

**United States Agency for International Development  
Bureau of Democracy, Conflict and Humanitarian Assistance  
Office of Food for Peace**

**Fiscal Year 2012: Pipeline and Resource Estimate Proposal Guidance  
Attachment F: Environmental Status Report Guidance and Compliance Information**

**I. Background and Purpose: Environmental Review and Compliance**

All awards funded by United States Agency for International Development (USAID) must conform to [22 C.F.R. 216, \*Environmental Procedures\*](#), to ensure that environmental factors and values are integrated into the USAID decision-making process. 22 C.F.R. 216, henceforward referred to as “Regulation 216”, also assigns responsibility within USAID for assessing the environmental effects of USAID actions; they are consistent with [Executive Order 12114, \*Environmental Effects Abroad of Major Federal Actions\*](#), issued January 4, 1979, and the purposes of the [National Environmental Policy Act \(NEPA\)](#) of 1970, as amended (42 U.S.C. 4371 et seq.). Regulation 216 implements the requirements of NEPA as they affect USAID programs.

Through development of the Initial Environmental Examination (IEE), Regulation 216 ensures that environmental (i.e., natural resource or public health) impacts of USAID-funded activities are identified and mitigation measures proposed at the design stage prior to the irreversible obligation of USAID funds. Subsequently, over the life of the activity (LOA), these environmental mitigation measures are a standard component of program management.

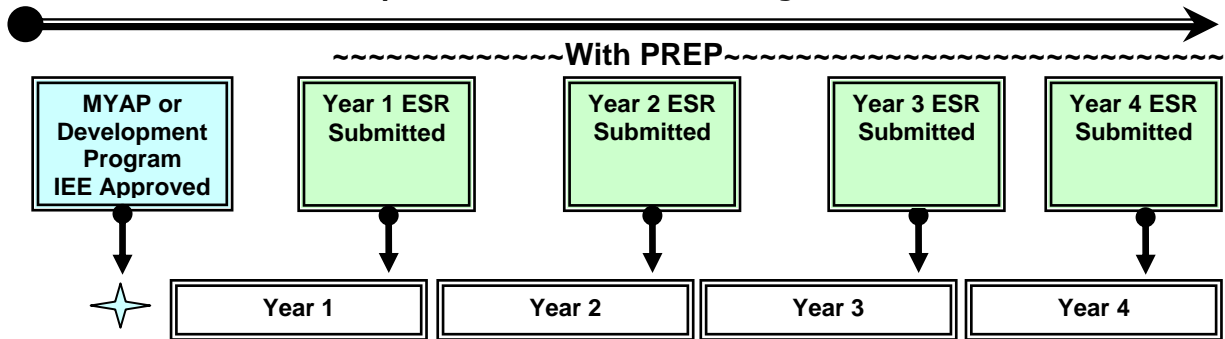
To resolve or clarify specific issues, awardees should communicate with the agreement officer’s technical representative (AOTR) in Food for Peace/Washington (FFP/W), the environmental or FFP Officer in the FFP/Missions and/or Regional Office, as appropriate (FFP/M/R) and the Democracy, Conflict and Humanitarian Assistance Bureau Environmental Officer (DCHA/BEO) in Washington. For appropriate contacts, please refer to the [USAID Environmental Compliance Officers](#) website.

**II. Office of Food for Peace Compliance with Regulation 216**

1. Requirements

All currently active Multi-Year Assistance Programs (MYAPs) and Development Programs must submit an Environmental Status Report (ESR) with the pipeline and resource estimate proposal (PREP) for the upcoming fiscal year resource request (Please refer to the figure below, *Timeline for submission of MYAP and Development Program compliance documentation for Regulation 216*).

**Timeline for submission of MYAP and Development Program  
compliance documentation for Regulation 216**



After securing FFP/M/R clearance, AOTRs are responsible for ensuring that all Regulation 216 documentation is submitted to the DCHA/BEO for clearance. Compliance with Regulation 216 is required of all Title II development activities, whether they are supported by section 202(e) funds, ITSH funds, monetization proceeds or program income.

If program activities in the approved IEE were classified as:

- A. *Categorical exclusion*: the awardee should only state "No changes" in the narrative under a similar header.
- B. *Negative determination with conditions*: the awardee should include details in the ESR concerning the mitigation measures for potential environmental impacts of distinct activities over the previous fiscal year.
- C. *Deferral*: For those awardees who received a prior fiscal year deferral on one or more aspects of their food aid program from the DCHA/BEO, an updated IEE should be included with the PREP to resolve each deferral or indicate that the activity will not be conducted, as applicable.

