



ARTISANAL MINING AND PROPERTY RIGHTS (AMPR)

Environmental Mitigation and Monitoring Plan

Year I: October 1, 2018 – September 30, 2019



December 2018

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DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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ACRONYMS & ABBREVIATIONS

ALS	<i>Antenne Locale de Suivi</i> (KP monitoring committee at commune level)
USAID AMPR	Artisanal Mining and Property Rights
ASM	Artisanal and Small-Scale Mining
CLA	Collaborating, Learning, and Adapting
CLPR	<i>Comité Local de Paix et Réconciliation</i> (local peace-building committee)
CLS	<i>Comité Local de Suivi</i> (KP monitoring committee at zone level)
E3/LU	Land and Urban Office in the Bureau for Economic Growth, Education, and Environment
KAP	Knowledge, Attitudes, and Practices
KP	Kimberley Process
KPCS	Kimberley Process Certification Scheme
KPPS	Kimberley Process Permanent Secretariat
PRADD	Property Rights and Artisanal Diamond Development
USAID	United States Agency for International Development
USGS	United States Geological Survey
ZEA	<i>Zone d'Exploitation Artisanale</i>

EXECUTIVE SUMMARY

The Artisanal Mining and Property Rights (USAID AMPR) project (Contract no. 7200AA18C00087) supports the USAID Land and Urban Office in the Bureau for Economic Growth, Education, and Environment (E3/LU) in improving land and resource governance and strengthening property rights for all members of society, especially women. Its specific purpose is to address land and resource governance challenges in the artisanal and small-scale mining (ASM) sector, using a multidisciplinary approach and incorporating appropriate and applicable evidence and tools. The project builds upon activities and lessons from the Property Rights and Artisanal Diamond Development (PRADD I and II) projects. The USAID AMPR contract was signed on September 28th, 2018, and will run initially for 3 base years and with two optional years possible. Most project activities will be carried out in the Central African Republic.

The Initial Environmental Examination (IEE) Summary submitted was approved on March 20, 2018. The IEE gave a Negative Determination with Conditions (See Annex for copy of the IEE). Pursuant to the requirement to submit an Environmental Mitigation and Monitoring Plan (EMMP) within 60 days of signature of the contract between Tetra Tech and USAID, this initial statement spells out the ways in which the project will respond to the conditions spelled out in the IEE. In subsequent years, annual reports will indicate how the environmental issues are addressed.

During the project start-up phase, the project management team led by Project Manager Dr. Mark Freudenberger, Technical Deputy Terah DeJong, and Chief of Party Maxie Muwonge will conduct training sessions for all project staff on the intent of EMMP's and the specific measures the project will take to implement the negative determination with conditions. The project management team is blessed with experiences learned from the Property Rights and Artisanal Diamond Development Project (PRADD II) carried out previously in the Central African Republic, Côte d'Ivoire, and Guinea. In these countries, the project confronted successfully many environmental problematics associated particularly with the artisanal diamond economy.

Figure 1: Diamond Mining Areas of the Central African Republic

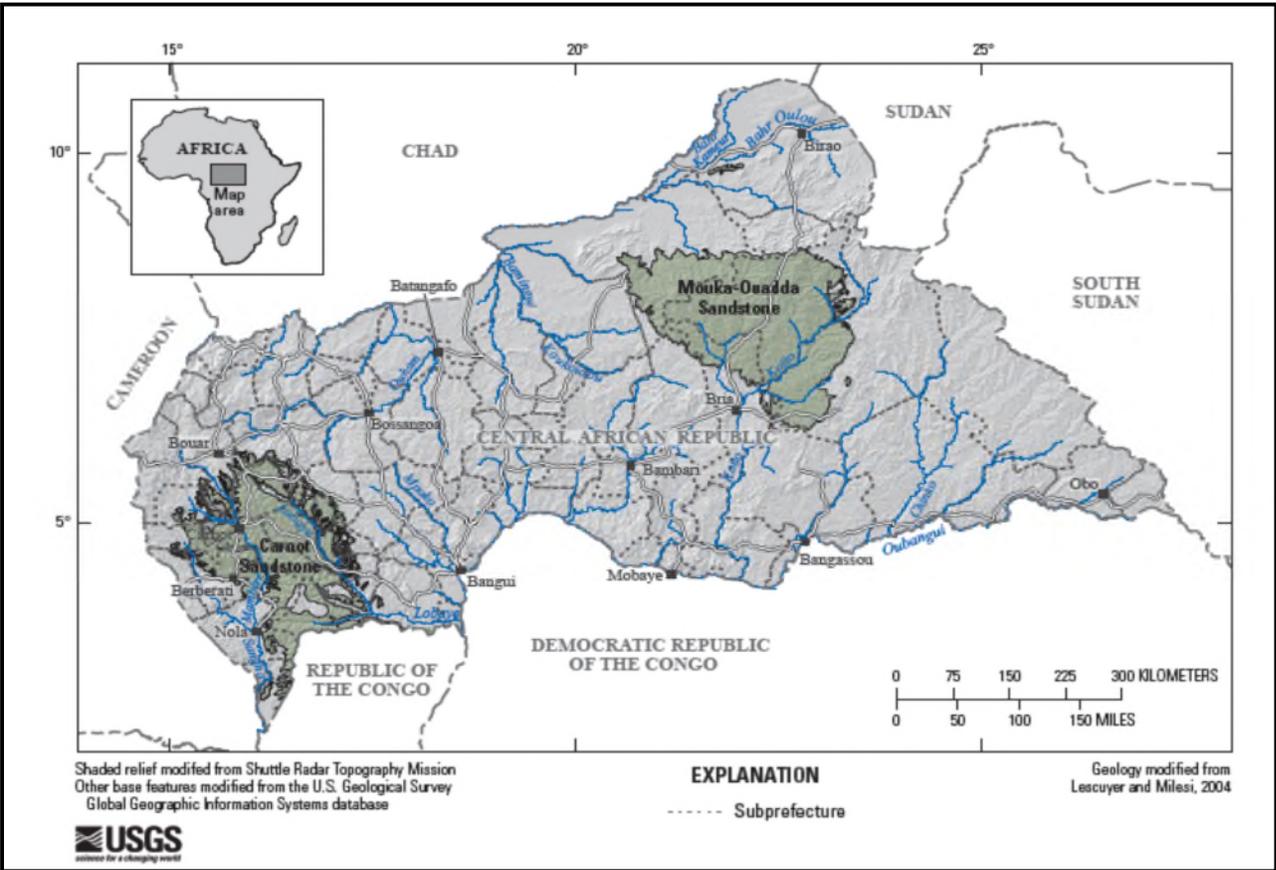
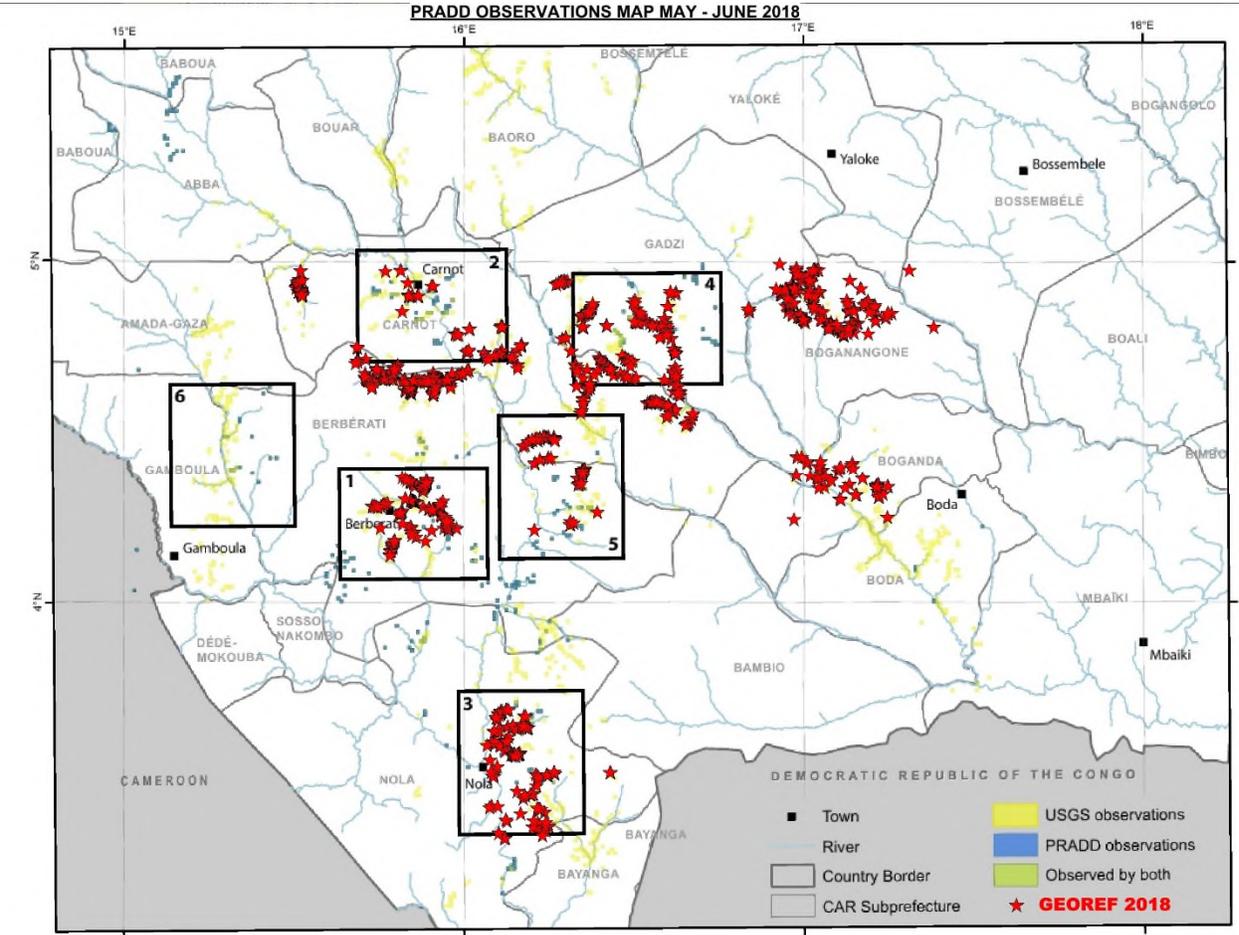


