Activity Location: El Salvador

Project Title and Number: Justice, Transparency, and Accountability, No. 519-0467

Development Objective (DO) Title and Number
   DO 1 Citizen Security and Rule of Law in Targeted Areas Improved, No. 519-001
   IR 1 Justice, Transparency, and Accountability in Key Institutions Improved

Life-of-Project Funding: $93.1 million

Life-of-Project: FY 2015 – FY 2023

IEE Prepared by: Dorita de Gutiérrez, Regional Program Office


Recommended Threshold Decision: Categorical Exclusion for the new Actions in this IEE amendment. All past ETDs remain the same.

Bureau Threshold Decision: Concur

1. BACKGROUND AND PURPOSE AND SCOPE

1.1 Purpose and Scope

The purpose of this IEE Amendment No. 3 is to incorporate new illustrative actions under the Activity entitled Central American Regional Labor Rights Program. This new Activity was not contemplated during the development of the Project Appraisal Document (PAD) for Justice, Transparency and Accountability Project No. 519-0467. Therefore, this IEE amends LAC-IEE-15-07, LAC-IEE-16-19, and LAC-IEE-17-11 to:

a. Modify section 1.3 Description of Sub-Purposes and Illustrative Actions, to add illustrative actions related to the new Central America Regional Labor Rights Program under Sub-Purpose 1 “Targeted Policies and Legislation Reformed”, Output 1.2 “Civil society
capacity to demand reforms that improve the performance of the criminal justice system and accountability of government increased”; and Sub-Purpose 2 “Effectiveness and Public Service Professionalism Enhanced”, Output 2.3 “Civil society engagement in improving criminal justice and transparency in government increased”.

b. Update Annex A, Guidelines for Implementing Partners on the USAID LAC Environmental Mitigation Plan (EMMP) to include most recent version dated November 19, 2015; and,

c. Include the documentation of the Climate Risk Management (CRM) Assessment for the Regional Citizen Security and Human Rights Project No. 519-0468 that has received a Low Risk rating. The CRM chart is attached as Attachment 3 to this IEE amendment.

All other terms and conditions remain in full force and effect.

1.2 Background:

There are no changes to the background section.

1.3 Description of Sub-Purposes and Illustrative Actions:

All illustrative actions remain the same with the addition of the following:

Under Sub-Purpose 1 “Targeted Policies and Legislation Reformed”
Output 1.2 “Civil society capacity to demand reforms that improve the performance of the criminal justice system and accountability of government increased”;

- Build the capacity of workers, unions, and civil society organizations to protect the rights of the workers, effectively engage government representatives to enforce laws and policies that protect workers’ rights, and engage private sector actors in social dialogue at the workplace level.
- Build evidence base and business case for decent work in the informal economy through assessments, research, and recommendations for policy reform to improve working conditions.

Under Sub-Purpose 2 “Effectiveness and Public Service Professionalism Enhanced”
Output 2.3 “Civil society engagement in improving criminal justice and transparency in government increased”

- Provide technical assistance to the productive, service, and commercial informal sectors to improve protection for workers’ rights and interests, including skills building and rights awareness activities for target groups.

1.4 Locations Affected and Existing Conditions:

There are no changes to the Locations Affected and Existing Conditions section.

1.5 National Environmental Policies, Procedures or Regulations

All National Environmental Policies, Procedures or Regulations remain the same.
2. EVALUATION OF ENVIRONMENTAL IMPACT POTENTIAL

All potential environmental impacts listed in the original IEE remain the same.

3. RECOMMENDED THRESHOLD DECISIONS AND MITIGATION ACTIONS

3.1 Recommended Threshold Decisions and Conditions:

All of the ETD for the Outputs listed in LAC-IEE-15-07, LAC-IEE-16-19, and LAC-IEE-17-11 and in this Amendment No. 3 remain the same. New activities included in this Amendment do not modify the approved ETDs.

For the new illustrative actions under 1.2, the following EDT is given:

- Build the capacity of workers, unions, and civil society organizations to protect the rights of the workers, effectively engage government representatives to enforce laws and policies that protect workers’ rights, and engage private sector actors in social dialogue at the workplace level -- Categorical Exclusion, pursuant to 22CFR 216.2(c)(2)(i) (capacity building, technical assistance, etc.).

- Build evidence base and business case for decent work in the informal economy through assessments, research, and recommendations for policy reform to improve working conditions -- Categorical Exclusion, pursuant to 22CFR 216.2(c)(2)(iii) (research, studies, assessments).

For the new illustrative activity under 2.3, the following is ETD (RTD) is given:

- Provide technical assistance to the productive, service, and commercial informal sectors to improve protection for workers’ rights and interests, including skills building and rights awareness activities for target groups -- Categorical Exclusion, pursuant to 22CFR 216.2(c)(2)(i) (technical assistance.)

3.2 Mitigation, Monitoring, and Evaluation

All monitoring requirements remain the same.

3.3 Environmental Compliance Language for Contracts and Agreements:

There are no changes to the Environmental Compliance Language for Contracts.

3.4 Amendments:

Amendments to Initial Environmental Examinations (IEEs) shall be submitted for LAC Bureau Environmental Officer (BEO) approval for any activities not specifically covered in the IEE, which include:

- Funding level increase beyond ETD amount,
- Time period extension beyond ETD dates (even for no cost extension), or
A change in the scope of work, such as the use of pesticides or activities subject to Foreign Assistance Act sections 118 and 119 (e.g. procurement of logging equipment), among others.

Amendments to IEEs may require the need to conduct an Environmental Assessment (EA) and approval of this document by the LAC BEO could require an annual evaluation for environmental compliance.

4. CLIMATE RISK MANAGEMENT (CRM)

A CRM Assessment was done for the illustrative actions in the attached IEE at the PAD level for the Justice, Transparency and Accountability Project. The CRM process determined that the Activities fall under a low risk due to the type of activities (training, technical assistance, studies, plans) that will be implemented in the Activities. See IEE Section 4 and project level CRM screening table is attached to the IEE as Attachment No. 3.

Signed

[Signature]

Date: April 6, 2017

Diana Shannon
Bureau Environment Officer
Bureau for Latin America and the Caribbean

Copy to: Larry Sacks, Mission Director
          Kimberly Delany, DMD
          Dorita de Gutiérrez, RPO
          Mary Rodriguez, MEO
          Joe Torres, REA

Attachments:
- Initial Environmental Examination
- Appendix 1: Guidelines for Implementing Partners on the USAID LAC Environmental Mitigation Plan (EMMP) dated November 19, 2015
- Attachment 1: Climate Risk Management Assessment for the Justice, Transparency and Accountability Project
Clearance Page for:
IEE Amendment No. 3 for the Justice, Transparency, and Accountability Project No. 519-0467
to include the new Central America Regional Labor Rights Program

Drafted by:
RPO: Dorita de Gutiérrez  Date: 03-24-2017

Clearances:
MEO: Mary Rodríguez  Date: 03-31-2017
REA: Joe Torres  Date: 03-24-2017
DG: Adam Schmidt  Date: 3/27/17
RPO: Greg Swarin  Date: 3/29/17
DMD: Kimberly Delaney  Date: 3/20/17

Recommended for Approval:
Lawrence J. Sacks, MD  Date: 5/13/11
Activity Location: El Salvador

Project Title: Justice, Transparency, and Accountability Project

Project Number: 519-0467

Development Objective (DO) Title and Number: DO 1 Citizen Security and Rule of Law in Targeted Areas Improved, No. 519-001
IR 1 Justice, Transparency, and Accountability in Key Institutions Improved

Life-of-Project Funding: $93.1 million

Life-of-Project: FY 2015 – FY 2023

Reference ETDs: LAC-IEE-15-07, LAC-IEE-16-19, and LAC-IEE-17-11

IEE Prepared by: Dorita de Gutiérrez, Regional Program Office

Date: March 22, 2017

Recommended Threshold Decision: Categorical Exclusion; Negative Determination with Conditions
Purpose and Scope of IEE Amendment

The purpose of this IEE Amendment No. 3 is to incorporate new illustrative actions under the Activity entitled **Central American Regional Labor Rights Program**. This new Activity was not contemplated during the development of the Project Appraisal Document (PAD) for Justice, Transparency and Accountability Project No. 519-0467. Therefore, this IEE amends LAC-IEE-15-07, LAC-IEE-16-19, and LAC-IEE-17-11 to:

a. Modify section **1.3 Description of Sub-Purposes and Illustrative Actions**, to add illustrative actions related to the new Central America Regional Labor Rights Program under Sub-Purpose 1 “Targeted Policies and Legislation Reformed”, Output 1.2 “Civil society capacity to demand reforms that improve the performance of the criminal justice system and accountability of government increased”; and Sub-Purpose 2 “Effectiveness and Public Service Professionalism Enhanced”, Output 2.3 “Civil society engagement in improving criminal justice and transparency in government increased”.

b. Update Annex A, **Guidelines for Implementing Partners** on the USAID LAC Environmental Mitigation Plan (EMMP) to include most recent version dated November 19, 2015; and
c. Include the documentation of the **Climate Risk Management (CRM)** Assessment for the Justice, Transparency, and Accountability Project No. 519-0467 that has received a Low Risk rating. The CRM chart is attached as Attachment 1 to this IEE amendment.

All other terms and conditions remain in full force and effect.