The ESR will indicate whether mitigation plans outlined in the IEE are on schedule and detail the monitoring and evaluation measures being planned and undertaken by the awardee. Per Regulation 216, costs for environmental mitigation measures for relevant technical sectors must be described. Where environmental mitigation measures were not included as a line item in the detailed budget, an explanation in the PREP budget narrative should describe how each appropriate program element budget has budgeted for environmental mitigation. Should no funds for environmental mitigation be included in the approved award budget, awardees may choose to adjust the budget allocations within the ten percent allowable shift per program element limitation. Awardees should keep in mind that cumulative budget shifts by program element of ten percent or more of the PREP require agreement officer approval and should be discussed with the AOTR prior to PREP submission.

If a PREP submission contains changes that require a modification, an updated IEE may need to be submitted with the modification. The same clearance process for an updated IEE will be followed as for the IEE submitted with the original proposal (refer to the *Title II Proposal*

*Guidance and Program Policies* used when first submitting the food aid proposal and contact the DCHA/BEO).

Refer to [Regulation 216](#) for further details on USAID environmental requirements. The [FFP Environment](#) website, the [Environmentally Sound Design and Management Capacity Building for Partners and Programs in Africa](#) website and the [Environmental Procedures Training Manual](#) also provide useful information and tools.

## 2. Procedures

If activities in the IEE for the program were classified as either a categorical exclusion or a negative determination without conditions, then the awardee should only state "no changes" in the environmental compliance section of the PREP. If activities were classified as a negative determination with conditions or positive determination, the awardee should include details in the ESR concerning the actions undertaken regarding mitigation measures stated in the original IEE or environmental assessment or programmatic environmental assessment where they might exist. The ESR will indicate whether mitigation plans outlined in the original IEE are on schedule and detail the monitoring and evaluation measures being undertaken by the awardee. The ESR provides an annual opportunity for the awardee to review the approved environmental management plan (EMP<sup>1</sup>). Should changes be requested, awardees should submit a modified version of the approved EMP, describing and justifying the changes. Copies of the ESR are maintained in the official award files and in the DCHA/BEO IEE database.

## 3. Format

Awardees should use the template attached to this document<sup>2</sup>. The ESR may be between two to ten pages and outlines potential environmental impacts of distinct activities over the previous fiscal year of the award. All submissions of the ESR must respond to status of the IEE and EMP as described below. Please refer to the *Environmental Status Report Instructions and Format* section at the end of this document for directions.

### A. Status of the Initial Environmental Examination

- i. Is there a need for an updated IEE?

### B. Status of the Environmental Management Plan

- i. List the mitigation measures
- ii. What is the status of mitigation and monitoring?

ESR submissions often contain only the plan for environmental mitigation without providing specific annual data. Awardees should note that a complete and thorough ESR provides more specific data on complying with Section B.ii. of the ESR, including outcomes of environmental monitoring site visits and/or environmental trainings held or attended. As it is often difficult to

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<sup>1</sup> The EMP is an environmental planning and management tool that is a component of the approved IEE and outlines the LOA plan for environmental management.

<sup>2</sup> ESR templates are available at: [http://www.usaid.gov/our\\_work/humanitarian\\_assistance/ffp/fy08\\_annex\\_d.doc](http://www.usaid.gov/our_work/humanitarian_assistance/ffp/fy08_annex_d.doc)

quantitatively measure progress of complex mitigation measures, it is recommended that the awardee provide quantitative data, insert compressed, digital photos (~96 dpi, web/screen resolution), and/or qualitative narratives. Awardees should include a matrix or table in the ESR, outlining that mitigation plans are being implemented as submitted in previous environmental documentation (i.e., the approved IEE or an updated IEE approved with a prior PREP). Should any of the sections of the ESR, but especially section B.ii., be found to be insufficient, the ESR will be returned unapproved to the awardee, delaying the overall PREP approval process and thus authorization of resources for the upcoming fiscal year.

#### 4. Submission and Clearances

The ESR is a component of the PREP and awardees must therefore follow submission requirements set forth in the *PREP Guidance*. Awardees should note that due to the PREP approval process, it is very important that the PREP be electronically submitted to both FFP/W and FFP/M/R. Failure to submit the PREP to both FFP/W and FFP/M/R will not only result in delay of ESR (and subsequently, PREP) approval, but also of the first call forward of the fiscal year.