Figure 2: Georeferenced location of artisanal diamond mining in the Central African Republic.



The squares are the locations monitored by USGS and many sites within noted in green as well. The red stars are those places georeferenced by PRADD II with the Kimberley Process Permanent Secretariat (KPPSS) Focal Points. The location # 6 could not be visited by PRADD II because of insecurity around Gamboula. The sites near Boda could not be visited because of lack of PRADD funding and the ones south of Carnot are inaccessible even by moto during the early rainy season. The USAID AMPR project will likely focus in year I of the project in Berberati (#1) and Carnot (#2).

2.0 Project Description

The Artisanal Mining and Property Rights (USAID AMPR) project supports the USAID Land and Urban Office in improving land and resource governance and strengthening property rights for all members of society, especially women. Its specific purpose is to address land and resource governance challenges in the artisanal and small-scale mining (ASM) sector, using a multidisciplinary approach and incorporating appropriate and applicable evidence and tools. The project builds upon activities and lessons from the Property Rights and Artisanal Diamond Development (PRADD I and II) projects. The USAID AMPR contract was signed on September 28th, 2018 and will run initially for 3 base years and with two optional years possible. Most project activities will be carried out in the Central African Republic.

The first annual work plan for USAID AMPR covers the period of October 1, 2018 to September 30, 2019. The Monitoring, Evaluation, and Learning (MEL) Plan as well as all periodic reporting is aligned with this time period. Similarly, the Environmental Mitigation and Monitoring Plan (EMMP) for the first year is synchronized with this reporting period.

This first-year work plan and the associated EMMP is intended to start activities on the ground in February 2019 following Work Plan approval by USAID (delayed due to the lapse in Congressional appropriations) in order to capitalize on momentum from PRADD II and also build trust and good will among beneficiaries and partners. Four central components structure the work plan.

Component 1 builds capacity for implementing Kimberley Process Certification Scheme requirements. To launch the initiative, the USAID AMPR team will conduct a gap analysis and identify recommendations to stem the tide of rapidly expanding rough diamond smuggling and remove barriers to implementing the KP Operational Framework (OF). USAID AMPR will then support miner education and awareness-raising and implement capacity-building measures such as logistical support for local KP Focal Points and the strengthening of Local Monitoring Committees. USAID AMPR will also design the conceptual framework for piloting decentralized artisanal mining zones (ZEAs) with innovations for local revenue management, while also examining lessons learned and opportunities for miner parcel certification.

Component 2 strengthens social cohesion and economic development in diamond mining communities. USAID AMPR will build upon lessons learned from PRADD II and expand local structures and processes for fostering peace and reconciliation. USAID AMPR will support the expansion of local Peace and Reconciliation Committees (CLPRs) and support them logistically to monitor and resolve conflicts and conduct peace-building activities. USAID AMPR will continue PRADD II efforts to foster coordination between the government ministries responsible for mining and peace-building. USAID AMPR will also launch livelihood support activities for women as part of a comprehensive Gender Action Plan aimed at promoting their economic and social inclusion.

Component 3 focuses on understanding the artisanal gold supply chain. USAID AMPR will work with its two sub-contractors IPIS and RESOLVE to implement a baseline assessment of gold and launch an interactive online map of artisanal gold mining sites. USAID AMPR will also organize a workshop to present results from the study and facilitate training and discussion aimed at moving towards a national gold action plan.

Component 4 will respond to USAID Operating Unit requests for technical assistance with respect to understanding the linkages between ASM and development issues.

The project Performance and Monitoring Plan (PMP) will include a baseline Knowledge Attitudes Practices (KAP) survey and a study to estimate actual rough diamond production.

The USAID AMPR project will implement its activities in close coordination with other donors, especially the World Bank and the European Union, who both have activities in the sector in CAR. The project will

foster synergies and avoid duplication through local coordination but also participating in regular calls between the donors.

2.1 IMPLEMENTATION OF THE ENVIRONMENTAL MONITORING AND MANAGEMENT PLAN

The Environmental Monitoring and Management Plan (EMMP) will address the negative determination of conditions outlined in the Initial Environmental Examination (IEE) and particularly with reference to 22 CFR 216.3 (a) (2) iii (https://www.usaid.gov/our_work/environment/compliance/22cfr216). These actions are summarized below in Section 3.

USAID AMPR activities will be led on the ground by the Chief of Party Maxie Muwonge and implemented over the course of the project in 3 sub-prefectures: Berberati, Carnot, and Nola (See Figures 1 and 2). During year I, project activities will be focused in Berberati and Carnot. Field agents will be sent to these areas with most technical staff based in Bangui. The Technical Deputy will travel to the Central African Republic periodically to participate in specific activities, and other consultants will also travel, security permitting, to support the teams on the ground.

The project management team notes that USAID has not yet determined conditionalities associated with economic activities, primarily targeted to women. The IEE will require revisions and then the EMMP updating is expected to occur in March/April, 2019 once the project carries out diagnostics to determine the type of income generation activities associated with environmental restoration of damaged diamond mining sites.

The Technical Director Terah DeJong will lead initially the trainings for the technical team on how to address the negative determination with conditionalities as spelled out below. Mr. DeJong implemented successfully the EMMP for the PRADD II project in Côte d'Ivoire and is very familiar with the environmental issues surrounding the artisanal diamond and gold economies. Similarly, he is well aware of environmental issues, like the presence of heavy metals, in soils disrupted by artisanal mining and the issues around land reclamation on these types of soils. This experience will be brought to bear during the preparation of the USAID AMPR's field work. Mr. DeJong also serves the role of Senior Advisor to the project and works closely with all component coordinators. Through this integration into the project, the conditionalities and Mitigation/Monitoring activities are expected to be addressed as summarized below.

3.0 Environmental Mitigation and Monitoring Plan

The USAID AMPR Environmental Mitigation and Monitoring Plan summarizes specific mitigation and monitoring action in response to the conditions and risks identified in the Initial Environmental Examination (IEE) approved on March 21, 2018. The following table summarizes the conditions from the IEE and outlines USAID AMPR’s actions to meet them.

Activities under IR 1.1 Improve legal, policy, and institutional framework for conflict-free diamond production at domestic and regional levels		
<i>Potential environmental and social impacts: Engaging at the legal and policy levels has the potential to help the GoCAR address the negative environmental and social impacts of diamond mining</i>		
IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
The activity should seek to improve the legal, policy and institutional framework to address the environment, health, safety and human rights impacts of conflict-free diamond production	USAID AMPR will ensure as part of field diagnostics and the national workshop on the implementation of the KP OF that teams discuss environment, health, safety and human rights dimensions, and encourage adoption of specific recommendations. In addition, USAID AMPR will include the environment, health, safety and human rights in baseline studies and periodic monitoring, such as the miner KAP survey, and site monitoring by the KP Focal Points with USAID AMPR and World Bank support. Finally, should USAID AMPR contribute to updating the mining code and implementing regulations, the project will formulate recommendations on the environment, health, safety and human rights.	The Technical Deputy will ensure measures adopted in diagnostic ToR, KAP survey, and workshop agenda (February / March). The Technical Deputy will ensure field coordinators include these measures in contributions to regulatory reform.
Activities under IR 1.2 Expand formalization of land and resource rights in artisanal diamond mining communities		
<i>Potential environmental and social impacts: N/A</i>		
IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
None. Categorical exclusion per 22 CFR 216.2(c)2(i)	N/A	N/A

Activities under IR 1.3 Increase awareness of Kimberley Process requirements, inclusive of all points in the supply chain such as government actors, buying houses, collectors, pit owners, and diggers

Potential environmental and social impacts: Awareness raising presents an opportunity for USAID to increase awareness of the environmental, social and human rights impacts associated with the ASM sector.

IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
<p>In addition to increasing awareness of the Kimberley Process requirements, the activity should also increase the understanding of the negative environmental, health and safety related impacts of diamond mining and increase the capacity of stakeholder to minimize the impacts. If security actors receive training, the training must include a human rights component.</p>	<p>USAID AMPR will ensure that environment, health, safety and human rights are included in the Communications Plan and in the grassroots communications tools (videos, placards, community theatre scripts) targeting artisanal miners. For PRADD II material undergoing translation into Sango, such as educational videos, these aspects feature prominently already. USAID AMPR will also encourage the Kimberley Process local monitoring committees (CLS and ALS) to include environment, health, safety and human rights issues in their monitoring reports and activities. Finally, USAID AMPR will include environment, health, safety and human rights themes in the miner KAP survey in order to measure changes over time in knowledge, perceptions and practices.</p>	<p>The Technical Deputy will verify that the Communications Plan, the KAP survey questionnaires, and the specific communications tools developed by USAID AMPR (videos, placards, etc.) include environment, health, safety and human rights aspects. Timing will be approximately February to May.</p>

Activities under IR 1.4 Strengthen capacity of GoCAR to manage and expand KP-compliant zones effectively

Potential environmental and social impacts: There may be an opportunity to address the social and environmental impacts of mining which providing support to the GoCAR.

IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
<p>Since the activity seeks to formalize existing illegal artisanal mines, it is recommended that an approach of continuous improvement in terms of environment, health and safety is followed.</p>	<p>USAID AMPR will train and encourage KP Focal Points to include environment, health and safety in their regular monitoring in both compliant and priority zones. In addition, USAID AMPR will integrate environment, health and safety considerations in its conditional support to miners and mining groups, such as the introduction of hand augers and training in SMARTER bench mining techniques. Government officials like the KP Focal Points will be closely involved in order to strengthen their ownership and capacity during such activities. Finally, the methodology for the pilot ASM mining zones (ZEAs) will include environment, health and safety.</p>	<p>The COP will ensure that the Component 1 & 3 Coordinator and field agents incorporate these measures as part of activity implementation. The Technical Deputy will ensure ZEA methodology includes the measures.</p>

<p>Activities under IR 2.1 Support inclusive community dialogue especially between different religious and ethnic groups to resolve conflict over land and natural resources</p> <p><i>Potential environmental and social impacts: N/A</i></p>		
IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
None. Categorical exclusion per 22 CFR 216.2(c)2(i)	N/A	N/A
<p>Activities under IR 2.2 Promote women’s economic and social empowerment in ASM communities in furtherance of broad-based social and economic inclusion</p> <p><i>Potential environmental and social impacts: Promoting livelihoods and economic opportunities may have significant environmental impacts, depending on the activities selected. For examples, if the activity focuses on small scale agriculture, or would support the small-scale construction, these activities would need to have mitigating measures in place.</i></p>		
IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
Economic activities must be identified before a determination can be made	To be determined following activity identification and IEE revision.	Activity identification is expected by March / April, and process for IEE revision and EMMP updating will follow.
<p>Activities under IR 2.3 Strengthen cooperation between GoCAR ministries and agencies and other stakeholders on social cohesion and Kimberley Process compliance</p> <p><i>Potential environmental and social impacts: N/A</i></p>		
IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
None. Categorical exclusion per 22 CFR 216.2(c)2(i)	N/A	N/A
<p>Activities under IR 3.1 Research and communicate recommendations for policy, legal, and institutional reforms at the national and regional levels to key stakeholders</p> <p><i>Potential environmental and social impacts: Recommendations have the potential to include ways to mitigate the environmental and social impacts of ASM gold mining, with a particular focus on the use of mercury.</i></p>		
IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties

Recommendations to improve the legal, policy and institutional framework, should include minimizing the environment, health, safety and human rights impacts of ASM gold production.	The baseline gold assessment and the interactive site map lead by IPIS will include environment, health, safety and human rights information. During national workshops and training to present results and develop a national gold action plan, specific attention will be brought to the Minamata Convention, OECD Due Diligence Guidelines, EU Conflict Minerals Legislation, the Voluntary Principles, among other relevant norms.	The Senior Gold Advisor and the Technical Deputy will ensure these aspects are integrated into the IPIS/RESOLVE sub-contracts in early 2019.
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Activities under IR 4.1 Assist Relevant USAID Operating Units to assess the link between ASM and development issues

Potential environmental and social impacts: Solutions to developing conflict-free supply chains for metals and minerals could also include efforts to track and/or address the social and environmental impacts associated with ASM mining.

IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
Assessments of ASM must include sections on the environment, health, safety and human rights impacts of mining. Technological solutions and pilots should include, at a minimum, an approach of continuous improvement in terms of environment, health and safety.	USAID AMPR will include environment, health, safety and human rights dimensions in assessments provided for USAID Operating Units. Recommendations and/or additional activities identified for supporting miners will include a strategy for continuous rather than one-off improvement with respect to environment, health and safety. For example, USAID AMPR can highlight progressive frameworks for improving ASM formalization like the CRAFT code developed by RESOLVE and the Alliance for Responsible Mining (ARM).	The Component 4 Coordinator / Technical Deputy will ensure that ToRs for assessments or other support activities include coverage of environment, health, safety and human rights dimensions.

Activities under IR 4.2 Strengthen knowledge sharing and understanding by USAID operational units and partners on the link between ASM and development issues

Potential environmental and social impacts: N/A

IEE Condition	Specific Mitigation/Monitoring Actions	Timing and Responsible Parties
None. Categorical exclusion per 22 CFR 216.2(c)2(i)	N/A	N/A



4.0 ANNEX: Initial Environmental Examination

INITIAL ENVIRONMENTAL EXAMINATION

PROJECT/ACTIVITY DATA

Project/Activity Name:	Artisanal Mining and Property Rights (AMPR)
Geographic Location(s) (Country/Region):	Central African Republic, other
Amendment (Yes/No), if Yes indicate # (1, 2...):	No
Implementation Start/End Dates (FY or M/D/Y):	o/a September 30, 2018
If Amended, specify New End Date:	N/A
Solicitation/Contract/Award Number:	TBD
Implementing Partner(s):	TBD
Bureau Tracking ID:	E3 18-09
Tracking ID of Related RCE/IEE (if any):	
Tracking ID of Other, Related Analyses:	

ORGANIZATIONAL/ADMINISTRATIVE DATA

Implementing Operating Unit(s): (e.g. Mission or Bureau or Office)	E3/LU
Other Affected Operating Unit(s):	USAID/DRC (Central Africa Operating Unit), others TBD
Lead BEO Bureau:	E3
Funding Operating Unit(s): (e.g. Mission or Bureau or Office)	E3/LU, USAID/DRC, European Union
Funding Account(s) (if available):	
Original Funding Amount:	\$12M
If Amended, specify funding amount:	
If Amended, specify new funding total:	
Prepared by:	Kim Thompson
Date Prepared:	3/7/2018

ENVIRONMENTAL COMPLIANCE REVIEW DATA

Analysis Type:	<ul style="list-style-type: none"> Initial Environmental Examination 	
Environmental Determination(s):	<ul style="list-style-type: none"> Categorical Exclusions Negative (NDWC) Deferral 	
IEE Expiration Date (if different from implementation end date):	5 years from start of project	
Additional Analyses/Reporting Required:		
Climate Risks Identified (#):	Low <u> 4 </u> Moderate <u> 1 </u> High <u> </u>	
Climate Risks Addressed (#):	Low <u> 4 </u> Moderate <u> 1 </u> High <u> </u>	

THRESHOLD DETERMINATION AND SUMMARY OF FINDINGS

PROJECT/ACTIVITY SUMMARY

The Artisanal Mining and Property Rights (AMPR) Task Order is a five-year, \$12 million activity in support of USAID’s objective to improve land and resource governance and strengthen property rights. In order to achieve this objective, USAID is committed to incorporating appropriate and applicable evidence, tools, and approaches to address development challenges around Artisanal and Small-scale Mining (ASM) and conflict metals and minerals. This activity will focus primarily on diamonds and secondarily on gold production in the Central African Republic (CAR). The AMPR task order supports responsible supply chains for key metals and minerals, promotes formalization of land and resources rights, encourages social and economic inclusion, and helps resolve local conflicts over resources.

Outside of CAR, the AMPR TO will provide short-term technical assistance to other USAID Operating Units on the linkages between ASM and other key sectors (e.g. land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, responsible investments and women’s empowerment).