5. BACKGROUND AND PROJECT DESCRIPTION

USAID/El Salvador Country Development Cooperation Strategy (CDCS) (FY 2013-FY 2017) was approved by the Assistant Administrator for the Bureau of Latin America and the Caribbean on September 19, 2013. The CDCS includes two Development Objectives (DO): DO1: **Citizen Security and Rule of Law in Targeted Areas Improved**, and DO2: **Economic Growth Opportunities in Tradables Expanded**.

DO1, to which this Project “Justice, Transparency, and Accountability” directly contributes, includes the following Intermediate Results (IRs): IR1.1: **Justice, Transparency and Accountability in Key Institutions Improved** and IR1.2: **Crime and Violence in Targeted Municipalities Reduced**.

1.1 Purpose and Scope of IEE

In accordance with ADS 201.3.11 a “**project**” is defined as a set of executed interventions, over an established timeline and budget intended to achieve a discrete development result through resolving an associated problem. It is linked to the CDCS Results Framework. More succinctly, a project is a collaborative undertaking with a beginning and end, designed to achieve a specific purpose. Also, it requires that all projects must address relevant environmental safeguards and impact in a manner consistent with relevant findings of the mandatory, country-level Tropical Forest and Biodiversity analysis (as in FAA 118/119) developed to inform the CDCS. In addition, ADS 201.3.15 requires that each PAD includes as an Annex the approved IEE for the project.

The purpose of this new IEE is to analyze the potential environmental impacts proposed under the CDCS’ DO1, Justice, Transparency, and Accountability Project (the Project)

The Total Estimated Cost of the Justice, Transparency, and Accountability Project is $42.1 million and its end date is September 30, 2023. Current activities under implementation were authorized under previous IEEs (LAC-IEE-14-56 and LAC-IEE-14-29). This IEE incorporates the following ongoing
activities presently covered under LAC-IEE-14-56, as they are continuing into the Project: Justice Sector Strengthening (JSS) and Transparency and Governance (TAG).

1.2 Background

The Project purpose, is to help improve citizen security and rule of law in El Salvador by reforming targeted policies and legislation and enhancing effectiveness and public service professionalism and it will be accomplished through the achievement of two Sub-Intermediate Results (Sub-IR) – hereby called Sub-Purposes – which are directly linked to IR1.1: Sub-purpose 1 (Sub-IR 1.1.1), Targeted Policies and Legislation Reformed, and Sub-Purpose 2 (Sub-IR 1.1.2), Effectiveness and Public Service Professionalism Enhanced. The Project integrated approach allows the two sub-purposes to cross support, complement, and reinforce each other.

The Project is aligned with the goals of the Partnership for Growth (PFG) Joint Country Action Plan (JCAP) to help address crime and insecurity constraint, and contributes directly to Intermediate Result (IR) 1.1, Justice, Transparency, and Accountability in Key Institutions Improved under CDCS DO 1, Citizen Security and Rule of Law in Targeted Areas Improved.

The Project Appraisal Document (PAD) for the Justice, Transparency and Accountability Project was approved on February 5, 2015. The Mission decided to increase the planned total obligations for the Project from $42.1 million to $93.1 million due to plus up levels for El Salvador in FY 2015 and increased projections through FY 2017. As a result, the Democracy and Governance team expanded project interventions that will contribute to achieve Project results and which are in the design phase. A PAD Amendment was approved on November 16, 2015 to increase the total estimated cost (TEC) to $93.1 million. The Bureau Environmental Officer agreed to defer the preparation of the Project Initial Environmental Examination (IEE) with the increased funding levels until activities to be expanded were more clearly defined. Therefore, LAC-IEE-15-07 was amended to include these modifications.

1.3 Description of Sub-Purposes and Illustrative Actions

Sub-Purpose 1: Targeted Policies and Legislation Reformed.

Sub-Purpose 1 will be realized through advances in the following integrated Outputs:

1. Strategies, policies, and legislation that improve the performance of the criminal justice system and accountability of government supported.
2. Civil society capacity to demand reforms that improve the performance of the criminal justice system and accountability of government increased.

Output 1.1. Strategies, policies, and legislation that improve the performance of the criminal justice system and accountability of government supported.

Illustrative Actions:

- Support the Government of El Salvador (GOES) to advance civil service reform process through the provision of assistance to: (1) the Technical Secretariat, to continue leading the process by increasing awareness on the need for a civil service reform among public employees, political actors, and labor unions, and (2) to the Legislative Assembly, during the review and discussion of the bill once it is presented for review and approval.

- Revise and update the legal framework against illicit enrichment to strengthen the power of the Integrity Unit for investigating and making charges related to illicit enrichment, considering that in
order to function properly, the legal framework must provide the unit with adequate tools and sufficient independence to perform their duties.

- Support reforms necessary to enhance the judicial career by (a) revising the parameters used to measure performance of judges, (b) revising the ruling which prohibits the evaluation of the content of judgments, and (c) promoting other reforms that support improved criminal justice and judicial transparency.

- Support GOES’s efforts to promote public policy reform such as a Criminal Policy through the Justice Sector Coordinating Commission.

- Provide technical support to relevant legislative committees focused on appraising/processing and advocating for key specific reforms aligned with Project objectives and that will allow secondary legislation to better conform to international commitments and human rights treaties.

- The Project may provide support to other transparency related reforms aligned with Project objectives and that will also allow secondary legislation.

- Support dialogue for legal and policy reforms for decentralization and other local governance related reform aligned with Project objectives and that will also allow secondary legislation.

- Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US.

Output 1.2. Civil society capacity to demand reforms that improve the performance of the criminal justice system and accountability of government increased.

Illustrative Actions:

- Support CSO’s efforts through grants and technical assistance, to promote reforms such as civil service and independence of the Court of Accounts, that require increased public awareness and strategic advocacy to garner the political will for their approval.

- Support civil society advocacy efforts through grants and technical assistance for the reform of the Illicit Enrichment law, as well as the prohibition on considering the substance of judicial decisions in performance reviews of judges, among other impending policies or legislation related to judicial transparency, criminal justice, and/or human rights.

- Provide support to CSOs, including academia, to engage in public policy fora and strategy development in areas that contribute towards the Project purpose.

- Support civil society observatories and scorecards to measure the performance of the criminal justice system with the implementation of the new Code of Criminal Procedures.

- Support civil society and private sector advocacy efforts to promote and formulate decentralization reforms through grants and technical assistance.
• Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US.

• Build the capacity of workers, unions, and civil society organizations to protect the rights of the workers, effectively engage government representatives to enforce laws and policies that protect workers’ rights, and engage private sector actors in social dialogue at the workplace level.

• Build evidence base and business case for decent work in the informal economy through assessments, research, and recommendations for policy reform to improve working conditions.

**Sub-Purpose 2: Effectiveness and Public Service Professionalism Enhanced.**

Sub-Purpose 2 will be realized through advances in the following Outputs:

1. Human resources with adequate qualifications and incentives to improve institutional performance and public service enhanced.
2. Targeted institutions strengthened to guarantee civil and political rights, such as access to justice, due process, and transparency and accountability.
3. Civil society engagement in improving criminal justice services and transparency in government increased.

**Output 2.1. Human resources with adequate qualifications and incentives to improve institutional performance and public service enhanced**

**Illustrative Actions:**

• Professional training programs for criminal justice sector officials in areas that include investigation techniques for selected violent crimes, human rights and victim’s assistance, proper use of scientific evidence and argumentation and interrogation techniques for oral hearings. Training will also include the promotion of equal participation of women and men.

• Development of joint manuals (police-prosecutors) to improve investigations and ensure adequate coordination, protocols to improve the use of scientific evidence, methodologies to improve coordination within the sector, as well as the creation of joint investigative teams to process homicides and gender violence cases, taking into account a gender focus, as well as other inclusive development approaches, such as Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) individuals.

• Training on the new figures of the Code of Criminal Procedures and methodologies of how to apply them correctly.

• Work with the GOES’ Technical Secretary to start implementing key aspects of the civil service reform, piloting initiatives such as merit-based recruitment and evaluation systems, considering equal participation of male and female professionals, for specific GOES institutions or GOES projects, and setting the basis for the creation of a training center for public employees as established in the draft bill, including funding for some training activities. Once the revised Civil Service Law or other relevant legislation is enacted, interventions may support full implementation in key government institutions.
• In collaboration with the Government Ethics Tribunal and the Access to Public Information Institute, the Project will conduct training and awareness activities to ensure public employees understand the importance of and their obligations under the Ethics Law and Access to Public Information Law. The Project may also provide training to public officials, both women and men, to improve their knowledge of and capacity to uphold international human rights standards.

• Provide technical assistance to the Supreme Court and the Judicial Council, to develop new merit-based procedures (for entrance into and promotion within the judicial career) and revise the evaluation system of judges in order to incorporate parameters that measure the quality of justice. The Project will also improve the capabilities of justice sector personnel through support given to professional programs that provide training in justice sector skills and expertise.

• Strengthen the Investigation Units of the Supreme Court to establish an effective disciplinary system within the legal profession in order to address corrupt or illegal practices among attorneys and judges, including: (a) Conducting an evaluation of the procedures and functioning of these units to provide recommendations for increased effectiveness; (b) Developing an outreach campaign to inform citizens of the procedures to file complaints; and (c) Establishing adequate processes to inform the interested party and the public of the results of the investigations in accordance with the new Access to Information law.

