

SUMMARY OF U.S.A.I.D. ENVIRONMENTAL PROCEDURES
(Title 22 Code of Federal Regulations [CFR], Part 216)

The following is a simplified summary of the Agency's Environmental Procedures. Compliance with these procedures is a Federal requirement as well as Agency policy. The text of the procedures, which is contained in Handbook 3, Appendix 2D, should be consulted in all instances.

Purpose:

To implement the requirements of the National Environmental Policy Act (NEPA) as they affect the A.I.D. Program.

A.I.D. Policy:

1. Ensure that the environmental consequences of A.I.D.-financed activities are identified and considered by A.I.D. and the host country prior to a final decision to proceed and that appropriate environmental safeguards are adopted;
2. Assist developing countries to strengthen their capabilities to evaluate the effects of development strategies and projects and implement effective environmental programs;
3. Identify impacts of A.I.D.'s action upon the global environment which affect the common and cultural heritage of all mankind;
4. Define environmental limiting factors that constrain development and carry out activities that restore the renewable resource base.

Implementation:

1. As part of Project Identification Document (PID) or Project Assistance Initial Proposal (PAIP) preparation, an Initial Environmental Examination (IEE) is prepared that contains a Threshold Decision as to whether the project is exempt under a Categorical Exclusion (see p.3-No. 2) or whether an Environmental Assessment (EA) or Environmental Impact Statement (EIS) will be required. PP Amendments or Extensions are also subject to the Procedures and require preparation of an IEE.

The IEE is usually prepared by the responsible project officer. The IEE is reviewed by the Mission Environmental Officer, the Mission Director or designee, and submitted to the Bureau Environmental Coordinator for approval.

2. If an EA or EIS is required, the following steps are taken:

- (a) A Scoping Session or process is initiated in the host country, by the project officer to identify the significant issues to be addressed in the EA or EIS, involving relevant experts and representatives of host governments, private institutions, A.I.D. staff and contractors. This results in a written scoping statement with a list of key issues to be addressed, those eliminated as insignificant, the time for the analysis, how it will be conducted, and the disciplines required to conduct the work.

The scoping statement is then reviewed by the Mission Environmental Officer prior to approval by the Bureau Environmental Coordinator.

- (b) Prior to or during Project Paper (PP) preparation the EA or EIS is prepared by the office originating the project in accordance with the scoping statement. The EA contains an analysis of the reasonably foreseeable effects of a proposed project/program on the environment, looks at alternatives to the proposed actions and identifies components that should be included in PP design to mitigate environmental effects and the costs that need to be included in project budgets.
- (c) Note: in cases where it is not possible to prepare an EA prior to completion of the PP, two steps are necessary: (1) the PP should contain a plan, time frame and funding for the EA; and (2) the EA must be completed prior to the point where project resources are irrevocably committed eliminating the possibility of necessary adjustments.
- (d) The draft EA is reviewed in the Mission and by the Bureau Environmental Coordinator who must clear the EA, even when Missions have delegation of authority for approval of PPs.
- (e) EISs are required when the proposed action has a potential impact on the U.S., the global environment, or areas outside the jurisdiction of any nation. The review process is more comprehensive for an EIS, involving U.S. Federal agencies and the U.S. public (see Sec. 216.3 (6) (iii) of the Procedures).

Applicability of the Procedures

The procedures identify four categories of activities to facilitate implementation: (1) Exemptions, (2) Categorical Exclusions, (3) Actions that normally have a significant effect on the environment and require EAs, leaving (4) "gray areas", where an IEE is required to determine whether significant effects are or are not likely.

1. Exemptions which require A/AID or AA/AID formal approval:

- international disaster assistance;
- other emergency situations; and
- exceptional foreign policy circumstances.

2. Categorical Exclusions include the following:

- Education, technical assistance or training;
- Controlled, experimental research of limited scope;
- Analyses, studies, workshops, meetings;
- Projects in which A.I.D. is minor donor;
- Document or information transfer;
- Contributions to international organizations;
- Institution building grants to U.S. institutions;
- Nutrition, health, population and family planning activities, except for construction components;
- Commodity Import Programs (CIPs), when A.I.D. has no knowledge of or control over use;
- Support to intermediate credit institutions if A.I.D. does not review or approve loans;
- Maternal or child feeding programs under Title II of P.L. 480;
- Food for development programs under Title III, when A.I.D. has no specific knowledge or control;
- Grants to PVOs where A.I.D. has no specific knowledge or control;
- Studies or projects that develop the capability of countries to engage in development planning;
- Activities which involve the application of A.I.D. approved design criteria.

3. Actions Normally Effecting the Environment:

- River basin development;
- Irrigation or water management including dams;
- Agricultural land leveling;
- Drainage;
- Large scale agricultural mechanization;
- New lands development;
- Resettlement;
- Penetration road building or road improvement;
- Power plants;
- Industrial plants;
- Potable water and sewerage, unless small scale;
- Activities affecting endangered plant and animal species and their critical habitat (wetlands, tropical forests, protected areas, etc.);
- Pesticides (assistance for procurement or use always requires an IEE, see Sec. 216.3(b), p.7).

4. "Gray Areas"

- When it is not obvious that a project falls into one of the above categories, it is necessary to prepare an IEE to make that determination. Mission Environmental Officers can assist in the preparation of the IEE.

Assistance on the Environmental Procedures

This is a simplified summary of the Environmental Procedures and the text of the procedures should be consulted in all instances. They are included in A.I.D. Handbook 3, Appendix 2D.

More detailed guidance can be obtained from Mission Environmental Officers and Regional Bureau environmental staff.

In addition, there are environmental ICQs available to assist in carrying out the required Environmental Assessments. At the present time there are two such ICQs: Dames and Moore and Tropical Research and Development. Additional assistance on pesticides and integrated pest management is available from S&T/AGR, Bill Overhold, who manages the Consortium for International Crop Protection project.