ENVIRONMENTAL DETERMINATIONS

The AMPR TO is intended to make positive social and economic impacts in the ASM sector. However, it is important to highlight that ASM has significant negative environmental impacts including:

- Erosion
- Abandoned pits
- Degradation of water resources and depletion of fish
- Land use changes that affect ecological services, including deforestation
- Social, health and sanitation issues and land use changes
- Toxic mining tailing and heavy metals (e.g. use of mercury use for gold)

Due to the environmental impacts associated with ASM, interventions should be coupled with capacity building to ensure that USAID-funded activities are disseminating and reinforcing key messages to improve environmental management.

TABLE 1: ENVIRONMENTAL DETERMINATIONS

Activities	Categorical Exclusion	Negative Determination	Deferral
Objective 1: Assist GoCAR to improve compliance with the Kimberley Process requirements in order to promote licit economic opportunities			
IR 1.1: Improve legal, policy, and institutional framework for conflict-free diamond production at the domestic and regional levels.		NDWC	
IR 1.2: Expand formalization of land and resource rights in artisanal diamond mining communities.	22 CFR 216.2 (c)2(i)		
IR 1.3: Increase awareness of requirements of the Kimberley Process, inclusive of all points in the supply chain, such as government actors, buying houses, collectors, pit owners, and diggers.		NDWC	

IR 1.4: Strengthen the capacity of GoCAR in support of their objective to effectively manage and expand Kimberley Process compliant zones.		NDWC	
Objective 2: Strengthen community resilience, social cohesion, and response to violent conflict in CAR			
IR 2.1: Support inclusive community dialogue, especially between different religious and ethnic groups to resolve conflicts over land and natural resources.	22 CFR 216.2 (c)2(i)		
IR 2.2: Promote women's economic and social empowerment in ASM communities in furtherance of broad-based social and economic inclusion.			Deferral
IR 2.3: Strengthen cooperation between GoCAR ministries and agencies and other stakeholders on social cohesion and Kimberley Process compliance.	22 CFR 216.2 (c)2(i)(iii)(v)		
Objective 3: Increase awareness and understanding of the opportunities and challenges of establishing responsible gold supply chains in CAR.			
IR 3.1: Research and communicate recommendations for policy, legal, and institutional reforms at the national and regional levels to key stakeholders.		NDWC	
Objective 4: Improve USAID ASM programming through increased understanding of the linkages between ASM and other key development issues.			
IR 4.1: Assist relevant USAID OUs to assess the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.		NDWC	
IR 4.2: Strengthen knowledge sharing and understanding of USAID OUs and partners on the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.	22 CFR 216.2 (c)2(i)(iii)(v)		

Any construction or rehabilitation of facilities requires an amendment to this IEE. The environmental determination has been deferred for activities involving women's economic empowerment, due to a lack of information regarding the types of interventions that will be recommended. This deferral must be resolved before activities involving women's economic empowerment can begin. This IEE does not cover procurement, use, recommended use, transport, storage, or disposal of pesticides or other toxic materials, which would require an amended IEE, pursuant to 22 CFR 216.3(b), USAID's Pesticide Procedures.

Upon approval of this document, the determinations become affirmed, per Agency regulations (22CFR216).

CLIMATE RISK MANAGEMENT

CAR contributes less than 0.002 percent of global GHG emissions.¹ Of the country's emissions from 2011, 89.46 percent came from land-use change and forestry activities.² While it is insignificant as a global polluter, CAR provides important carbon storage capacity, especially in the southern forests that form part of the Congo River Basin. According to Global Forest Watch, CAR has 2,843 million metric tons of carbon stocks in living forest biomass.³

Meanwhile, CAR citizens remain highly vulnerable to climate change. Most of the population lives below the poverty line and is exposed to extreme climate hazards, such as heavy rains, floods, or drought that

¹ UNFCCC 2015, *supra* note 6, pp. 4-5.

² UNFCCC 2015, *supra* note 6, p. 6.

³ Global Forest Watch, *supra* note 16.

destroy their limited resources.⁴ Pastoralists, which comprise ten percent of the population, have already altered their migration routes in response to increased desertification and climate change. This, in turn, has contributed to further conflicts between communities.

Overall the AMPR TO faces low climate risks and has a number of opportunities to strengthen climate resilience. Of the proposed interventions, four were identified as having low climate risk, and one was identified as having a medium level of risk.

IMPLEMENTATION

In accordance with 22CFR216 and Agency policy, the conditions and requirements of this document become mandatory upon approval. This includes the relevant limitations, conditions and requirements in this document as stated in Sections 3, 4, and 5 of the IEE and any BEO Specified Conditions of Approval.

⁴ UNFCCC 2015, *supra* note 6, p. 9.

USAID APPROVAL OF INITIAL ENVIRONMENTAL EXAMINATION

PROJECT/ACTIVITY NAME: Artisanal Mining and Property and Rights (AMPR)

Bureau Tracking ID: E3 18-09

Approval: _____
Heath Cosgrove, Director Office of Land and Urban _____ Date _____

Clearance: _____
Kim Thompson, COR _____ Date _____

Concurrence: _____
Teresa Bernhard, Bureau Environmental Officer _____ Date _____

INITIAL ENVIRONMENTAL EXAMINATION

PROJECT/ACTIVITY NAME: Artisanal Mining and Property and Rights (AMPR)

Bureau Tracking ID: E3 18-09

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I.0 PROJECT/ACTIVITY DESCRIPTION

I.1 PURPOSE AND SCOPE OF IEE

The purpose of this document, in accordance with Title 22, Code of Federal Regulations, Part 216 (22CFR216), is to provide a preliminary review of the reasonably foreseeable effects on the environment of the USAID intervention described herein and recommend determinations and, as appropriate, conditions, for these activities. Upon approval, these determinations become affirmed, per 22CFR216 and specified conditions become mandatory obligations of implementation. This IEE also documents the results of the project/activity level Climate Risk Management process in accordance with USAID policy (specifically, ADS 201mal).

This IEE is a critical element of USAID's mandatory environmental review and compliance process meant to achieve environmentally sound activity design and implementation. Potential environmental impacts should be addressed through formal environmental mitigation and monitoring plans (EMMPs) and/or Environmental Assessments (EAs), if needed.

I.2 PROJECT/ACTIVITY OVERVIEW

The AMPR activity will be a Task Order under the Strengthening Tenure and Resource Rights (STARR) II program. The principal purpose of STARR II is to provide services that will assist USAID in improving land and resource governance and strengthening property rights for all members of society, especially women. STARR II is designed to address resource tenure issues in support of key U.S. Government (USG) strategic objectives, including but not limited to, enhanced food security as articulated in the Feed the Future Initiative (FTF); climate change adaptation and mitigation; conflict prevention and mitigation; economic growth; and biodiversity protection and natural resource management. This program will employ a multidisciplinary approach to address complex resource tenure challenges as identified by USAID missions, Bureaus and offices, and by other USG agencies (including but not limited to Department of State, United States Department of Agriculture, and the Millennium Challenge Corporation). The STARR II IDIQ contract will be a broad, multi-faceted field support mechanism. It will provide short and long-term technical assistance that is needed to respond to the needs and opportunities available for improving security of property rights and increasing land access.

I.3 PROJECT/ACTIVITY DESCRIPTION

The Artisanal Mining and Property Rights (AMPR) Task Order is a five-year (a base period of 3 years and two 1 year option periods), \$12 million activity in support of USAID's objective to improve land and resource governance and strengthen property rights. In order to achieve this objective, USAID is committed to incorporating appropriate and applicable evidence, tools, and approaches to address development challenges around Artisanal and Small-scale Mining (ASM) and conflict metals and minerals. This activity will focus primarily on diamonds and secondarily on gold production in the Central African Republic (CAR). The AMPR task order supports responsible supply chains for key metals and minerals, promotes formalization of land and resources rights, encourages social and economic inclusion, and helps resolve local conflicts over resources.

Outside of CAR, the AMPR TO will provide short-term technical assistance to other USAID Operating Units on the linkages between ASM and other key sectors (e.g. land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, responsible investments and women's empowerment).