• Design and implement a training program to address the needs of various groups within the judiciary. For practicing judges, important areas to be covered through this training program could be: (a) The role of a strong judiciary in furthering the transparency of the whole government; (b) Limits to judicial independence; (c) Best practices in other countries; (d) The importance of evaluating the quality of justice as opposed to mere formalities; and (e) The importance of access to information by the public to all rulings of the Court and importance of producing and sharing statistics, disaggregated by sex, that measure performance. Other trainings may cover methodologies on how to establish adequate information systems to inform the public on the status of their cases, as well as specialized training for court personnel that includes a certification program for court administrators to learn modern filing systems and customer service.

• Strengthen national municipal institutions to deliver training and provide technical assistance to municipal governments and councils.

• Strengthen municipal governments’ capacity for the provision of key services by improving revenue collection and management.

• Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US.

Output 2.2. Targeted institutions strengthened to guarantee civil and political rights, such as access to justice, due process, and transparency and accountability

Illustrative Actions:

• Improve the Institute of Access to Public Information’s internal operations and strengthen its oversight role to assure compliance with the Access to Public Information Law. Activities will include: forging the Institute’s links with information officers across the GOES, provision of
experience-based training to Institute staff, development of operating procedures that reduce the average time for responding to complaints, and supporting the dissemination of actions taken.

- Provide assistance to the Government Ethics Tribunal to transform the new ethics law into an effective anti-corruption tool by improving the capacity of its investigations unit and strengthening its links with ethics commissions and civil society. Activities will also include publishing reliable statistics on cases handled and sanctions imposed to comply with the access to public information law, as well as to inform Salvadorans on the importance of the Tribunal’s work as an oversight institution.

- Provide direct assistance to targeted central GOES’ institutions and municipalities to increase their capacities to respond to access to public information and ethics regulations. The Project may also support GOES’ commitments under the Open Government Partnership and implementation of recommendations of Human Rights Treaties on the need for the GOES to improve data availability to inform policies addressed to vulnerable populations (disabled, rural, indigenous, children, and LGBTI). Assistance may include the provision of limited equipment, training, exchange opportunities, awareness materials design, strengthening of web-based tools, improvement of user’s attention, archives management, and transparency mechanisms implementation.

- Special emphasis on institutional management aspects and certification processes to improve effectiveness and service orientation of the Attorney General, Public Defender, and National Civilian Police, forensic services, judges and court personnel.

- Within the criminal justice sector, the Project will support training to improve leadership skills of public officials, promote the participation of women in decision-making positions, which are necessary to implement a change management strategy.

- To enhance the effectiveness of the criminal justice procedures and practices, the Project will provide technical assistance to (a) promote improved coordination among justice sector agents and institutions and increased decentralization of the police and prosecutor’s office outside of the metropolitan area; (b) improve current criminal justice procedures and practices by developing models that improve efficiency and reduce impunity in the treatment of cases, such as victims assistance centers and special units to solve cases under streamlined procedures; (c) increasing citizens’ access to justice through user attention centers, legal orientation, special offices in justice centers to inform vulnerable populations (disabled, rural, indigenous, children, and LGBTI) of the processes and ensure they get the services they need, alternative dispute resolution and other similar initiatives; and establish joint protocols and procedures that will guide the requests of justice sector personnel to the units that provide forensic services, and provide guidance on the correct use and interpretation of forensic reports. This will include small scale renovation/rehabilitation for justice centers, and victims’ assistance centers.

- Support more effective reintegration of youth in conflict with the law through institutional support to strengthen case management systems to monitor alternative sentencing implementation (sex disaggregated), develop a pre-trial services unit to establish a bail system for juvenile offenders, and a construct a management system that connect relevant justice and social services officers to improve monitoring of compliance.

- Efforts to address structurally-bound human rights violations, such as the improper use of alternative holding cells or “Bartolinas.” It will also promote the use of alternatives to pre-trial detention for
adults and minors, taking into account different needs of women and men, in conformity with the Salvadoran Constitution and international human rights treaties ratified by El Salvador.

- Work with GOES institutions (Supreme Electoral Tribunal-TSE) and political parties to implement transparency-related recently approved electoral reforms, such as the political party law, open ballots system, pluralistic municipal councils, and gender quotas that promote greater accountability of elected officials. Support will include voter education, training to poll workers, political parties and observers, technical support to the Electoral Tribunal to incorporate best international practices in implementing reforms. Training to poll workers and observers will include themes on special procedures to treat vulnerable populations (disabled, rural, indigenous, children, and LGBTI) who may need special support.

- Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US.

Output 2.3. Civil society engagement in improving criminal justice services and transparency in government increased

Illustrative Actions:

- **Support civil society organizations (CSO)’s efforts through a grants program** to: (1) implement transparency mechanisms such as public observatories and integrity pacts for GOES-specific procurement processes or procedures; (2) monitor the implementation of transparency reforms such as the access to public information law, ethics law, and political party’s financing; (3) monitor the implementation of new reforms, when and if approved, such as the civil service reform; and (4) monitor compliance with the Open Government Partnership and other international anti-corruption conventions.

- Conduct a citizen participation campaign that encourages public awareness and oversight of the reforms being carried out in the justice sector, including its greater focus on “customer service,” transparency efforts, and citizen’s rights to information under the new Access to Information Law.

- The Project may also provide grants and/or technical assistance to support non-governmental observatories to track the implementation of the new Code of Criminal Procedures including services to victims.

- The Project may support local human rights organizations’ efforts to improve monitoring and conduct strategic communications campaigns geared towards shifting citizen perception of repressive approaches, such as overuse of flagrant arrest, abuse of pre-trial detention, limited use of alternatives to incarceration, and a tendency to over sentence, and increasing awareness about universal human rights, including the rights of other vulnerable populations such as disabled, rural, indigenous, children, and LGBTI, that apply to those in conflict with the law.

- Provide grants to CSOs to support justice services such as oversight of alternative sentences (community services or educational programs) for youth offenders, to provide psychological services to children and women victims of domestic violence, for community programs in collaboration with the police, and training to staff of victims assistance centers to assist victims with special needs, such as disabled, rural, indigenous, children, and LGBTI.
• Work with CSOs through grants and technical assistance to implement awareness and monitoring initiatives for the implementation of transparency-related electoral reforms such as political party campaign funding, pluralistic municipal councils and gender quotas.

• Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US.

• Provide technical assistance to the productive, service, and commercial informal sectors to improve protection for workers’ their rights and interests, including skills building and rights awareness activities for target groups.

Project Performance Evaluation
In addition to monitoring, the Mission also plans to use evaluations to make periodical checks on the performance of its interventions and results. According to the USAID Evaluation policy, each Mission is required to conduct at least one evaluation of each large project it implements. This Project is not the largest project in DO 1; however the Project Design Team has decided to conduct mid-term and final performance evaluations.

The Project will contribute funding towards a Mission-wide evaluation instrument that will conduct a Project-level performance evaluation. The evaluation will include a mid-term and final evaluation to gauge performance and impact-related questions.

1.4 Locations Affected and Existing Conditions:

The activities under the two sub-purposes will mostly be implemented throughout the country of El Salvador.

This Project will address constraints in the justice, accountability, and transparency areas. El Salvador’s high rates of crime and insecurity negatively affect the legitimacy and authority of government institutions. Fundamental institutional weaknesses with regard to investigative and organizational capacity of key justice sector actors inhibit an effective response by justice sector actors to growing rates of criminality and contribute to an overwhelmed justice system. Also contributing to a lack of confidence in government institutions and satisfaction with democracy are high rates of public sector corruption. An accountable and open government that allows citizens oversight of public resources is essential to improving transparency and increasing confidence in the democratic system. In this context, the participation of civil society is essential.

The Project was developed with an integrated approach between the two sub-purposes, mutually reinforcing and complementing each other, to combat criminality and foster a climate for sustained social development and economic growth. Sub-Purpose 1, Targeted Policies and Legislation Reformed, will promote key national-level reforms to policy framework to enhance transparent decision-making in an effective and fair criminal justice system. The development of policies and legal reform will include consultations with various sectors to ensure an inclusive and participative human rights approach.

Project activities under Sub-Purpose 2, Effectiveness and Public Service Professionalism Enhanced, will address implementation challenges of key national-level policy reforms and institutional strengthening to increase the capacity of key institutions and will promote key aspects of Civil Service and justice career programs that mandate merit-based hiring and evaluation practices, continuous education programs, and codes of ethics. At the municipal level, USAID will support key municipalities in the implementation of access to information law and the public ethics law.
The Project will also support civil society organizations (CSO) to engage in public policy fora and strategy development in areas that contribute towards the Project purpose and to implement transparency mechanisms such as public observatories and integrity acts for GOES-specific procurement processes or procedures. CSOs will also be engaged in oversight and monitoring of initiatives as a means of increasing awareness and oversight and in the implementation of key reforms, when and if approved.

1.5 National Environmental Policies, Procedures or Regulations

El Salvador national environmental laws and policies that apply, are within the 1993 “Ley General del Ambiente” and subsequent “Reglamento General de la Ley del Medio Ambiente de El Salvador”.

2. EVALUATION OF ENVIRONMENTAL IMPACT POTENTIAL

The Mission conducts environmental monitoring and evaluation as established by the IEE. For negative determinations with conditions, all implementing partners are required to submit the Environmental Mitigation and Monitoring Plan Report (EMMP) for review and approval by the Mission Environmental Officer (MEO). Additionally, Agreement Officer Representatives (AORs) and Contract Officer Representatives (CORs) in conjunction with the MEO and/or Regional Environmental Advisors (REAs) conduct field visits to review application of prescribed mitigation measures. Based on these monitoring and evaluation process, all activities that will be extended through this IEE amendment are in compliance with Regulation 216 and all prescribed mitigation measures have been applied and are deemed to be effective.

