USAID

Environmental Procedures for Sub-Projects

USAID/Sudan Staff & Partners
Environmental Compliance/ESDM Training
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What are sub-projects?

Subprojects are... Smaller activities executed under a larger project or program e.g. a subgrant program, an “umbrella project”

Subprojects are a problem for Reg. 216.

Why?
What is the problem?

1. Sub-projects are often not defined when the project is proposed & the IEE written.

2. But the first step of any EIA (including Reg. 216) process is understanding the activity!

3. Reg. 216 requires review of activities BEFORE funds are obligated.

- Understand the proposed activity
  - **Why** is the activity being proposed?
  - **What** is being proposed?
- Screen the activity
  - Based on the **nature** of the activity what level of environmental review is indicated?
How do we solve this “prior review” problem?

Two conditions must be met:

1. General nature of sub-project activities must be known.
2. These activities must have low or easily controllable potential adverse impacts.

**IF** these conditions are met, sub-project activities can be approved conditionally.

*That is, the IEE contains a negative determination with conditions*

- Condition is that each sub-project is subject to simplified environmental review.
Getting started

Sub-project review starts the same way that all EIA processes start. . .
The first steps: Understand, then screen

Understand proposed activity
Why is the activity being proposed?
What is being proposed?

Screen the activity
Based on the nature of the activity what level of environmental review is indicated?

Conduct a Preliminary Assessment
ACTIVITY IS OF MODERATE OR UNKNOWN RISK
ACTIVITY IS LOW RISK (Of its nature, very unlikely to have significant adverse impacts)
ACTIVITY IS HIGH RISK (Of its nature, likely to have significant adverse impacts)

Phase I
SIGNIFICANT ADVERSE IMPACTS POSSIBLE
SIGNIFICANT ADVERSE IMPACTS VERY UNLIKELY
STOP the EIA process

Phase II
BEGIN FULL EIA STUDY
Screening under sub-project procedures

1. Is the activity VERY LOW RISK? YES
   - Implication: No further review is necessary.

   NO

2. Is the activity VERY HIGH RISK? YES
   - Prepare Environmental Review Report*
     - But note that if design is not changed, activity will likely require full EA, or not be funded.

   NO

3. The activity is MODERATE OR UNKNOWN RISK
   - Prepare Environmental Review Report

*Environmental Review Report = a “preliminary assessment”
How do we screen?

The ENVIRONMENTAL REVIEW FORM (ERF) guides us step-by-step:

1. **LIST** each activity

2. **CHECK** EACH activity against **two lists**
   - A list of “very low risk” activities
   - A list of “very high risk” activities

3. **RECORD** the screening result for each activity
   - 3 possible results: **very low risk**, **very high risk**, **moderate/unknown risk**
What is an activity?

An activity is:

- a desired accomplishment or output
- E.g.: a road, seedling production, or river diversion to irrigate land

Accomplishing an activity requires a set of **actions**

<table>
<thead>
<tr>
<th>ACTIVITY:</th>
<th>ACTIONS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>market access road rehabilitation</td>
<td>Survey, grading, culvert construction, compaction, etc. . .</td>
</tr>
</tbody>
</table>

Screening is done at the activity level, NOT the action level.
Examples of “very low risk” & “very high risk” activities

Some very low risk activities
- Education, technical assistance, or training. (except for activities directly affecting the environment)
- Community awareness initiatives
- Technical studies not involving intrusive sampling of endangered species or critical habitats

Some VERY HIGH RISK activities
- River basin or new lands development
- Planned resettlement of human populations
- Penetration road building
- Drainage of wetlands or other permanently flooded areas
What about “moderate or unknown risk” activities?

By definition, IF an activity is

- NOT “very high risk”
- AND NOT “very low risk,”

THEN it IS “moderate or unknown risk”

The form lists some REPRESENTATIVE moderate risk activities

- Small-scale infrastructure with known potential to cause environmental harm
- Quantity imports of fertilizers
- Field agricultural experimentation of MORE than 4 ha.

This list is not exhaustive!
After screening, what next?

**Understand proposed activity**

**Why** is the activity being proposed?

**What** is being proposed?

**Screen the activity**

Based on the **nature** of the activity what level of environmental review is indicated?