TABLE 2: ILLUSTRATIVE ACTIVITIES AND SUB-ACTIVITIES

Objective 1: Assist GoCAR to improve compliance with the Kimberley Process requirements in order to promote licit economic opportunities.
IR 1.1: Improve legal, policy, and institutional framework for conflict-free diamond production at the domestic and regional levels.
IR 1.2: Expand formalization of land and resource rights in artisanal diamond mining communities.
IR 1.3: Increase awareness of requirements of the Kimberley Process, inclusive of all points in the supply chain, such as government actors, buying houses, collectors, pit owners, and diggers.
IR 1.4: Strengthen the capacity of GoCAR in support of their objective to effectively manage and expand Kimberley Process compliant zones.
Objective 2: Strengthen community resilience, social cohesion, and response to violent conflict in CAR.
IR 2.1: Support inclusive community dialogue, especially between different religious and ethnic groups to resolve conflicts over land and natural resources.
IR 2.2: Promote women's economic and social empowerment in ASM communities in furtherance of broad-based social and economic inclusion.
IR 2.3: Strengthen cooperation between GoCAR ministries and agencies and other stakeholders on social cohesion and Kimberley Process compliance.
Objective 3: Increase awareness and understanding of the opportunities and challenges of establishing responsible gold supply chains in CAR.
IR 3.1: Research and communicate recommendations for policy, legal, and institutional reforms at the national and regional levels to key stakeholders.
Objective 4: Improve USAID ASM programming through increased understanding of the linkages between ASM and other key development issues.
IR 4.1: Assist relevant USAID OUs to assess the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.
IR 4.2: Strengthen knowledge sharing and understanding of USAID OUs and partners on the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.

2.0 BASELINE ENVIRONMENTAL INFORMATION

2.1 LOCATIONS AFFECTED AND ENVIRONMENTAL CONTEXT (ENVIRONMENT, PHYSICAL, CLIMATE, SOCIAL)

The activity will take place in diamond producing areas in CAR from October 2018. The exact locations within CAR will be determined based on need, physical access, and security concerns. A small research and learning component on ASM mining is global in scope.

CAR is a landlocked nation with a population of approximately five million people. It is one of the poorest nations in the world, despite having significant natural resources, including diamonds, gold, oil, timber, and arable land. The absence of government institutions and rule of law has led to the unsustainable exploitation of natural resources throughout the country. Massive displacement of local populations has placed pressure on land and other natural resources.

Key environmental threats include desertification, water pollution, and the rapid loss of wildlife due to poaching, organized wildlife trafficking, and lack of land use planning. Populations of elephants and other important species have dropped dramatically in recent years. Additionally, desertification of the country's agricultural and forest lands has occurred due to climate change and movements of people.

CAR has been affected by conflict and weak governance since its independence in 1960. The country is ranked among the least developed in the world. It ranked 187 out of 188 countries on the 2015 UNDP Human Development Index. An estimated 67 percent of the population is illiterate.⁵ The average life expectancy is 50.7 years with an infant mortality rate of 96.1 out of every 1,000 live births.⁶

Since the civil conflict began in 2012, militant groups across the country have clashed with one another and attacked civilians. The UN, in cooperation with other donors, has worked to gradually restore security to the country and build a functioning government. After two years under a transitional government, CAR held peaceful elections and is now transitioning towards a more sustainable system of governance. Nevertheless, the government has only limited presence outside the capital city of Bangui. A large percentage of the country remains under the control of armed groups.

An estimated 4.7 million people live in CAR. Most CAR citizens live in conditions of extreme poverty and chronic food insecurity without access to basic services.⁷ The World Bank estimates that less than seven percent of the population has access to electricity, while only 30 percent of the population has access to safe water.⁸ These are pre-conflict statistics, suggesting that the situation has become even worse for many CAR citizens.

⁵ 2015 UNDP Human Development Index.

⁶ 2015 UNDP Human Development Index.

⁷ 2015 UNDP Human Development Index.

⁸ World Bank, *Central African Republic: Country Environmental Analysis* (Nov. 2010), p. iv, <http://siteresources.worldbank.org/INTRANETENVIRONMENT/Resources/CARCEA.pdf> [hereinafter World Bank 2010]; UN Environment Programme, *Mission Report: Risks and opportunities from natural resources and the environment for peacebuilding in the Central African Republic* (Aug. 2009), pp. 8-9, http://www.unep.org/disastersandconflicts/Portals/155/disastersandconflicts/docs/UNEP_car_mission_Report_August_2009_draft_rev_1.pdf [hereinafter UNEP 2009].

Over 60 percent of the population lives in rural areas.⁹ Most parts of the country are sparsely populated with an average density of 7.2 inhabitants per square kilometer.¹⁰ Infrastructure is in poor quality or non-existent in most parts of the country. During rainy season, roads become impassable in many areas. Travel along existing roads is dangerous, as attacks by armed groups and bandits are common.

The conflict has uprooted over one-fifth of the population, resulting in a large population of refugees and IDPs. At the same time, approximately ten percent of the population belongs to migratory pastoralist communities who move across the land with their cattle. Conflicts often emerge over competing interests in land and natural resources.

Most CAR citizens pursue their livelihoods outside of the formal economy. An estimated 90 percent of all agriculture occurs at subsistence levels.¹¹ Meanwhile, corruption is rampant and limits people's ability to pursue their livelihoods. The country ranks 145 out of 167 in Transparency International's 2015 Corruption Perceptions Index. Gender-based violence is endemic, while gender inequality exists throughout the country's formal and informal economies.

Where the formal economy exists, revenue draws mainly from the mining and forestry sectors. Prior to the conflict, diamonds and timber accounted for an estimated 90 percent of exports.¹² CAR also has deposits of iron, copper, zinc, tin, nickel, coltan, and cobalt, but these are largely unexploited.¹³ Diamond mining occurs primarily at an artisanal scale, rather than at an industrial scale. Many of the diamond mines are concentrated in the southwestern part of the country, while a mix of artisanal gold and diamond mining occurs in the eastern part of the country outside the control of the central government.

Legal diamond and timber exports came to a halt during the civil conflict and are beginning to re-emerge. Notably, the Kimberley Process for responsible diamond trade permitted CAR to begin exporting diamonds from certain compliant zones. The first post-conflict exports took place from southeastern CAR (Berberati) in mid-2016.

Revitalizing the artisanal diamond mining sector is a high priority for the CAR government as it seeks to recover from years of civil conflict. Prior to the start of the conflict in 2012, an estimated 25 percent of the population was linked to the diamond economy and its ancillary sectors. Diamonds from CAR's artisanal mining sector accounted for 40 to 50 percent of all export earnings.

One of the major drivers of conflict in CAR has been competition for land use between agricultural and pastoralist communities. Pastoralist migrations have taken place in Central Africa for centuries. In many cases, communities have succeeded in sharing land and natural resources through local-level negotiations and traditional arrangements. As described by the UN Environment Program (UNEP):

“Shared use of resources among agriculture, livestock and other needs such as hunting is common and has usually been governed by a series of tacit or explicit understandings or tribal-level negotiation processes. Where these situations hold, the mutual benefit can be substantial. Settled communities receive an income by selling goods and services to the passing pastoralists. The cattle

⁹ World Bank 2010, *supra* note 4, p. iv.

¹⁰ UN Framework Convention on Climate Change, Central African Republic: Intended Nationally Determined Contribution (Sept. 2015), p. 4, http://www4.unfccc.int/submissions/INDC/Published%20Documents/Central%20African%20Republic/1/CPDN_R%C3%A9publique%20Centrafricaine_EN.pdf [hereinafter UNFCCC 2015].

¹¹ UNEP 2009, *supra* note 4, pp. 8-9.

¹² World Bank 2010, *supra* note 4, p. iv.

¹³ UNEP 2009, *supra* note 4, p. 13.

can feed on post-harvest stubble and fertilize the fields as they pass through. The hooves of the cattle can also break up the soil prior to the rains, allowing better water retention in the soil.”¹⁴

In some cases, however, conflicts have arisen between agriculturalists and pastoralists. These tensions have worsened in recent years, as climate change and desertification force pastoralists into new areas. Additionally, CAR political leaders’ manipulation of religious and ethnic differences between communities has heightened the likelihood of conflict. As described by UNEP:

“Traditional practices assumed a limited number of pastoralists, with herds limited by disease and wild animal predation, passing through infrequently and remaining for a limited time. As the number of herders grows, and as they accumulate more animals and lose fewer to foot-and-mouth disease or predators, traditional understandings break down and tensions grow. These tensions are aggravated where land use and resource access rights are unclear, notably in the eastern and northeastern parts of the country. Reports from north and northeast CAR suggest that increased numbers of livestock are crossing the borders from Chad and Sudan, driven by conflict and prolonged drought in parts of the range. As a result, conflicts over rights of passage, access to water, crop damage and poaching of local game have become more prevalent. Traditional transhumant corridors have simply broken down, as have the wildlife areas and national parks...”¹⁵

Geography and Climate

CAR is located on a large plateau between the arid deserts of the Sahel in the north and the tropical forests of Congo River Basin in the south. It is surrounded by Republic of Congo, Cameroon, Chad, Sudan, South Sudan, and the DRC. Most of the country is covered by savannah woodland with humid tropical forests in the southwest.¹⁶ Forests cover 36.5 percent of the country.¹⁷

Northern CAR has a moist savanna climate, while the southern part of the country has an equatorial forest climate. Rainfall varies from 800 mm in the north to 1600 mm in the south. Average temperatures range from 15 degrees Celsius in the south and 38 degrees Celsius in the north.¹⁸ The dry season generally begins in October and ends in March.¹⁹

The CAR once had the third largest area of rainforest cover in Africa. Today, while tropical forest covers 36 percent of the country, very little of the forest cover can be considered primary forest. Global Forest Watch reports that CAR had 76 percent tree cover in 2000, but only nine percent of that forest was primary. The remaining 91 percent of tree cover came from regenerated forest.²⁰ Most of the country’s forests have been logged for valuable tree species, including sapelli, ayous, and sipo. Where a timber industry still exists, the wood is generally exported to Europe, sometimes through illegal channels. Fuelwood collection has also placed pressure on the nations’ forests. Furthermore, deforestation and poor agricultural practices are resulting in desertification in the northern parts of the country. Desertification, in turn, has led to the migration of pastoralist cattle herders further south, fueling conflict with sedentary, agricultural communities over use of land and water resources.