Activities implemented under Sub-purpose 1, Targeted Policies and Legislation Reformed, will focus on technical assistance, consultations, and training. Therefore, there is no potential environmental impact to address.

Activities carried out under Sub-purpose 2, Effectiveness and Public Service Professionalism Enhanced, Output 2.1, Human resources with adequate qualifications and incentives to improve institutional performance and public service enhanced will focus on technical assistance, consultations and training; therefore, there is no potential environmental impact to address. Activities under Output 2.2, Targeted institutions strengthened to guarantee civil and political rights, such as access to justice, due process, and transparency and accountability, will include small scale reconstruction and/or rehabilitation for improving facilities that are in disrepair, inadequate or unsafe to be used. Small scale reconstruction may also include improving primary services systems, such as small scale water systems, and making adaptations for accessibility for persons with disabilities. The objective of these interventions is to have adequate environment for victims and other persons being served in those facilities.

Under Sub-purpose 2, Output 2.3, Civil society engagement in improving criminal justice services and transparency in government increased the Project will provide sub-grants to strengthen and assist for capacity building of local groups advocating for key reforms.

3. RECOMMENDED ENVIRONMENTAL THRESHOLD DECISIONS AND MITIGATION ACTIONS

3.1 Recommended Environmental Threshold Decisions and Conditions
All of the ETD for the Outputs listed in LAC-IEE-15-07, LAC-IEE-16-19, and LAC-IEE-17-11 and in this Amendment No. 3 remain the same. New activities included in this Amendment do not modify the approved ETDs.

For the new illustrative actions under Output 1.2, the following EDT is given:

- Build the capacity of workers, unions, and civil society organizations to protect the rights of the workers, effectively engage government representatives to enforce laws and policies that protect workers’ rights, and engage private sector actors in social dialogue at the workplace level — **Categorical Exclusion i (capacity building, technical assistance, etc.).**

- Build evidence base and business case for decent work in the informal economy through assessments, research, and recommendations for policy reform to improve working conditions — **Categorical Exclusion iii (research, studies, assessments)**

For the new illustrative action under Output 2.3, the following EDT (RTD) is given:

- Provide technical assistance to the productive, service, and commercial informal sectors to improve protection for workers’ rights and interests, including skills building and rights awareness activities for target groups — **Categorical Exclusion i (technical assistance.)**

The USAID Environmental Procedures at 22 CFR 216.2 provide for the classification and determination of potential environmental effects of USAID funded activities and in selected cases for the Categorical Exclusion from these requirements. Section 216.2 (c) (2) provides for Categorical Exclusion for:

- (i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);
- (iii) Analyses, studies, academic or research workshops and meetings;
- (x) Support for intermediate credit institutions when the objective is to assist in the capitalization of the institution or part thereof and when such support does not involve reservation of the right to review and approve individual loans made by the institutions.

Sub-Purposes and Outputs hereby listed fall within activities above.

**A Categorical Exclusion** is recommended for:

Sub-Purpose 1: Targeted Policies and Legislation Reformed
- Output 1.1: Strategies, policies, and legislation that improve the performance of the criminal justice system and accountability of government supported;
- Support dialogue for legal and policy reforms for decentralization and other local governance related reform aligned with Project objectives and that will also allow secondary legislation. (i)

- Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US. (i and iii)

- Output 1.2: Civil society capacity to demand reforms that improve the performance of the criminal justice system and accountability of government increased.
- Support civil society and private sector advocacy efforts to promote and formulate decentralization reforms through grants and technical assistance. (i)
Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US. (i and iii)

Sub-Purpose 2: Effectiveness and Public Service Professionalism Enhanced
- Output 2.1: Human resources with adequate qualifications and incentives to improve institutional performance and public service enhanced;
- Strengthen national municipal institutions to deliver training and provide technical assistance to municipal governments and councils. (i)
- Strengthen municipal governments’ capacity for the provision of key services by improving revenue collection and management. (i)
- Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US. (i)
- Output 2.2: Targeted institutions strengthened to guarantee civil and political rights, such as access to justice, due process, and transparency and accountability;
- Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US. (i)
- Output 2.3: Civil society engagement in improving criminal justice services and transparency in government increased.
- Assess and promote comparative best practices and approaches across key institutions, including regional exchanges, e.g. with Brazil, Chile, Colombia, Mexico, Peru, and sharing of expertise with the US. (i)

A Negative Determination with Conditions is proposed for two outputs of Sub-Purpose 2: Effectiveness and Public Service Professionalism Enhanced
- Output 2.2: Targeted institutions strengthened to guarantee civil and political rights, such as access to justice, due process, and transparency and accountability; there is a possibility of remodeling existing facilities, demolishing of walls, rehabilitating of small scale water systems, and other small infrastructure repair. Environmental guidelines to monitor every proposed remodeling activity must be developed.
- Output 2.3: Civil society engagement in improving criminal justice services and transparency in government increased. This output includes a sub-grant component and thus each sub-grant requires an Environmental Mitigation and Monitoring Plan (EMMP).

3.2 Mitigation, Monitoring, and Evaluation

To minimize and/or eliminate an environmental impact from activities containing Negative Determinations with Conditions the Contractor/Recipient shall:

a) Prepare an EMMP describing how they will, in specific terms, implement all environmental mitigation measures described in the plan and monitor their effectiveness. Guidance on preparation of the EMMP will be provided to the Contractor/Recipient as part of the Request for Proposals. Existing awards with existing EMPR/EMMP shall update/revise their document to follow the new EMMP format.

b) Integrate a completed EMMP into the initial work plan.
c) Integrate an EMMP into subsequent Annual Work Plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment. The EMMP shall be prepared/updated on an annual basis along with the Annual Work Plan.

d) All EMMPs shall be reviewed and approved by the AOR/COR, MEO, and REA before actions (small scale construction/rehabilitation) can be implemented.

e) EMMPs shall be monitored by the Implementing Partner using Table 3 of the EMMP on a regular basis as per listed on the EMMP Table 3. COR/AOR/, MEO, and REA shall conduct spot check monitoring of the EMMP mitigation measures effectiveness and implementation together with the Implementing Partner.

f) Each grant/sub-grant shall be required to have an approved EMMP prior to implementation of the grant/sub–grant activities. The prime Implementing Partner, AOR/COR, and MEO are responsible to review and approve the grants/sub-grants.

g) EMMP Monitoring Reports shall be prepared and submitted to the AOR/COR and MEO as per the contract terms for reporting. A final annual EMMP Monitoring Report shall be officially submitted to the AOR/COR, MEO, and REA for review and approval. Table 3 of the EMMP shall be used to compile mitigation measure monitoring results. See the EMMP instructions attached to the EMMP for more details on the EMMP process.

h) Each grant, sub-grant, rehabilitation, or small-scale construction activity shall follow the Minister of Environment and Natural Resources guidelines for specific activities such as those established through the Ley de Medio Ambiente (Decreto Legislativo, Diario Oficial No. 339, Tomo No. 3553, 4 de mayo de 1998) and its Regulations (Decreto Legislativo No. 17, 21 de marzo de 2000, Diario Oficial No. 73, Tomo No. 347, 12 de abril de 2000, y sus reformas Decreto Legislativo No. 581, 18 de octubre de 2001 y Diario Oficial No. 206, Tomo No. 353, 31 de octubre de 2001).

i) Each grant, sub-grant, rehabilitation, or small-scale construction activity shall follow the Municipal Building guidelines already approved by USAID within the USAID Sectoral Environmental Guidelines (http://www.usaidgems.org/bestPractice.htm) Infrastructure Sector, which replace the Environmental Guidelines for Development Activities in Latin America and Caribbean.

Language reflecting this condition must be included in all agreements and contracts implementing this component.

For activities to be undertaken through new implementing mechanisms not previously awarded as part of this Project, Implementing Partners will be required to develop an Environmental Mitigation Plan (EMMP) describing how they will, in specific terms, implement mitigation measures that will reduce or eliminate potential adverse impacts to the environment. The EMMP shall include a plan to monitor the implementation of mitigation measures and their effectiveness. The EMMP will be submitted to USAID through AOR/COR and approved by the Mission Environmental Officer prior to initiating work on the activity. This EMMP will be integrated into the initial and subsequent work plans, making any necessary adjustments to activity implementation in order to minimize adverse impacts to the environment. Guidance on preparation of the EMMP will be provided to the grantee/contractor as part of the Request for Application s or Request for Proposals (see Appendix A) Reference material such as the “Environmental Guidelines for the USAID Latin America and Caribbean Bureau” (2003) may be used to help complete the EMMP, particularly chapters 2 and 5.
If any construction or actions that might cause environmental impacts are to be supported by this activity, an approved supplemental Initial Environmental Examination is required before these actions can be undertaken.

Recommended Conditions:

- Each activity manager or Contracting (or Agreement) Officer Representative (COR or AOR) is responsible for making sure environmental conditions are met (ADS 204.3.4). In addition, CORs/AORs are responsible for ensuring that appropriate environmental guidelines are followed, mitigation measures in the IEE are funded and implemented, and that adequate monitoring and evaluation protocols are in place to ensure implementation of mitigation measures. The COR/AOR and Chief of Party for implementing mechanisms (TBD) will require the use of the Environmental Mitigation Plan & Report (EMMP) (attached) for those activities (TBD) involving small grants; agricultural interventions that may involve small scale infrastructure, the use of irrigation, and the use of pesticides; small scale construction, watershed protection, small water and sanitation systems; and protection/restoration of water sources and blue/green infrastructure. The EMMP will be used for all of the activities listed within this IEE that receive a Negative Determination with Conditions threshold decision.