FFP/M/R may request revisions to the ESR to ensure that objectives, consideration of local conditions and consistency with environmental documentation of other awardees in the same host country are achieved. For this reason, the ESR must first be cleared by FFP/M/R. Clearance is mandatory from the FFP/M/R environmental officer while clearance by the FFP/M/R FFP Officer is suggested. Upon receipt of approval from FFP/M/R, the AOTR will submit the ESR for final clearance by the DCHA/BEO. In sum, clearances are as follows, in this order:

- A. FFP/M/R Food for Peace Officer (optional)
- B. FFP/M/R Environmental Officer
- C. DCHA/BEO

If the PREP submission, including the ESR, is submitted only to FFP/W and not to FFP/M/R as well, the submission may be returned unapproved to the awardee, delaying the overall PREP approval process and thus authorization of resources for the upcoming fiscal year.

### **III. Regulation 216 Document Preparation Resources**

While the *PREP Guidance* takes precedence, the [FFP Environment Website](#) and the [Environmental Procedures Training Manual](#) also provide guidance on completing the updated IEE and ESR. The *Environmental Procedures Training Manual* provides in-depth environmental reviews and defines many of the environmental compliance issues and terms used in this document. [A Field Guide to USAID Environmental Compliance Procedures](#) is a shorter field guide that is also useful. In addition to these documents, both the FFP/M/R environmental officers and the [DCHA/BEO](#) should be consulted.

For reference on environmental compliance standards for program design and environmental mitigation information on a wide variety of distinct activities, refer to the *USAID Environmental Guidelines for Small-Scale Activities in Africa*, the *Sphere Humanitarian Charter and Minimum Standards in Disaster Response Handbook (2004)* and the *Field Operations Guide v.4*. Other illustrative sector-specific guidelines are the World Health Organization's *Handling, Storage, and Transportation of Health-Care Waste* and *Low-Volume Roads Engineering Best Management Practices Field Guide* (Keller and Sherar, 2003).

## Title II Environmental Status Report Facesheet

**Title of Program:**

**Awardee:**

**Host Country or Region:**

**Award Number:**

**Life of Activity:**

**Fiscal Year of Submission:**

*Note: the following information is for the fiscal year of submission.*

<b>Funding Begin:</b> (MM/DD/YY)	<b>LOA Amount:</b> \$
<b>Funding End:</b> (MM/DD/YY)	<b>Sub-Activity Amount:</b> \$

<b>Resource Levels:</b>	<b>Food Aid Commodity:</b> MT
<b>Monetization Request:</b> \$	<b>202(e):</b> \$ <b>ITSH:</b> \$

<b>ESR Prepared by:</b> (Name/Title)	<b>Date:</b> (MM/DD/YY)
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<b>Date of Previous ESR:</b> (MM/DD/YY)	<b>Date of Most Recent IEE:</b> (MM/DD/YY)
<b>Contact*:</b>	

*\* Awardees should include contact information (name, phone numbers and email addresses) for staff responsible for the record keeping of the food aid program. Responsible awardee staff should have the ability to access all of the food aid program's files in the field, at headquarters, in storage or elsewhere, as required.*

*(Insert the following:)  
Awardee Name/Host country  
Title II Award number  
Fiscal Year of Submission*

## Title II Environmental Status Report

**A. Status of the Initial Environmental Estimate**

- No revisions or modifications** of the Initial Environmental Estimate (IEE) are needed.
- An amended IEE is submitted.

**B. Status of Fulfilling Conditions in the Initial Environmental Estimate, including Mitigation and Monitoring**

- All mitigation measures were successful at** preventing environmental impact as specified in the original IEE. An Environmental Status Report (ESR) describing compliance measures taken is attached.
- Improved mitigation measures** were adopted to better reduce environmental impacts. An ESR describing these improved compliance measures taken is attached.

**C. Food for Peace Approval of the Environmental Status Report**

*Food for Peace Mission or Regional Office, as appropriate\*:*

Food for Peace Officer \_\_\_\_\_ Date: \_\_\_\_\_

Environmental Officer \_\_\_\_\_ Date: \_\_\_\_\_

*Food for Peace, Washington*

DCHA Bureau Environmental Officer \_\_\_\_\_ Date: \_\_\_\_\_

**\* FFP/M/R environmental officer clearance is mandatory; clearance by the FFP/M/R FFP officer is optional.**

*(Insert the following:)*  
*Awardee Name/Host country*  
*Title II Award number*  
*Fiscal Year of Submission*

## Environmental Status Report Instructions and Format

In two to ten pages, the Environmental Status Report (ESR) should indicate whether steps need to be taken to amend previous environmental documentation and whether conditions are being met, e.g., mitigation plans are on schedule and the monitoring and evaluation measures being undertaken by the awardee.