Ecological Zones and Biodiversity

¹⁴ UNEP 2009, *supra* note 4, p. 32.

¹⁵ UNEP 2009, *supra* note 4, p. 32.

¹⁶ World Bank 2010, *supra* note 4, p. 1.

¹⁷ World Bank 2010, *supra* note 4, p. 1.

¹⁸ UNFCCC 2015, *supra* note 6, p. 4.

¹⁹ Encyclopedia Britannica, “Central African Republic,” Apr. 2016, <https://www.britannica.com/place/Central-African-Republic> [hereinafter Britannica].

²⁰ Global Forest Watch, Country Profile: Central African Republic (last accessed 24 Aug. 2016), <http://www.globalforestwatch.org/country/CAF> [hereinafter Global Forest Watch].

CAR lies primarily in a savanna zone between the arid, treeless land in the north and dense tropical rainforests in the south. These ecosystems host a wide range of plant and animal life.

While there are few environmental studies of CAR, it is likely that biodiversity is under threat throughout the country. High levels of poverty and lack of economic alternatives, combined with the impacts of sustained armed conflict, have increased demand for bushmeat. Large-scale poaching of elephants and other high value species has also proved lucrative for armed and criminal groups, leading to the devastation of animal populations. In northern parts of the country, deforestation and poor agricultural practices are resulting in desertification.

In southern CAR, the Congo rain forest is renowned for its biodiversity, including over 400 mammal species, 1,200 bird species, and 8,000 plant species. Of these, at least 16 species of birds and 23 species of mammals are considered threatened or endangered. Some well-known mammals include forest and savanna elephants, gorillas, chimpanzees, okapi, leopards, hippos, and lions. The forests also provide food, medicine, and shelter for millions of people. The forest savanna mosaic, which includes the northernmost savanna woodlands in Africa, also hosts diverse habitats and high biodiversity.²¹ Conflict and poor governance have had a devastating effect on these habitats and the species that live within them, especially as armed groups and displaced populations disrupt ecosystems and engage in poaching.

The vast majority of CAR citizens face extreme food insecurity, which in turn forces people to exploit local resources and wildlife wherever possible. Researchers have also gathered evidence of organized poaching networks that traffic ivory and wildlife through the country. An estimated 34 species of mammals are threatened with extinction in west and central Africa, of which 17 are primates. The black rhino is no longer present in the country due to poaching. Some local extinction has already occurred, and many non-threatened species are exhibiting diminishing stocks. These losses could lead to further environmental degradation through the disappearance of species important for ecosystem functions such as seed dispersal and pollination.²²

Soils

According to WWF, “Central Africa’s active seismic history exposed many rock types that provided parent material for diverse soil catenas.”²³ Many parts of the region contained soils of low fertility, similar to other humid tropical areas. Over time, human activities have resulted in lower soil quality. WWF summarized the history of soil in Central Africa:

“The transition from the equatorial forest to northern latitude savannas was most probably gradual throughout the early Pleistocene. Two main factors sharpened the transition zone. Initially, about 50,000 years ago, fires became a frequent disturbance. Secondly, for the last 3,000 years humans have burned clearings for farms and livestock, further reducing tree densities and creating wooded grasslands. These historic land use patterns reflect plant-soil interaction. Nutrient-poor oxisols traditionally have been left under forest or [fire-fallow cultivation].”²⁴

In recent years, economic activities and development have likely affected soil quality. However, there is limited data on this subject. In general, activities such as artisanal mining are likely to contribute to erosion due to top soil disturbance, as well as the introduction of toxic chemicals into the soil. In more densely

²¹ WWF, “Central Africa” (last accessed 24 Aug. 2016), <http://www.worldwildlife.org/ecoregions/at0712> [hereinafter WWF].

²² World Bank 2010, *supra* note 4.

²³ WWF, *supra* note 17.

²⁴ WWF, *supra* note 17.

populated areas, such as towns or displacement camps, land degradation and conversion of land is likely to have occurred due to lack of strong environmental management practices.²⁵

Water Resources

As summarized by Britannica: “[CAR] occupies an immense rolling plateau that forms, along a crest that trends southwest to northeast, the major drainage divide between the Lake Chad and Congo River basins. The country is well supplied with waterways. Tributaries of the Chari River occupy the northern third of the country’s territory. The remaining two-thirds of the terrain drains southward into the Ubangi River, which forms [CAR’s] southern border with [the DRC].”²⁶

According to a 2009 study by UNEP, the country receives significant annual rainfall of around 1,000 mm and has a number of river courses. However, ground water levels are diminishing and surface water quality is low.²⁷ Access to clean water remains a challenge for many CAR citizens, especially following the wide displacement during the civil conflict. Sanitation facilities and practices also contribute extensively to poor water quality. Prior to the conflict, only 30 percent of the population had regular access to clean drinking water.²⁸ Health threats continue to affect the population. In mid-2016, a cholera outbreak emerged in the capital city Bangui and in Kemo prefecture.²⁹

2.2 APPLICABLE AND APPROPRIATE PARTNER COUNTRY AND OTHER INTERNATIONAL STANDARDS (E.G. WHO), ENVIRONMENTAL AND SOCIAL LAWS, POLICIES, AND REGULATIONS

As a result of years of conflict and political turmoil, the government’s environmental management capacity remains weak to non-existent. The Environmental Code of the Central African Republic: Law No. 07.018 of 28 December 2007 (<http://faolex.fao.org/docs/pdf/caf105925.pdf>) sets forth the most recent requirements for the Environmental Impact Assessment (EIA) process in CAR. The Ministry of Environment, Economy, and Sustainable Development is responsible for EIA decision-making in CAR, except in the case of mining activities where the Ministry of Mining is responsible. No detailed regulations on the EIA process have been established. Due to the extremely limited capacity of government ministries, very little environmental enforcement exists, if at all.

CAR is a party to the Ramsar Convention (1994) for the protection of important wetlands, CITES (1975) for the conservation of threatened wildlife and plants, the Convention on Biological Diversity (1992), World Heritage Convention (1975), and the African Convention on nature and natural resource conservation (1976), the UN Framework Convention on Climate Change, and the Central African Forestry Commission.

²⁵ University of Gothenberg, “Democratic Republic of Congo – Environmental and Climate Change Policy Brief” (June 2008), pp. 2-3, http://www.vub.ac.be/klimostoolkit/sites/default/files/documents/env_policy_brief_congo.pdf [hereinafter U. of Gothenberg].

²⁶ Britannica, *supra* note 15.

²⁷ UNEP 2009, *supra* note 4, pp. 14-15.

²⁸ UNEP 2009, *supra* note 4, p. 34.

²⁹ Reuters, 18 Aug. 2016, “Aid agencies race to contain cholera outbreak in Central African Republic,” <http://www.reuters.com/article/us-centralafrica-cholera-idUSKCN10T1PN>.

3.0 ANALYSIS OF POTENTIAL ENVIRONMENTAL RISK³⁰

ASM has significant negative environmental impacts including:

- Erosion
- Abandoned pits
- Degradation of water resources and depletion of fish
- Land use changes that affect ecological services, including deforestation
- Social, health and sanitation issues and land use changes
- Toxic mining tailing and heavy metals (e.g. use of mercury use for gold)

In the tables below, areas where USAID can intervene to reduce the negative impacts of ASM mining are identified.

OBJECTIVE 1: ASSIST GOCAR TO IMPROVE COMPLIANCE WITH THE KIMBERLEY PROCESS REQUIREMENTS IN ORDER TO PROMOTE LICIT ECONOMIC OPPORTUNITIES.

TABLE 3A. POTENTIAL IMPACTS – OBJECTIVE 1

Sub-Activities	Potential environmental and social impacts
IR 1.1 Improve legal, policy, and institutional framework for conflict-free diamond production at the domestic and regional levels.	Engaging at the legal and policy levels has the potential to help the GoCAR address the negative environmental and social impacts of diamond mining.
IR 1.2 Expand formalization of land and resource rights in artisanal diamond mining communities.	N/A
IR 1.3 Increase awareness of requirements of the Kimberley Process, inclusive of all points in the supply chain, such as government actors, buying houses, collectors, pit owners, and diggers.	Awareness raising presents an opportunity for USAID to increase awareness of the environmental, social and human rights impacts associated with the ASM sector.
IR 1.4 Strengthen the capacity of GoCAR in support of their objective to effectively manage and expand Kimberley Process compliant zones.	There may be an opportunity to address the social and environmental impacts of mining which providing support to the GoCAR.