- To ensure compliance with the USAID environmental regulation 22 CFR 216, the Implementing Partner (IP) is responsible for providing USAID with an Environmental EMMP for activities falling under the Negative Determination with Conditions threshold decision. The Implementing Partner shall ensure that appropriate environmental guidelines are followed and that mitigation measures described in the pertinent Threshold Decision for each of these activities are funded and implemented, including any necessary training or capacity building, and adequate monitoring.

- Applicable best management practices to use within the EMMP process can be found in the Environmental Guidelines for Development Activities in Latin America and Caribbean available at the following web site: http://www.usaid.gov/locations/latin_america_caribbean/environment/docs/epiq/epiq.html

- An amendment of this IEE is required for any activity resulting in policy changes that have the potential to affect negatively the environment, large scale irrigation, and other activities not yet designed and therefore not described in this document. As well, if agriculture-related activities (TBD) require the use of pesticides, the implementing partner is responsible for applying the existing PERSUAP if available, or prepares a PERSUAP. Any activities involving large scale construction (over 1000 sq. meters), large infrastructure, irrigation, or other similar actions would require an IEE amendment to recommend a Positive Determination and the preparation of an Environmental Assessment.

- The A/COR and Mission Environmental Officer (MEO) will be required to conduct spot monitoring checks for all of the activities listed in this IEE to ensure that the conditions listed in the IEE, Environmental Threshold Decision (ETD), and EMMP are being followed. The A/COR and MEO should use the EMMP monitoring form (Table 3) to conduct monitoring of activity mitigation measures.

- The implementing partner will ensure that all activities conducted under this instrument comply with this ETD. Also, through its regular reporting requirements, a section on environmental compliance (e.g. mitigation monitoring results) will be included using Table 3 of the EMMP as a monitoring tool for documenting the monitoring results.
3.3 Environmental Compliance Language for Contracts and Agreements

Each technical office, along with the REA, will ensure that environmental compliance language from this IEE is included in all procurement and obligating documents, such as activity-related Development Objective Agreements, and under Global Acquisition and Assistance Systems (GLAAS). The following language regarding environmental compliance will be included in any kind of procurement instrument within this Activity:

**Categorical Exclusion and Negative Determination Only.** “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/who-we-are/agency-policy/series-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/applicant/contractor/recipient] environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this [RFP/RFA/contract/task order/grant/cooperative agreement].

In addition, the contractor/recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. No action funded under this [contract/task order/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) duly signed by the Bureau Environmental Officer (BEO).

As part of its initial Work Plan, and all Annual Work Plans thereafter, the contractor/recipient, in collaboration with the USAID COR/AOR and REA or BEO, as appropriate, shall review all ongoing and planned activities under this [contract/task order/grant/CA] to determine if they are within the scope of the approved Regulation 216 environmental documentation.

**At least one Negative Determination with Conditions, with sub-awards.** An Initial Environmental Examination (IEE) [(insert IEE # or hyperlink, if available)] has been approved for [the Activity] funding this [RFA/RFP/contract/task order/grant/cooperative agreement (CA)]. The IEE covers activities expected to be implemented under this [contract/task order/grant/CA]. USAID has determined that a Negative Determination with Conditions applies to one or more of the proposed actions. This indicates that if these actions 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 actions to be funded under this [solicitation/award].

As part of its initial Work Plan, and all Annual Work Plans thereafter, the contractor/recipient, in collaboration with the USAID COR/AOR, and REA or BEO, as appropriate, shall review all ongoing and planned actions under this [contract/task order/grant/CA] to determine if they are within the scope of the approved IEE.

If the contractor/recipient plans any new actions outside the scope of the approved IEE, the contractor/recipient shall inform USAID in writing of these changes. No such new actions shall be undertaken prior to receiving written USAID approval.

When the approved IEE contains one or more Negative Determinations with Conditions, the [contractor/recipient] shall:
● Prepare an environmental mitigation and monitoring plan (EMMP) for each proposed action under the Negative Determination with Conditions in the IEE, describing how the contractor/recipient will, in specific terms; implement all IEE conditions that apply within the scope of the award. The EMMP format is attached. The EMMP shall include monitoring the implementation of the conditions and their effectiveness.

● Integrate a completed EMMP into the initial work plan.

● Prepare an Environmental Compliance Report (ECR) at the end of the year or as per reporting requirements of the contract. The ECR shall be based on the monitoring of mitigation measures using Table 3 of the EMMP.

● A revised EMMP must be completed and approved in subsequent Annual Work Plans, making any necessary adjustments to implementation in order to minimize adverse impacts to the environment.

A provision for sub-awards is included under this award. Therefore, the [contractor/recipient] will prepare an EMMP for each proposed sub-award, except those that qualify for a categorical exclusion. In the case of a categorical exclusion, [contractor/recipient] shall complete and submit for USAID approval table 1 of the EMMP (Environmental Review Form- ERF). In order to ensure the funded proposals will result in no adverse environmental impacts. Implementation of sub-awards shall not begin prior to USAID written approval of the corresponding EMMP. The contractor/recipient is responsible for ensuring that mitigation measures specified in the EMMP are implemented.”

Contract Officers will use documents listed in ADS 204.5 “Environmental Compliance: Language for Use in Solicitations and Awards; An Additional Help for ADS Chapter 204” dated May 19, 2008.

4. CLIMATE RISK MANAGEMENT (CRM)

In accordance with Executive Order 13677 on Climate-Resilient International Development, as of September, 2016, all USAID projects and activities require being managed for climate risks. The Climate Risk Management (CRM) process was undertaken and from this the CRM Point Contact determined that the climate risk is low for those illustrative actions within the DO1 Justice Transparency and Accountability PAD as described in Section 1.3 of the IEE amendment.

The low climate risk indicates climate change is unlikely to materially impact achievement or sustainability of project or activity outcomes. To that end, a “Climate Risk Screening and Management Tool for Activity Design” Table documenting the CRM for the Activities is included as Attachment 1.

Appendix A: Guidelines for Implementing Partners on the USAID LAC Environmental Mitigation and Monitoring Plan (EMMP)
Guidelines for Implementing Partners

USAID/Latin American and Caribbean Bureau (LAC) ENVIRONMENTAL MITIGATION and MONITORING PLAN (EMMP)

November 19, 2015

A. Background

All activities funded by USAID must conform to its environmental procedures outlined in 22 CFR 216, which require Initial Environmental Evaluations (IEE) to ensure that “environmental factors and values are integrated into the USAID decision-making process” and 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 appropriated environmental safeguards are adopted”.

All USAID activities and programs funded through USAID’s Latin America and the Caribbean (LAC) Missions are issued an Environmental Threshold Decision (ETD) by the Bureau Environmental Officer (BEO) pursuant to the IEE as per 22 CFR 216.3(a)2. One category of Threshold Decision is the Negative Determination (22 CFR 216.3(a)3), which is given to projects that are not “found to have a significant effect on the environment” when certain conditions are in place. In LAC, the development of an Environmental Mitigation and Monitoring Plan (EMMP) is often one of the conditions set forth in the Negative Determination. The EMMP ensures compliance with 22 CFR 216 by identifying and mitigating environmental effects of USAID activities and by meeting any other conditions specified in the applicable ETD. It is also used for any sub-award activities where the specific actions of sub-award are not yet identified at the time of award. In addition, Table 3 of the EMMP form can be used as a Mitigation and Monitoring Plan for Environmental Assessments (EA).

Activities carried out by implementing partners (IPs) of USAID/LAC Missions include a range of discrete activities under various awards that will likely have a risk for significant environment effects. Examples include activities such as infrastructure refurbishment or medical waste management. This EMMP procedure will provide for both the screening for environmental risk, the preparation of a mitigation plan and reporting on monitoring of these mitigation measures. Gender and persons with disabilities are also considered as social impact factors in the development of a mitigation plan as these have a direct bearing on the type and kind of mitigation measure to be prescribed. Global Climate Change (GCC) and its impact on the project, as well as the project’s to exacerbate GCC is also a consideration within the EMMP process. Finally, the EMMP is an effective tool for applying USAID’s Sector Environmental

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1 This replaces all previous Environmental Mitigation Plan and Report (EMPR) forms
Guidelines to an activity or program which has been developed as per 22 CFR 216.3(a)3(iii). (http://www.usaidgems.org/sectorguidelines.htm).

The EMMP initially categorizes activities into three risk categories: No Risk, Medium Risk, and High Risk. Those with No Risk can continue without further review upon completion of the Table 1 screening form and review and approval of the risk analysis by the Agreement/Contract Officer’s Representative (AOR/COR) and the Mission Environment Officer (MEO). The EMMP typically deals with those activities at Medium Risk (see Figure 2). Those with High Risk must be reconsidered for the need of an EA. Risk is further defined in section C1 below.

All awardees that receive a Negative Determination with Conditions ETD will be required to fill out an Environmental Mitigation and Monitoring Plan (as attached) per activity type that includes:

1. Narrative (Justification/Background, Baseline Information/Existing Conditions, Description of Activities, and Social Considerations sections must be completed at a minimum).

2. The Environmental Screening Form (Table 1),

3. The Environmental Mitigation Plan (Table 2), and

4. The Environmental Monitoring Table (Table 3).

AOR/CORs, Activity Managers, and Implementing Partners can work with the USAID MEO to ensure that environmental effects are sufficiently identified and mitigation actions are agreed upon, including clear guidance on the procedures for GCC and social considerations, where fitting.