**Conduct a Preliminary Assessment**

A rapid, simplified EIA study using simple tools (e.g. the USAID IEE)

**Phase I**

ACTIVITY IS OF MODERATE OR UNKNOWN RISK

ACTIVITY IS LOW RISK (Of its nature, very unlikely to have significant adverse impacts)

ACTIVITY IS HIGH RISK (Of its nature, likely to have significant adverse impacts)

SIGNIFICANT ADVERSE IMPACTS POSSIBLE

**STOP the EIA process**

**Phase II**

BEGIN FULL EIA STUDY

SIGNIFICANT ADVERSE IMPACTS VERY UNLIKELY
After screening, 2 possibilities....

1. If ALL activities are “very low risk,” environmental review process ends → sign and submit!

2. If ANY activities are:
   - moderate/unknown risk OR
   - very high risk
   an Environmental Review Report (ERR) must be completed.

   Environmental Review Report
   1. Background, Rationale and Outputs/Results Expected
   2. Activity Description
   3. Environmental Situation
   4. Evaluation of Activities with Environmental Impact Potential
   5. Environmental Mitigation Actions (including monitoring and evaluation)
   6. Other information (photos, references, individuals consulted)
Like any preliminary assessment the purpose of the ERR is to...

Provide documentation and analysis that:

- Allows the preparer to recommend whether or not significant adverse impacts are likely
- Allows the reviewer to agree or disagree with the preparer’s recommendations
- Sets out mitigation and monitoring for adverse impacts
ERR Findings

For EACH:

- Moderate/unknown risk activity
- Very high risk activity

You recommend one of 3 findings:

1. No significant adverse impacts
2. With specified mitigation and monitoring, no significant adverse impacts
3. Significant adverse impacts
Note:

If the finding is “With specified mitigation and monitoring, no significant adverse impacts,” the mitigation & monitoring becomes REQUIRED parts of project implementation & monitoring.
Final steps

**RECORD** the findings

**SIGN** the certification

**SUBMIT** the Environmental Review Form & ERR

**WAIT** for approval from reviewers before expending any resources on the activity
What about the signed certification?

The certification:

- **Affirms** that the ERF & ERR are correct & complete
- **Commits** your organization to implementing the mitigation and monitoring measures specified in the ERR
- **Commits** your organization to making sure that field staff, managers & partners understand environmentally sound practices for the activities in question.

![The certification is a binding commitment!](image)
A submitted ERF/ERR is NOT automatically accepted!

The Reviewer may:

- Accept OR Reject

  The screening results and findings.

  OR the reviewer may return the ERR and require more information & analysis
What if you find “significant adverse impacts”

Remember:

Activities subject to these procedures should have very low or easily controllable potential adverse impacts.

Therefore, findings of “significant adverse impacts” should happen very rarely.

If it does happen, the reviewing authority will do one of three things:

- Deny funding to the activity
- Require that the activity be revised
- Require a full EA
If a screening result is “very high risk” or an ERR finding is “significant adverse impacts,” immediately contact the reviewing authority.

Discussions will be necessary!
Overview of the process

Proposed activity

Apply SCREENING criteria

Obtain screening results:
- Very low risk
- High risk
- Moderate/unknown risk

No further review needed; Sign and submit.

Environmental review report

Make Recommendation:
- No significant adverse impact
- With adequate mitigation and monitoring, no significant adverse impact
- Significant adverse impact

(Will require a full EA if allowed to proceed at all)

Sign and submit.
Adapting the ERF to project needs

The ERF is a GENERAL form. It should be adapted each time it is used.

**For example:**

1. **Adapt the screening lists**
   - Change lists of low-risk & high-risk activities to reflect specific sub-project activities, and specific local environmental issues.

2. **Create “standard mitigation” (best practices) for specific activities.**
   - Standard mitigation/best practices for specific activities can save the effort of drafting repetitive ERRs.
   - Such activities could fall into a 4\(^\text{th}\) screening category: “moderate risk with standard mitigation.”
   - Activities in this category would not require an ERR, but would be required to follow the standard mitigation measures developed by the project.

3. **Don’t use the ERF at all!**
   - The ERF is not the only option for sub-project review. Project-specific checklists and other approaches are possible.
The final message

USAID’s environmental procedures are not an exercise in paperwork. **They should result in environmentally sound design.**

At a minimum, this requires compliance with the sub-project review procedures. *(Especially implementation of all mitigation and monitoring measures.)*

**GO BEYOND THE MINIMUM!**

use the sub-project review process to **proactively** address environmental issues & build capacity for environmentally sound design.