OBJECTIVE 2: STRENGTHEN COMMUNITY RESILIENCE, SOCIAL COHESION, AND RESPONSE TO VIOLENT CONFLICT IN CAR.

TABLE 3B. POTENTIAL IMPACTS – OBJECTIVE 2

Sub-Activities	Potential environmental and social impacts
IR 2.1: Support inclusive community dialogue, especially between different religious and ethnic groups to resolve conflicts over land and natural resources.	N/A
IR 2.2: Promote women’s economic and social empowerment in ASM communities in furtherance of broad-based social and economic inclusion.	Promoting livelihoods and economic opportunities may have significant environmental impacts, depending on the activities selected. For examples, if the activity focuses on small scale agriculture, or would support the small scale construction, these activities would need to have mitigating measures in place.
IR 2.3: Strengthen cooperation between GoCAR ministries and agencies and other stakeholders on social cohesion and Kimberley Process compliance.	N/A

³⁰ Includes analysis of environmental and social

OBJECTIVE 3: INCREASE AWARENESS AND UNDERSTANDING OF THE OPPORTUNITIES AND CHALLENGES OF ESTABLISHING RESPONSIBLE GOLD SUPPLY CHAINS IN CAR.

TABLE 3C. POTENTIAL IMPACTS – OBJECTIVE 3

Sub-Activities	Potential environmental and social impacts
IR 3.1: Research and communicate recommendations for policy, legal, and institutional reforms at the national and regional levels to key stakeholders.	Recommendations have the potential to include ways to mitigate the environmental and social impacts of ASM gold mining, with a particular focus on the use of mercury.

OBJECTIVE 4: IMPROVE USAID ASM PROGRAMMING THROUGH INCREASED UNDERSTANDING OF THE LINKAGES BETWEEN ASM AND OTHER KEY DEVELOPMENT ISSUES.

TABLE 3D. POTENTIAL IMPACTS – OBJECTIVE 4

Sub-Activities	Potential environmental and social impacts
IR 4.1: Assist relevant USAID OUs to assess the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women’s empowerment.	Solutions to developing conflict-free supply chains for metals and minerals could also include efforts to track and/or address the social and environmental impacts associated with ASM mining.
IR 4.2: Strengthen knowledge sharing and understanding of USAID OUs and partners on the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women’s empowerment.	N/A

4.0 ENVIRONMENTAL DETERMINATIONS

4.1 RECOMMENDED ENVIRONMENTAL DETERMINATIONS

The following table summarizes the recommended determinations based on the environmental analysis conducted. Upon approval, these determinations become affirmed, per 22CFR216. Specified conditions, detailed in Section 5, become mandatory obligations of implementation, per ADS 204.

TABLE 4: ENVIRONMENTAL DETERMINATIONS

Projects/Activities	Categorical Exclusion	Negative Determination	Deferral
Objective 1: Assist GoCAR to improve compliance with the Kimberley Process requirements in order to promote licit economic opportunities.			
IR 1.1: Improve legal, policy, and institutional framework for conflict-free diamond production at the domestic and regional levels.		A Negative Determination with Conditions <i>recommended pursuant to 22 CFR 216.3(a)(2)(iii)</i> The activity should seek to improve the legal, policy and institutional framework to address the environment, health, safety and human rights impacts of conflict-free diamond production.	
IR 1.2: Expand formalization of land and resource rights in artisanal diamond mining communities.	22 CFR 216.2 (c)2(i)		
IR 1.3: Increase awareness of requirements of the Kimberley Process, inclusive of all points in the supply chain, such as government actors, buying houses, collectors, pit owners, and diggers.		A Negative Determination with Conditions <i>recommended pursuant to 22 CFR 216.3(a)(2)(iii)</i> In addition to increasing awareness of the Kimberley Process requirements, the activity should also increase the understanding the negative environmental, health and safety related impacts of diamond mining and increase the capacity of stakeholder to minimize the impacts. If security actors receive training, the training must include a human rights component.	
IR 1.4: Strengthen the capacity of GoCAR in support of their objective to effectively manage and expand Kimberley Process compliant zones.		A Negative Determination with Conditions <i>recommended pursuant to 22 CFR 216.3(a)(2)(iii)</i> Since this activity seeks to formalize existing illegal artisanal mines, it is recommended that an approach of continuous improvement in terms of environment, health and safety is followed.	
Objective 2: Strengthen community resilience, social cohesion, and response to violent conflict in CAR.			
IR 2.1: Support inclusive community dialogue, especially between different religious and ethnic groups to resolve conflicts over land and natural resources.	22 CFR 216.2 (c)2(i)		
IR 2.2: Promote women's economic and social empowerment in ASM communities in furtherance			Economic activities must be identified before a

of broad-based social and economic inclusion.			determinati on can be made
IR 2.3: Strengthen cooperation between GoCAR ministries and agencies and other stakeholders on social cohesion and Kimberley Process compliance.	22 CFR 216.2 (c)2(i)(iii)(v)		
Objective 3: Increase awareness and understanding of the opportunities and challenges of establishing responsible gold supply chains in CAR.			
IR 3.1: Research and communicate recommendations for policy, legal, and institutional reforms at the national and regional levels to key stakeholders.		A Negative Determination with Conditions <i>recommended pursuant to 22 CFR 216.3(a)(2)(iii)</i> Recommendations to improve the legal, policy and institutional framework, should include minimizing the environment, health, safety and human rights impacts of ASM gold production.	
Objective 4: Improve USAID ASM programming through increased understanding of the linkages between ASM and other key development issues.			
IR 4.1: Assist relevant USAID OUs to assess the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.		A Negative Determination with Conditions <i>recommended pursuant to 22 CFR 216.3(a)(2)(iii)</i> Assessments of ASM must include sections on the environment, health, safety and human rights impacts of mining. Technological solutions and pilots should include, at a minimum, an approach of continuous improvement in terms of environment, health and safety.	
IR 4.2: Strengthen knowledge sharing and understanding of USAID OUs and partners on the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.	22 CFR 216.2 (c)2(i)(iii)(v)		

In addition to the specific conditions listed above, the following two documents are mandatory references for the AMPR TO:

- USAID's Environmental Guidelines for Small-Scale Activities in Africa (EGSSAA) for Small-scale Mining: <http://www.encapafrika.org/EGSSAA/mining.pdf>
- International Finance Corporation Environmental, Health and Safety Guidelines for Mining: <http://www.ifc.org/wps/wcm/connect/1f4dc28048855af4879cd76a6515bb18/Final%2B-%2BMining.pdf?MOD=AJPERES&id=1323153264157>

4.2 CLIMATE RISK MANAGEMENT

TABLE 5. CLIMATE RISK MANAGEMENT SUMMARY TABLE

Tasks/ Illustrative Interventions	Climate Risks	Risk Rating	How Risks are Addressed	Opportunities to Strengthen Climate Resilience
IR 1.1: Improve legal, policy, and institutional framework for conflict-free diamond production at the domestic and regional levels.	Climate change may increase the severity of accidents in diamond mines associated with flooding. Additionally, ASM diamond mining requires a significant amount of water, which may be limited by increased droughts.	LOW	Formalizing the ASM diamond sector should include addressing the social and environmental safeguards for the sector.	A robust legal, policy and institutional framework should include mitigation of the environmental and social impacts of ASM diamond mining. There is an opportunity to emphasize safeguards in sectors that are likely to be impacted by climate change, for example ensuring safeguards account for drought and flood conditions.
IR 1.2: Expand formalization of land and resource rights in artisanal diamond mining communities.	N/A	N/A	N/A	ASM miners with secure tenure are more likely to invest in advanced production techniques, which may include environmental improvements, making the mines more resilient to environmental shocks.
IR 1.3: Increase awareness of requirements of the Kimberley Process, inclusive of all points in the supply chain, such as government actors, buying houses, collectors, pit owners, and diggers.	N/A	N/A	N/A	N/A
IR 1.4: Strengthen the capacity of GoCAR in support of their objective to effectively manage and expand Kimberley Process compliant zones.	N/A	LOW	N/A	N/A
IR 2.1: Support inclusive community dialogue, especially between different religious and ethnic groups to resolve conflicts over land and natural resources.	Climate change will likely increase the number and severity of local conflicts over natural resources.	MEDIUM	Inclusive dialogues to will help resolve grievances over natural resources peacefully.	Climate change will likely increase the number and severity of local conflicts over natural resources. Promoting dialogues across ethnic and religious lines to resolve conflicts over natural resources will significantly reduce the probability that environmental stressors, including climate related stressors, will spark violent conflict.