B. Timing of EMMP

All solicitations for activities that fall within the NWDC will included this document as part of the solicitation package as per the ADS 204 annex regarding solicitation language. As per direction outlined here and in the Environmental Considerations section of all solicitation, potential applicants must present a draft EMMP with their submission. This is important as the funding for mitigation implementation identified in Table 3 must be incorporated in the applicant’s proposal budget. The draft EMMP can also serve as a criteria for selection by the Technical Evaluation Committee reviewing proposals.

Once the IP is chosen, a revised initial EMMP is submitted by the applicant or contractor to the AOR/COR at the time the initial work plan is submitted. The MEO, and the Regional Environmental Advisor (REA) must approve this EMMP before work can commence. For sub-awards, the awardee is required to fill out the EMMP and submit it for approval to the Chief of Party (COP). The COP then submits the EMMP for review and final approval to the AOR/COR and MEO. Implementation of activities shall not occur until final approvals of the EMMPs are received.

A format for this initial EMMP can be seen in attachment 1; it includes:
1. An initial screening process using the “Environmental Screening Form” (Appendix 1, Table 1) to assure the activity is at the Medium Risk Level.

2. The identification of potential impacts and related mitigation measures using the “Environmental Mitigation Plan” (Appendix 1, Table 2) for each sub-activity.

3. The Environmental Monitoring Table (Appendix 1, Table 3) includes the necessary mitigation measures to be monitored, the monitoring indicators, who will conduct the monitoring, and when will the monitoring occur. Table 3 also includes a monitoring chart that documents who conducted the monitoring and the effectiveness of the mitigation measures.

At the end of each year of implementation, the EMMP is resubmitted with the same information as provided initially, along with a report reflecting the status of implementation and effectiveness monitoring of the identified mitigation measures using the “Environmental Monitoring Table” (Appendix 1, Table 3). This serves as the Annual Environmental Compliance Report (ECR) required by most implementing mechanisms.

Results from the ECR are subsequently incorporated into a revised EMMP that shall be submitted to the AOR/COR for approval by the MEO/REA that reflects any new activities in the activity’s second year work plan along with any changes to mitigation measures based on the prior year’s monitoring. This process of submitting the EMMP monitoring report at the end of the year, together with a revised EMMP that reflects the following year’s work plan, is repeated each year until the close of the activity (See Figure 1).

C. Initial Environmental Mitigation and Monitoring Plan
1. Classification of Level of Risk

Different activities under an award can have varying levels of risk for environmental effects and therefore require different courses of action (Figure 2). No-risk activities, classified under “a” below, do not require the development of an Environmental Mitigation Plan (Table 2) or an Environmental Monitoring Table (Table 3) and could be covered under a Categorical Exclusion (22 CFR 216.2(c)). The AOR/COR should consult with the MEO to determine if the action in question has already received an Categorical Exclusion or if one must be requested from the BEO. Activities identified as Medium-risk (“b”) require the IP to screen those potential environmental effects and develop a plan to mitigate them. High-risk activities (“c”) include activities that have irrevocable change and/or cannot be mitigated by the implementation of industry standards, best management practices, or design specific implementation standards and, therefore, are considered to have significant environmental effects that will require an EA (22 CFR216.2(d)).

Figure 2 below depicts a schematic of required action based on the level of risk of a particular activity under an award. Note: all sub-award activities are required to have an EMMP completed. If all questions on Table 1 are checked No, then the sub-award activity falls under the low risk category and implementation could start directly without further analysis, pending approval of the work plan by the AOR/COR and MEO.

![Figure 2: Schematic of required action based on the level of risk of a particular activity under an award](image)

- **Low Risk**: No EMMP needed
- **Medium Risk**: EMMP required
- **High Risk**: No EMMP, but an approved Environmental Assessment required

a). Discrete activities that do not require mitigation plans (No-Risk):

An illustrative list of no-risk discrete activities where no mitigation reporting is required includes:

[Further details would be added here, potentially listing specific activities under each classification category.]
- Education or training, unless it implements or leads to implementation of actions that impacts the environment (such as construction of schools or use of pesticides)
- Community awareness initiatives
- Controlled research/demonstration activities in a small area
- Technical studies or assistance (unless actions include agriculture and pesticides)
- Information transfers

If there is a risk that the actual implementation of subjects learned during training could adversely affect the environment (e.g., training on agricultural techniques), the training is expected to include as part of its curriculum, an analysis of environmental effects a plan for mitigation. Mitigation measures such as Good Agricultural Practices/Best Management Practices would need to be identified for use in training as a mitigation measure and listed in Table 2 of the EMMP.

Many discrete activities under an agreement will fall between the two extremes of low and high risk and may cause some significant environmental effects that can be avoided or mitigated with proper planning. For these activities, the IP will be responsible for completing the EMMP on an annual basis.

c) Discrete activities that cannot be supported (High-Risk):

Under USAID’s Environmental Procedures, if there is a proposed action that may have significant environmental effects, an approved EA is required prior to its implementation (22 CFR 216.2(d)1). In the case of pesticide use, a Pesticide Evaluation Report and Safer Use Action Plan (PERSUAP) will be prepared by the partner and approved by the LAC BEO (22 CFR 216.3 (b)). Such activities include, but are not limited to:

- Agricultural, livestock introduction or other activities that involve forest conversion
- Resettlement of human populations
- Construction of water management systems such as dams or impoundments
  - Drainage of wetlands
  - Introduction of exotic plants or animals in protected areas
  - Permanent modification of the habitat supporting an endangered species
- Industrial level plant production or processing (this does not include community or regional plant nurseries aimed at restoring areas after fires, for example)
  - Installation of aquaculture systems in sensitive water bodies including rivers, lakes, and marine waters (not land-based fish ponds)
  - Procurement of timber harvesting equipment, including chainsaws
- Use of restricted use pesticides (insecticides, herbicides, fungicides, etc.)
- Large-scale reconstruction in un-degraded lands, such as within protected areas
Large-scale new construction (over 1,000 meters$^2$)
- Timber harvesting, or cutting of trees over 20 cm diameter breast height related to forest management or for commercial products.
- Construction of penetration roads and/or reroutes

**d) Cumulative effects**

Even though individual activities may be considered medium risk, when those activities are analyzed in terms of other USAID actions and/or other non-USAID actions that are likely to occur, cumulative effects must be considered and may require the development of an EA.

**e) Extraordinary circumstances**

Certain extraordinary circumstances must be considered and may require an EA. These include
- impacts to sensitive terrestrial or aquatic areas (see question 14)
- impacts to unique cultural or historical features (see question 28)

**2. Environmental Screening Form**

The Environmental Screening Form (Appendix 1, Table 1) contains information relevant to the potential environmental effects over the life of activity with regard to natural resources, the environment, and human health. If items in Column “A” of the Environmental Screening Form are checked “YES”, then items for monitoring and mitigation are to be specified in the “Environmental Mitigation Plan” (Appendix 1, Table 2). The Environmental Mitigation Plan simply outlines the plan of action for mitigation of potential environmental effects. If all Column A is checked “NO”, then Tables 2 and 3 are not required to be completed and the activity can begin upon approval from the COR/AOR and MEO. When all of Table 1 questions are checked “NO”, the MEO must ensure that the activities listed in the “Description of Activities” narrative section truly will not cause impacts to the environment. The MEO must also ensure that all of the actions for the activity are listed in the Narrative and that each action is covered in Table 1.


**D. Annual Environmental Compliance Report**

As per terms and conditions of all awards with USAID, each implementing partner is expected to submit an Annual Report, which normally requires an ECR. If an EMMP has been developed, it
should be used to fulfill this requirement. The ECR should contain information relevant to the potential environmental effects over the life of a discrete activity under an award and includes:

a) a copy of the initial EMMP completed during the initial activity planning (reference Section B above); b) the prescribed mitigation measures using the “Environmental Mitigation Plan (Appendix 1, Table 2)”; and c) synthesized data on these mitigation measures collected throughout the year and tracked in the “Environmental Monitoring Table (Appendix 1, Table 3)”. As it is often difficult to quantitatively measure progress of complex mitigation measures, it is necessary to include inserted digital photos (with relevant maps) to describe progress of mitigation activities.

E. Sections of the EMMP

1. EMMP Coversheet
2. EMMP Narrative (to be filled out with activity specific information). NOTE: details for each of the actions to be implemented must be listed in the “Description of Activities” section of the Narrative.
3. Appendices:
   1. Environmental Screening Form (Table 1)
   2. Environmental Mitigation Plan (Table 2)
   3. Environmental Monitoring Table (Table 3)
   4. Photos, Maps, Level of Effort

Guidelines for Implementing Partners
USAID/LAC ENVIRONMENTAL MITIGATION and MONITORING PLAN (EMMP)

Appendix 1:

A. Coversheet for ENVIRONMENTAL MITIGATION and MONITOR PLAN (EMMP)

USAID MISSION DO # and Title: ________________________________________________

Title of IP Activity: __________________________________________________________

IP Name: ___________________________________________________________________

Award Number: __________________________________________________________________

Funding Period: FY______ - FY______

Associated IEE/ETD: _______________________________

Life of Activity Funding (US$): ___________________________

Report Prepared by: Name:__________________________ Date: ____________

Date of Previous EMMP: ____________________________ (if any)

Status of Fulfilling Mitigation Measures and Monitoring:

Yes  No
___  ___  Initial EMMP.

