be mitigated by careful grading of the construction site such that water is not allowed to run off of the construction site into adjacent drainages. Where excavated soils are stored onsite, adequate measures will be implemented to control runoff, including covering exposed soils, construction of settling basins, or erection of physical barriers.</p>
Surface Water Contamination	<p>Construction activities can result in contamination of runoff due to leaking fuel or lubricants from construction equipment.</p>	<p>Mitigation Measure 1: Machinery and equipment will be maintained in good working condition and will be regularly inspected for leaks. Any maintenance of equipment or machinery onsite will only occur over non-permeable areas with adequate containment measures to capture spills. Fuel storage will be provided with adequate containment measures to capture spills.</p>
Surface Water Disruption	<p>Construction of the facilities will result in an increase in hardscape with a resulting incremental increase in surface water runoff.</p> <p>Construction of facilities can change surface water flow</p>	<p>Mitigation Measure 1: Hardscape for driveways, car parks and walkways will be minimized. Landscaping (vegetative cover and drainage) will be designed to capture the maximum runoff possible. Where practical, rainwater capture systems for rooftops will be considered.</p>

Issue	Impact	Mitigation Measure
	patterns in and around building sites.	Mitigation Measure 2: Site selection will include assessment of surface water flow patterns and slopes on and around proposed sites to minimize disruption of natural or existing surface water flow patterns. If alternation of existing flow patterns is unavoidable, diversion will be minimized, with retaining walls and other structures constructed to avoid erosion.
Groundwater Withdrawal	<p>Construction activities can result in contamination of runoff due to leaking fuel or lubricants from construction equipment.</p> <p>Construction of facilities will result in an increase in hardscape with a resulting incremental decrease in groundwater percolation.</p> <p>Construction of new wells and rehabilitation of existing wells place additional demand on groundwater resources.</p>	<p>Mitigation Measure 1: Drilling new wells, increasing the depth of existing wells or otherwise rehabilitating well that results in increased groundwater withdraw shall be undertaken only after assessing the hydrologic capacity of the local groundwater resources.</p> <p>Mitigation Measure 2: All groundwater extraction activities will be accompanied by training in well operation and maintenance (and piped system O&M if applicable) to minimize leakage and efficient use.</p> <p>Mitigation Measure 3: Groundwater quality will be tested for biological and chemical contamination prior to any drilling of new well, deepening or other rehabilitation of existing well. Water quality will meet WHO standards. A water quality testing program will be implemented for all well related activities, with training provided to local communities, local authorities or others as relevant to assure that water quality is regularly tested.</p>
Groundwater Contamination	Construction of some facilities such as sanitary latrines, use of construction equipment and solid waste disposal centers can cause the release of chemical and biological contaminants into the soil and ultimately into the groundwater.	<p><i>Implementation of surface water mitigation measures related to construction equipment leaks and hardscape will avoid impacts related to groundwater contamination.</i></p> <p>Mitigation Measure 1: Siting of latrines, solid waste disposal centers and other facilities with the potential to release chemical or biological contaminants must be done in consultation with a trained hydrologist to avoid groundwater contamination.</p> <p>Mitigation Measure 2: All latrines shall be sited on level ground, in areas where the unsaturated is sufficient to avoid problems with effluent overflow, and include either a sealed septic tank that is regularly pumped out, or a pit system, with</p>

Issue	Impact	Mitigation Measure
		<p>waste removed, treated and disposed in a responsible manner. A system (training and monitoring) should be in place to prevent untreated latrine waste from being applied directly to agricultural fields.</p> <p>Mitigation Measure 3: All solid waste disposal facilities shall be engineered with a lined bed to prevent leaching of contaminants into the soil.</p>
Noise	Construction activities will result in noise impacts resulting from the use of heavy equipment and machinery.	<p>Mitigation Measure 1: The contractor shall as far as practicable, ensure that all processes, machines and equipment used implement one or more of the following measures:</p> <ul style="list-style-type: none"> • In populated areas, contractors will avoid work early in the morning, in the evening and overnight • Engineering noise control, e.g., modifying noisy processes, machines and equipment, relocating noisy processes or isolating them within enclosures, erecting sound barriers, reducing kinetic or potential energy and regularly maintaining machines and equipment; • Using quiet machines and equipment when such machines and equipment are available in the market. Examples are generators, compressors and concrete breakers. The contractor shall provide hearing protectors for workers who are exposed to excessive noise and ensure that they are worn at all times. Warning signs to remind workers that hearing protectors must be worn shall be put up at areas with excessive noise.
Visual Quality and Viewscape	<p>Construction activities may result in a short-term impact to the visual. In particular, buildings in progress are generally stark in appearance. Additionally, construction material and wastes may result in a cluttered site.</p> <p>The buildings may partially or fully block distant views of surrounding mountains.</p>	<p>Mitigation Measure 1: The construction contractor shall be required to maintain a site free from rubbish. The contractor shall be required to conduct regular housekeeping to include removal of rubbish, construction waste, and proper storage of construction material.</p>
Solid, Hazardous, and Special Wastes	Construction activities, including demolition and excavation, will result in solid wastes which will require disposal.	<p>Mitigation Measure 1: Solid wastes shall be transported off the site and disposed of in an approval solid waste disposal facility.</p>