IR 2.2: Promote women's economic and social empowerment in ASM communities in furtherance of broad-based social and economic inclusion.	Unknown. USAID does not have a climate risk profile for CAR and the specific climate risks faced by women within the ASM diamond sector is unknown.	LOW	The decision on which women should be targeted for assistance could be informed, in part, on an understanding of how climate change may impact their livelihoods.	Women will be impacted by climate change differently. Empowering women economically and potentially diversifying their source of livelihoods will make them more resilient to climate shocks.
IR 2.3: Strengthen cooperation between GoCAR ministries and agencies and other stakeholders on social cohesion and Kimberley Process compliance.	N/A	N/A	N/A	Evidence suggests that promoting social cohesion improves resilience at the community level.
IR 3.1: Research and communicate recommendations for policy, legal, and institutional reforms at the national and regional levels to key stakeholders.	N/A	N/A	N/A	N/A
IR 4.1: Assist relevant USAID OUs to assess the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.	Climate change may impact the resource base including the availability of water for both ASM as well as other uses.	LOW	Integrate climate considerations on key natural resources that are assessed.	N/A
IR 4.2: Strengthen knowledge sharing and understanding of USAID OUs and partners on the link between ASM and such issues as: land and resource governance, social cohesion, combating violent extremism, pastoralism, sustainable economic growth, as well as promoting responsible investments and women's empowerment.	N/A	N/A	N/A	N/A

5.0 CONDITIONS AND MITIGATION MEASURES

5.1 CONDITIONS

The environmental determinations in this IEE are contingent upon full implementation of the following general implementation and monitoring requirements, as well as ADS 204 and other relevant requirements.

5.1.1 During Pre-Award:

- 5.1.1.1 *Pre-Award Briefings:* As feasible, the design team and/or the cognizant environmental officer(s) (e.g., MEO, REA, BEO) will provide a pre-award briefing for potential offerors on environmental compliance expectations/responsibilities at bidders' conferences.
- 5.1.1.2 *Solicitations:* The design team, in coordination with the A/CO, will ensure solicitations include environmental compliance requirements and evaluation criteria. A/CO will ensure technical and cost proposal requirements include approach, staffing, and budget sufficient for complying with the terms of this IEE.
- 5.1.1.3 *Awards:* The A/COR, in coordination with the A/CO, will ensure all awards and sub-awards, include environmental compliance requirements.

5.1.2 During Post-Award:

- 5.1.2.1 *Post-Award Briefings:* The A/COR and/or the cognizant environmental officer(s) (e.g., MEO, REA, BEO) will provide post-award briefings for the IP on environmental compliance responsibilities.
- 5.1.2.3 *Workplans and Budgeting:* The A/COR will ensure the IP integrates environmental compliance requirements in work plans and budgets to comply with requirements, including EMMP implementation and monitoring.
- 5.1.2.4 *Staffing:* The A/COR, in coordination with the IP, will ensure all awards have staffing capacity to implement environmental compliance requirements.
- 5.1.2.5 *Records Management:* The A/COR will maintain environmental compliance documents in the official project/activity file and upload records to the designated USAID environmental compliance database system.
- 5.1.2.6 *Host Country Environmental Compliance:* The A/COR will ensure the IP complies with applicable and appropriate host country environmental requirements unless otherwise directed in writing by USAID. However, in the case of a conflict between the host country and USAID requirements, the more stringent shall govern.
- 5.1.2.7 *Work Plan Review:* The A/COR will ensure the IP verifies, at least annually or when activities are added or modified, that activities remain within the scope of the IEE. Activities outside of the scope of the IEE cannot be implemented until the IEE is amended.
- 5.1.2.8 *IEE Amendment:* If new activities are introduced or other changes to the scope of this IEE occur, an IEE Amendment will be required.
- 5.1.2.14 *USAID Monitoring Oversight:* The A/COR or designee, with the support of the cognizant environmental officer(s) (e.g., MEO, REA, BEO), will ensure monitoring of compliance with established requirements (e.g., by desktop reviews, site visits, etc.).

- 5.1.2.16 Environmental Compliance Mitigation and Monitoring Plan: The A/COR will ensure the IP develops, obtains approval for, and implements Environmental Mitigation and Monitoring Plans (EMMPs) that are responsive to the stipulated environmental compliance requirements.
- 5.1.2.17 Environmental Compliance Reporting: The A/COR will ensure the IP includes environmental compliance in regular project/activity reports, using indicators as appropriate; develops and submits the Environmental Mitigation and Monitoring Reports (EMMRs); and completes and submits a Record of Compliance (RoC) describing their implementation of EMMP requirements in conjunction with the final EMMR or at the close of sub activities (as applicable). And where required by Bureaus or Missions, ensure the IP prepares a closeout plan consistent with contract documentation for A/COR review and approval that outlines responsibilities for end-of-project operation, the transition of other operational responsibilities, and final EMMR with lessons learned.
- 5.1.2.18 Corrective Action: When noncompliance or unforeseen impacts are identified, IPs notify the A/COR, place a hold on activities, take corrective action, and report on the effectiveness of corrective actions. The A/COR initiates the corrective action process and ensures the IP completes and documents their activities. Where required by Bureaus or Missions, ensure Record of Compliance is completed.

5.2 AGENCY CONDITIONS

- 5.2.1 Sub-contract Screening: The A/COR will ensure the IP uses an Environmental Screening Tool to screen any sub-grant applications and to aid in the development of EMMPs.
- 5.2.5 Resolution of Deferrals: If a deferral of the environmental threshold determination was issued, the A/COR will ensure that the appropriate 22CFR216 environmental analysis and documentation is completed and approved by the BEO before the subject activities are implemented.

5.3 MITIGATION MEASURES

The mitigation measures presented in this section constitute the minimum required based on available information at the time of this IEE and the environmental analysis in Section 4. These measures shall provide general direction for completing the project/activity Environmental Mitigation and Monitoring Plan (EMMP) and/or the EA and PERSUAP, if required.

6.0 LIMITATIONS OF THIS INITIAL ENVIRONMENTAL EXAMINATION

The determinations recommended in this document apply only to projects/activities and sub-activities described herein. Other projects/activities that may arise must be documented in either a separate IEE, an IEE amendment if the activities are within the same project/activity, or other type of environmental compliance document and shall be subject to an environmental analysis within the appropriate documents listed above.

Other than projects/activities determined to have a Positive Threshold Determination, it is confirmed that the projects/activities described herein do not involve actions normally having a significant effect on the environment, including those described in 22CFR216.2(d).

In addition, other than projects/activities determined to have a Positive Threshold Determination and/or a pesticide management plan (PERSUAP), it is confirmed that the projects/activities described herein do not involve any actions listed below. Any of the following actions would require additional environmental analyses and environmental determinations:

- Support project preparation, project feasibility studies, or engineering design for activities listed in §216.2(d)(1);
- Affect endangered and threatened species or their critical habitats per §216.5, FAA 118, FAA 119;
- Promote timber harvesting per FAA 117 and 118;
- Lead to new construction, reconstruction, rehabilitation, or renovation work per §216.2(b)(1);
- Support agro-processing or industrial enterprises per §216.1(b)(4);
- Provide support for regulatory permitting per §216.1(b)(2);
- Lead to privatization of industrial facilities or infrastructure with heavily polluted property per §216.1(b)(4);
- Procure or use genetically engineered organisms per §216.1(b)(1); and/or
- Assist the procurement (including payment in kind, donations, guarantees of credit) or use (including handling, transport, fuel for transport, storage, mixing, loading, application, clean-up of spray equipment, and disposal) of pesticides or activities involving procurement, transport, use, storage, or disposal of toxic materials. Pesticides cover all insecticides, fungicides, rodenticides, etc. covered under the Federal Insecticide, Fungicide, and Rodenticide Act per §216.2(e) and §216.3(b).

7.0 REVISIONS

Per 22CFR216.3(a)(9), when ongoing programs are revised to incorporate a change in scope or nature, a determination will be made as to whether such change may have an environmental impact not previously assessed. If so, this IEE will be amended to cover the changes. Per ADS 204, it is the responsibility of the USAID A/COR to keep the MEO/REA and BEO informed of any new information or changes in the activity that might require revision of this environmental analysis and environmental determination.

ATTACHMENTS:

USAID's Environmental Guidelines for Small-Scale Activities in Africa (EGSSAA) for Small-scale Mining:
<http://www.encapafrika.org/EGSSAA/mining.pdf>

International Finance Corporation Environmental, Health and Safety Guidelines for Mining:
<http://www.ifc.org/wps/wcm/connect/1f4dc28048855af4879cd76a6515bb18/Final%2B-%2BMining.pdf?MOD=AJPERES&id=1323153264157>

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