___  ___  Annual EMMP.

USAID Mission Clearance of EMMP for XXX Activity:

  Contract/Agreement Officer’s Representative: __________ Date: __________

  Mission Environmental Officer: _________________ Date: __________

  Regional Environmental Advisor: _________________ Date: __________

B. Environmental Mitigation and Monitoring Plan Narrative

1. Background, Rationale and Outputs/Results Expected:

   Provide a brief summary of the activities under consideration and expected results.

2. Environmental Baseline:
Describe the existing condition of the area of the activity. This should include a description of/baseline information on the natural and physical resources that could potentially be effected by the activity. Provide information on the existing infrastructure, roads, agricultural systems, etc. if relevant to the activity. Succinctly describe location, site details; surroundings (include a map, even a sketch map). Include information on any “unique or extra-ordinary” resources that are within the activity area such as wetlands, critical habitat, etc. Include information on the existing climate trends and conditions such as how might environmental conditions change due to climate change for the life of the activity and expected lifespan of the interventions? Describe how the activity will involve men and women whose actions during the life of the activity may have a direct effect the environment. Methodologies for data collection and analysis for gender-sensitive implementation and monitoring of activities are encouraged.

3. Activity Description/Specific Actions to be implemented:

Provide both quantitative and qualitative information about actions to be undertaken during the activity (e.g. specific actions of construction-size, location, and type of materials to be used, etc.), types of agriculture production (full till mechanized, organic etc.), how the intervention will operate, and any connected activities that are required to implement the primary activity (e.g., road to a facility, need to quarry or excavate borrow material, need to lay utility pipes to connect with energy, water source or disposal point or any other activity needed to accomplish the primary one but in a different location). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these.

Example:

New construction of a 900 square meter youth center located in XXX town and is 70 meters from the River XXX. Construction will be of block and cement with rebar reinforcing. Construction will include a new two-stall toilet and sinks using town water source from pipes. A 20 square meter biodigester will be used to capture waste and methane gas piped to the youth center kitchen for use as cook fuel. Biodigester will be underground and built of concrete by molds. Electrical wiring for the youth center will be installed with the power source by solar panels on the zinc roof and batteries/electrical circuits located attached to the center in a closed and locked storage room.

Activities with sub-awards require a specific EMMP for each award.

4. Evaluation of the Potential for Environmental Effects (Tables 1 and 2):

As a component of conducting environmental screening and developing the Environmental Mitigation Plan (Appendix 1, Table 2), briefly summarize environmental effects that could occur before, during, and after implementation, as well as any problems that might arise with restoring or reusing the site, if the facility or activity were completed or ceased to exist. Explain direct, indirect, 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, climate change adaptation, climate change mitigation,
etc.). Indicate positive impacts and how the natural resources base will be sustainably improved.

For example, any activity that increases human presence in an area, even temporarily, will increase noise, waste, and the potential for hunting, timber harvesting, etc.

5. Environmental Mitigation Actions (Tables 2 & 3):

For the Initial EMMP, summarize the mitigation measures in the “Environmental Mitigation Plan” (Table 2) and briefly describe how these measures will be monitored in the “Environmental Monitoring Table” (Table 3). Ensure that Table 3 includes the cost of implementing and monitoring each of the mitigation measures listed.

For the Annual EMMP, describe the effectiveness of mitigation measures based on monitoring. For example:

a) What mitigation measures have been put in place? How is the success of mitigation measures being determined (i.e., indicators)? Explain if and why the mitigation measures are not working or not effective? What adjustments need to be made?

b) What is being monitored, how frequently and where, and what action is being taken (as needed) based on the results of the monitoring?

6. Social Considerations

Gender equality is a USG-wide priority and USAID has, and will continue to take a lead role in that effort. Integrating gender considerations into all stages of planning, programming, and implementation of development assistance is not only a legal mandate; it is an essential part of effective and sustainable development. The Automated Directive System (ADS) 201 sets out specific requirements to help ensure that appropriate consideration is given to gender as a factor in development planning at the Development Objective and the Intermediate Results level of Development Objectives all the way down to the activity level. This programming policy includes clear guidance on the procedures for gender integration where determined to be appropriate.

Additionally, the USAID Disability Policy Paper (http://pdf.usaid.gov/pdf_docs/PDABQ631.pdf) sets out specific requirements to help ensure that appropriate consideration is given to persons with disabilities as a factor in development planning at the Development Objective and the Intermediate Results level of Development Objectives all the way down to the activity level. Therefore, gender and persons with disabilities considerations are included in the EMMP checklist to ensure activity implementation adheres to agency priorities and mandate. Additional information can be found at the following website: http://www.usaid.gov/sites/default/files/Guide_How_Integrate_Disability_Gender_Assessments_2010.pdf.

Ultimately, consideration of social issues helps avoid significant environmental effects (see 216.3 (a)(3)(iii)). Environmental mitigation measures should be specifically designed to take in account social issues such as gender and persons with disability, thus ensuring greater success of the mitigation measure and greater long-term sustainability of the activity. The
impacts and roles of women and children should be also taken into consideration when completing Table 2 regarding environmental (social) impacts and designing mitigation measures.

7. Climate Change Integration

Climate change impacts all areas of development and is often considered both a threat and a driver to many activities that USAID supports. Good climate change integration is part of good activity design. In addition, Executive Order 13677: “Climate-Resilient International Development” encourages integration of the Agency's GCC Initiative (GCC) of mitigation and adaptation principles throughout its portfolios. Therefore, GCC impacts (to the activity and from the activity implementation) shall also be considered. Actions that would minimize GCC impacts shall be included in the list of mitigation activities to be implemented.
Appendix 1. Environmental Screening Form (Table 1)

<table>
<thead>
<tr>
<th>Name of Activity:</th>
<th>Implementing Partner:</th>
<th>Award Number:</th>
<th>Date:</th>
<th>Relevant IEE/ETD #:</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
</tr>
</thead>
</table>

INFRASTRUCTURE (Buildings, roads, WASH, etc.)

1. Will the activity involve construction and/or reconstruction/rehabilitation of any type of building? For new construction, if less than 1,000 m² = medium risk, if greater than 1,000 m² = high risk.

2. Will the activity involve building penetrating roads, road rehabilitation and maintenance or other road related infrastructure (drainage, bridges, etc.)? If penetrating road construction/rerouting = high risk, if repair/rehabilitation (improving drainage, resurfacing of existing roads) = medium risk.

3. Will the activity involve construction or rehabilitation of water and sanitation infrastructure (irrigation systems, potable water, water harvesting, septic systems etc.). Potable water systems require testing for bacteria, arsenic and other heavy metals.

4. Will the activity involve construction or rehabilitation of any other infrastructure such as landfills, incinerators, energy infrastructure, etc.

5. Will the infrastructure activity cost more than US $500,000? If YES, approval of a USAID Engineer is required as mitigation measures in Table 2. Additionally, compliance with FAA 611 is required (please consult with the mission legal advisor).

6. Does the activity require adherence to national building code or other national regulatory standard? Mitigation measures in Table 2.

7. Does the activity require local planning permissions (i.e. zoning, building permits, etc.)

BIOPHYSICAL

8. Will the activity involve the purchase, use, plans to use, or training in the use of pesticides (including bio pesticides like neem)?

9. Will the activity involve changes in water quality (pollution, sedimentation, stagnation, salinization, temperature change, etc.)

10. Will the activity affect surface or groundwater quantity?

11. Will the activity involve training and/or implementation of agricultural practices/production including animal husbandry?

12. Will the activity involve aquaculture systems?

13. Will the activity involve the use or disposal of hazardous materials (used engine oil, paint, varnish, lead-based products, fluorescent light bulbs/mercury, batteries, asbestos or other hazardous or special management waste)? Consider effects to both the biophysical environment and human health.

14. Will the activity involve implementation of timber management, extraction of forest products, clearing of forest cover, and/or conversion of forest land by cutting of trees >20cm diameter at base height (DBH)?