### A. Status of the Initial Environmental Estimate

Use the answers to the following questions to determine if the status of the Initial Environmental Estimate (IEE) has changed. Use the same instructions for a categorical exclusion submission in the event all awardee activities were categorical exclusions. The questions below need to be interpreted in the context of the specific activity, sector or area, if any activities are covered under an environmental assessment (typically activity or site-specific or a broader sectoral, thematic or geographic programmatic environmental assessment).

i. Modified or New Activities

Have new activities been added or substantially modified? Has substantial new funding or time been added to the program? Note the nature of these new activities or extension and reference an updated IEE.

A modified development program requires an updated IEE. Keep in mind that activities can be changed or added that do not require a program modification, but which do alter Regulation 216 threshold decisions and would thus require an updated IEE.

ii. Resolution of Deferrals

Did the previous IEE have deferrals? List these and state if they are being resolved through an updated IEE to be submitted with the upcoming fiscal year's PREP. If not, indicate when an updated IEE will be submitted in order to be able to proceed with the activities.

If the deferred activities have been removed from the awardee's food aid program, submit an updated IEE, explain the removal and present the recommendation that the deferral is no longer applicable.

iii. Updates to the Initial Environmental Examination

Based on the above, is an updated IEE needed?

Yes (If yes, attach here.)      No

*(Insert the following:)*

*Awardee Name/Host country*

*Title II Award number*

*Fiscal Year of Submission*

If the previous documentation was a categorical exclusion submission, is an updated categorical exclusion needed to deal with new categorical exclusions for new activities?

Yes (If yes, attach here.)      No       Not Applicable

## **B. Status of Fulfilling Initial Environmental Estimate Conditions**

Awardees should take this opportunity to re-evaluate the approved environmental mitigation plan to ensure the commitments made in the IEE are doable and realistic, i.e, not beyond the capabilities and resources of the awardee to implement. Mitigation and monitoring can be part of normal visits to an area to check on activities, unless specific testing, surveys or the like have been required. Alternatively, experience to date may indicate that the IEE's mitigation and monitoring plan is not sufficiently specific or is lacking in some aspect. If this is the case, awardees should specify these challenges and the course of action to address the deficiency.

- i. For each component of the food aid program, **list or reproduce the mitigation measures** and monitoring of the IEE conditions.
- ii. Describe **status of mitigation and monitoring**. Examples of the types of questions an awardee should answer to describe "status" follow:
  - a. What mitigation measures have been put in place? How is the successfulness of mitigation measures being determined? Awardees are encouraged to include photos (*compressed to screen resolution*) to demonstrate mitigation measures and challenges encountered.
  - b. What is being monitored and how frequently? In some situations, an awardee will need to note that the monitoring program is under development to satisfy the conditions.
  - c. What action is being taken (as needed) based on the results of the monitoring? With experience implementing the program, certain mitigation and monitoring measures were likely not as successful as planned and new mitigation measures needed to be added. If so, then briefly describe these challenges and the course of action chosen to overcome in the ESR.

## **C. Awardee Recommendations for Beyond Compliance and Institutionalization of Environmentally Sound Practices**

The awardee may share any past examples or future plans (in one page or less) to institutionalize environmental sustainability and environmentally sound design and management either internally to the awardee's organization (e.g., environmental management systems) or for the awardee's FFP programs. Similarly, success stories and/or lessons learned related to

*(Insert the following:)*

*Awardee Name/Host country*

*Title II Award number*

*Fiscal Year of Submission*

environmental mitigation efforts and accompanying photos may also be submitted. While success stories of individuals are welcome, stories involving the achievements of a community or the food aid program as a whole are more useful for FFP reporting.

***Remember, if the PREP submission, including the ESR, is submitted to FFP/W only and not to FFP/M/R as well, the overall PREP approval process and thus authorization of resources for the upcoming fiscal year will be delayed. FFP/M/R must clear the ESR prior to the DCHA/BEO. Be sure to complete the ESR Facsheet.***

*(Insert the following:)*  
*Awardee Name/Host country*  
*Title II Award number*  
*Fiscal Year of Submission*