Issue	Impact	Mitigation Measure
	Construction activities may result in the generation of hazardous wastes, including oils and lubricants. Accidental release of these wastes may result in impacts.	Mitigation Measure 2: In the event hazardous wastes are generated during construction, the contractor will be responsible for clean up and disposal of such waste in an approved hazardous waste disposal facility.
Geologic and Seismic Hazards	Construction of facilities in seismically active zones presents special challenges with respect to the quality of the construction itself and the safety of building's inhabitants during occupation following the completion of construction.	<p>Mitigation Measure 1: All building constructed will be engineered to the relevant Government of Pakistan required standard for the relevant seismic hazard zone and associated building codes.</p> <p>Mitigation Measure 2: A safety and evacuation plan will be developed and deployed through training of the building occupants for any building constructed in a seismically active zone.</p>

Table 3: Illustrative SOCIAL and CULTURAL Environmental Impacts and Recommended Mitigation Measures

Issue	Impact	Mitigation Measure
Socioeconomics	Construction of facilities should result in a number of construction jobs. It is important that this employment is handled to maximize positive impacts in local communities while at the same time minimizing negative health and safety impacts.	<p>Mitigation Measure 1: The program shall include capacity building, including classroom and on-the-job training, in construction methods, quality control, and construction safety.</p> <p>Mitigation Measure 2: The use of local subcontractors shall be encouraged wherever possible.</p> <p>Mitigation Measure 3: The Contractor will be required to provide personal safety equipment to all workers (i.e. hard hats, goggles, steel-toed boots, gloves, dust masks) and provide safety training in the proper use of all equipment.</p>
Traffic and Transportation	Construction activities will result in additional truck traffic and potential traffic congestion on local streets. The truck traffic will also result in potential threats to pedestrian safety, particularly in urban and peri-urban areas.	<p>Mitigation Measure 1: Delivery of materials and equipment to the project site shall be scheduled during periods of light traffic (e.g. early morning or late afternoon).</p> <p>Mitigation Measure 2: Where necessary, pedestrian accessway improvements shall be provided prior to starting construction activities. Improvements could include sidewalks, fencing, or alternate routes.</p> <p>Mitigation Measure 3: The construction contractor shall provide flag men and other traffic control measures to avoid conflicts between construction traffic and other vehicles and/or pedestrians.</p>
Cultural Resources	Buried cultural or archaeological resources may be uncovered during construction activities.	<p>Mitigation Measure 1: If potential cultural or archaeological resources are unearthed during construction, activities in that area shall immediately cease. The relevant Government of Pakistan authorities charged with the protection of cultural and archeological resources shall be contacted immediately. Work shall not recommence until such time as such authorities provide authorization.</p>

Attachment 2

Activity Mitigation Measures

Impact (List specific environmental impacts identified in the environmental review)	Mitigation Measures (Identify mitigation measures for each environmental impact)	Implementation Responsibility (Identify who is responsible for implementing each mitigation measure)

Environmental Mitigation and Monitoring Plan (EMMP)

- An EMMP should either be included in or developed for (1) **all IEEs** that have at least one “Negative Determination with Conditions” (or for activities for which an environmental review has been completed pursuant to an IEE requirement) and (2) all Environmental Assessments (EAs).
- If the EMMP is not developed as part of the IEE, the implementing partner should usually lead development of the EMMP, subject to review and oversight by the MEO and COTR/AOTR.
- In all cases, the tasks identified in the EMMP are incorporated into the implementing partner’s Work Plan, budget, and reporting.
- The following EMMP format is recommended. It can be adapted, as necessary.

Environmental Mitigation and Monitoring Plan

Activity Title:

Implementing Partner:

Activity	Mitigation Measure(s)	Monitoring Indicator(s)	Monitoring and Reporting Frequency	Party(ies) Responsible
List all activities in IEE that received a “negative determination with conditions.” <i>Do not list any other activities in separate rows.</i>	If mitigation measures are well-specified in the IEE, quote directly from IEE If they are not well-specified in the IEE, define more specifically here.	Specify indicators to (1) determine if mitigation is in place and (2) successful. For example, visual inspections for seepage around pit latrine; sedimentation at stream crossings, etc.)	For example: “monitor weekly, and report in quarterly reports. If XXX occurs, immediately inform USAID activity manager.”	If appropriate, <i>separately</i> specify the parties responsible for mitigation, for monitoring and for reporting.