15. Is the activity in or near (within 50m²) any sensitive terrestrial or aquatic areas including protected areas, wetlands, critical wildlife habitat.
<table>
<thead>
<tr>
<th></th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Will the activities proposed generate airborne particulates (dust), liquids, or solids (i.e. discharge pollutants) or potentially violate local air standards?</td>
</tr>
<tr>
<td>17</td>
<td>Will the activity create objectionable odors?</td>
</tr>
<tr>
<td>18</td>
<td>Will the activity occur on steep slopes (greater than 15%)?</td>
</tr>
<tr>
<td>19</td>
<td>Will the activity contribute to erosion?</td>
</tr>
<tr>
<td>20</td>
<td>Will the activity change existing land use in the vicinity?</td>
</tr>
<tr>
<td>21</td>
<td>Is the proposed activity incompatible with land type (i.e., annual crops on steep slopes, infrastructure on poorly drained soils)?</td>
</tr>
<tr>
<td>22</td>
<td>Will the activity affect unique geologic or physical features?</td>
</tr>
<tr>
<td>23</td>
<td>Will the activity have potential effects to inhabitants, natural landscapes, or flora/fauna downstream from the activity site?</td>
</tr>
<tr>
<td>24</td>
<td>Will the activity have a direct or indirect effect, or include actions with mangroves, coral reefs and other marine/coastal ecosystems?</td>
</tr>
<tr>
<td>25</td>
<td>Are activity activities or outcomes vulnerable to changes in the weather or climate such as changes in precipitation patterns, increased temperatures or sea level rise?</td>
</tr>
<tr>
<td>26</td>
<td>Does the activity’s activities exacerbate climate change vulnerabilities (i.e., drought, flooding, decrease water supply)?</td>
</tr>
<tr>
<td>27</td>
<td>Will the activity create greenhouse gas emissions from decomposing waste, burning of organic matter, or use of fossil fuels etc. (consider duration and scale)</td>
</tr>
<tr>
<td>28</td>
<td>Will the activity contribute to displacement of people, housing or businesses?</td>
</tr>
<tr>
<td>29</td>
<td>Will the activity affect indigenous peoples and/or unique cultural or historical features?</td>
</tr>
<tr>
<td>30</td>
<td>Will the activity expose people or property to flooding?</td>
</tr>
<tr>
<td>31</td>
<td>Will the activity create conditions encouraging an increase in illness, diseases, or disease vectors (waterborne, STDs or other)?</td>
</tr>
<tr>
<td>32</td>
<td>Will the activity generate hazards or barriers for pedestrians, motorists or persons with disabilities?</td>
</tr>
<tr>
<td>33</td>
<td>Will the activity involve the use, storage, handling or disposal of syringes, gauzes, gloves and other biohazard medical waste?</td>
</tr>
<tr>
<td>34</td>
<td>Will the activity expose workers to occupational hazards?</td>
</tr>
<tr>
<td>35</td>
<td>Will the activity increase existing noise levels?</td>
</tr>
<tr>
<td>36</td>
<td>Does the activity activity inhibit the equal involvement of men and women?</td>
</tr>
<tr>
<td>37</td>
<td>Do the activity results disproportionately benefit/impact men and women?</td>
</tr>
<tr>
<td>38</td>
<td>Does the activity/activity involve a sub-award component?</td>
</tr>
<tr>
<td>39</td>
<td>Is an operations and maintenance plan required? (for all type of infrastructure, equipment, road rehabilitation, or water and sanitation action = Yes)</td>
</tr>
</tbody>
</table>

**RECOMMENDED ACTION (Check Appropriate Action):**

(a) The activity has no potential for significant effects on the environment. No further environmental review is required (Categorical Exclusion). No further action required.
1 Construction activities need to be reviewed for scale, planned use, building code needs and maintenance. New construction having a footprint larger than 1000 meters$^2$ or 10,000 feet$^2$ is considered large scale and high risk. Some small construction activities, such as building an entrance sign to a park, may require simple mitigation measures whereas larger buildings will require more extensive review and monitoring.

2 New construction of roads are considered high risk and will require a full environmental assessment of the planned construction, i.e. a Positive Determination. Any reroutes of a road or trail longer than 100 meters is considered a high risk. Reroutes within a protected area, nearby a water source/wetlands, and/or archaeological site are considered a high risk.

3 Pursuant to FAA, section 611, Completion of Plans and Cost Estimates.

4 The purchase of packaged store pesticides are included. The planned procurement and/or use or training on the use of pesticides will trigger the need to develop an amended Initial Environmental Examination that meets USAID pesticide procedures (Pesticide Evaluation Report and Safer Use Action Plan or "PERSUAP") for the activity.

5 Any activities that involve the commercial harvesting of trees or converting forests is considered high risk and will require a full environmental assessment of the activity (i.e. Positive Determination). The reference to cutting trees of greater than 20cm dbh is for actions related to forest management and commercial forest products and not for individual trees being cut for construction or non-commercial purpose.

6 Less than 50 meters is based on best practices from US Federal and State regulations.

7 A positive response to gender questions require follow up only when there are other positive responses on questions, and an EMMP is developed.

8 If the Activity includes a sub-award component, each sub-awardee shall be required to prepare an EMMP prior to implementation of the sub-award.
## Appendix 2. Environmental Mitigation Plan (Table 2)

Enter the Question/Row # of the potential negative effects with check marks in Column A (Table 1) and complete table below for mitigation measures to reduce or eliminate the issue. In the Sub-Activity or Component Column, list the main actions to be implemented. Under each action, list the tasks (Steps) that are needed to implement this action.

<table>
<thead>
<tr>
<th># of the question from Table 1</th>
<th>Action or component with the different tasks required to implement the action</th>
<th>Description of Environmental Effect</th>
<th>Environmental Mitigation Measures*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Component - Construction and maintenance of latrine</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Step 1 - design</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Step 2 - location</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Step 3 - purchase of materials</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Step 4 - build latrine</td>
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<td></td>
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<tr>
<td></td>
<td>Step 5 - site clean-up/disposal of construction waste</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Step 6 - use of latrine/operations and maintenance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Component – Purchase and construction of a water storage system</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Step 1</td>
<td></td>
<td></td>
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<td></td>
<td>Step 2</td>
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<td></td>
</tr>
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<td></td>
<td>Step 3</td>
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<tr>
<td></td>
<td>etc.</td>
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</tr>
</tbody>
</table>

* Please be as specific as possible. Sample mitigation measures are located in the USAID Sector Environmental Guidelines or other pertinent guidelines, see [http://www.usaidgems.org/sectorGuidelines.htm](http://www.usaidgems.org/sectorGuidelines.htm). Details on exact monitoring plan are illustrated in Table 3, Environmental Monitoring and Evaluation Tracking Table.
## Appendix 3. Environmental Monitoring Table (Table 3)

<table>
<thead>
<tr>
<th>Description of Mitigation Measure (same as in Table 2)</th>
<th>Responsible Party for implementing and monitoring mitigation measures</th>
<th>Monitoring Methods</th>
<th>Estimated Cost of implementing mitigation measures and monitoring</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Indicators of implementation and effectiveness of indicators</td>
<td>Dates Monitored</td>
<td>Problems Encountered</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Methods</td>
<td>Frequency</td>
<td></td>
</tr>
<tr>
<td>Award Number:</td>
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<td></td>
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<tr>
<td>Activity Name:</td>
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<tr>
<td>Implementing Partner:</td>
<td></td>
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<tr>
<td>Location Name:</td>
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<tr>
<td>Nearby Communities:</td>
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<tr>
<td>Senior Activity Manager:</td>
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<tr>
<td>Monitoring Period:</td>
<td></td>
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<td></td>
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<tr>
<td>Date:</td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>1</th>
<th>Description</th>
<th>Responsible Party</th>
<th>Monitoring</th>
<th>Estimated Cost</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Methods</td>
<td>Frequency</td>
<td>Dates Monitored</td>
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| 5 |             |                   |            |                |                     |                       |                       |                      |
|   |             |                   |            |                |                     |                       |                       |                      |

38
### Project-Level Climate Risk Management Summary Table

*(to be included in IEE)*

**JUSTICE, TRANSPARENCY AND ACCOUNTABILITY PROJECT 519-0467**

In order to document the climate risk management process and its results, the below table must be completed and included in the Summary of Conclusions from Analyses section of the PAD and the Project's Initial Environment Examination (IEE), if applicable. In addition, the PAD narrative must contain a summary of the climate risk assessment methodology and the main results of the assessment. See “Climate Risk Management for USAID Projects and Activities” for more information.

<table>
<thead>
<tr>
<th>Defined or Anticipated Project Elements (Purpose/ Sub-purpose, Areas of Focus, or Activities/Mechanisms, etc.)</th>
<th>Time Frame</th>
<th>Geography</th>
<th>Climate Risks</th>
<th>Risk Rating</th>
<th>How Risks Addressed at Project Level</th>
<th>Risks Addressed or Further Analysis to be Conducted in Activity Design/Implementation</th>
<th>Opportunities to Strengthen Climate Resilience</th>
<th>Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Purpose 1: Targeted Policies and Legislation Reformed</td>
<td>20 years</td>
<td>National</td>
<td>* Extreme weather events (drought/precipitation/flooding/landslides) may be a distraction from efforts to reform policies and legislation.</td>
<td>Low</td>
<td>Whenever a weather event delays an already established schedule, flexibility is expected and relocation of activities may be needed.</td>
<td>Whenever a weather event delays an already established schedule or activity, flexibility is expected and relocation of activities may be needed.</td>
<td>Few opportunities exist in this specific sector.</td>
<td>None at this moment.</td>
</tr>
<tr>
<td>Sub-Purpose 2: Effectiveness and Public Service Professionalism Enhanced</td>
<td>10 years</td>
<td>National</td>
<td>* Extreme weather events (drought/precipitation/flooding/landslides) may be a distraction from efforts and divert resources. * Extreme climate events could affect professionalism of the overall process.</td>
<td>Low</td>
<td>Whenever a weather event delays an already established schedule or activity, flexibility is expected and relocation of activities may be needed.</td>
<td>Whenever a weather event delays an already established schedule or activity, flexibility is expected and relocation of activities may be needed.</td>
<td>Public service officials will have an opportunity to express their professionalism under an emergency.</td>
<td>Activities may consider incorporating climate risk interventions.</td>
</tr>
</tbody>
</table>

Drafters: Julie Grier-Villaline, DG; Claudia Martinez, DG; Dorita de Gutiérrez, RPO; Luis Ramos, EG.

Cleared by: Jason Seuc, EG  
Date: 13/07/18
Clearance Page for:
IEE Amendment No. 3 for the Justice, Transparency, and Accountability Project No. 519-0467
to include the new Central America Regional Labor Rights Program

Drafted by:
RPO: Dorita de Gutiérrez _____________ Date: ________________

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REA: Joe Torres _____________ Date: ________________
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DMD: Kimberly Delaney _____________ Date: ________________

Recommended for Approval:
Lawrence J. Sacks, MD _____________ Date: ________________