



INITIAL ENVIRONMENT EXAMINATION

Amendment No. 1

PROGRAM/ACTIVITY DATA:

Program/Project/Activity Data

Program/Activity Title: Nepal Earthquake Emergency Assistance Project
Under Operational Plan: Country Development Strategic Plan FY 13-17
Assistance Objective: Transition Objective 4
Program Area: 3.2 Education
Program Element: 3.2.1 Basic Education
Program Sub-Element: 3.2.1.2 Primary Education
Country/Region: Nepal
Funding Begins: FY 15
Funding Ends: FY 21
LOP amount: US \$302,000,000
Estimated activity start date: December 15, 2016
Estimated activity end date: September 20, 2019
Prepared by: Chris Thurlow
Date: December 1, 2016
IEE/CE Amendment: Amendment No. 1
Original Environmental Threshold Decision Number (ETD No.): Asia 16-018, Nepal (Titled "Infrastructure Reconstruction Project")
Original ETD Date: 12/17/2015

ENVIRONMENTAL ACTION RECOMMENDED: (Place X where applicable)

Categorical Exclusion: **Negative Determination (with conditions):**
Positive Determination: **Deferral:** **Exemption:**

PURPOSE OF THE IEE AMENDMENT:

The purpose of this Amendment No. 1 to Asia 16-018 is additional new school construction to be implemented through a Public International Organization (PIO) grant under the Asian Development Bank's (ADB) "Nepal Earthquake Emergency Assistance Project" (EEAP), for which an Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) will be prepared by ADB prior to project implementation. These activities are included in the Expanded Project Authorization Memo for the Infrastructure Reconstruction Project implemented under USAID/Nepal's earthquake recovery plan. The original IEE, Asia 16-018 dated December 17, 2015 for Infrastructure Reconstruction had detailed school construction under an IDIQ contract, which had specific environmental and social mitigation,

monitoring, reporting and oversight measures. However, since USAID/Nepal has added additional school construction under a PIO grant to ADB, it necessitates an amendment to the IEE. These activities qualify for a Negative Determination with Condition.

There will be three levels of project implementation and oversight: a Steering Committee and Executive Committee chaired by the Prime Minister, Central-level Project Implementation Units (CI-PIUs) and ADB. ADB will have general oversight and will conduct field review missions, and complete periodic reviews of CL-PIU submissions for procurement, work plans, civil works and general financial oversight.

ADB will also oversee safeguard frameworks, particularly an environmental assessment and review framework (EARF) and a resettlement framework in accordance with ADB's Safeguards Policy Statement of 2009:

<https://www.adb.org/documents/safeguard-policy-statement>

There will be a separate PMU to coordinate environmental and social safeguards planning and implementation with assistance from project management consultants (PMCs). The PMC will include an environmental specialist and resettlement specialist engaged during implementation. The PMU will be responsible for ensuring that the EARF and resettlement framework are following during project sub-implementation.

All activities will follow ADB's assessment and safeguards guidelines:

1. <https://www.adb.org/documents/adb-environmental-assessment-guidelines>

2. <https://www.adb.org/sites/default/files/institutional-document/32635/files/environmental-assessment-guidelines.pdf>

3. <https://www.adb.org/site/safeguards/environment>

BRIEF DESCRIPTION OF PROPOSED NEW ACTIVITIES:

This IEE amendment action will expand the scope of the IEE that covers USAID Nepal's reconstruction activities to add the PIO grant activities with the ADB as covered by the amended Expanded Project Authorization Memo. These activities will be new construction of schools in earthquake affected districts in Nepal. The activities can be defined as investments at the community level and will be implemented through sub-contractors for purchase of construction materials and technical services required to implement such activities.

On May 20, 2015, a joint post-disaster needs assessment (PDNA) was initiated by the Government of Nepal. It assessed damages and losses caused by the earthquakes of \$6.7 billion, equivalent to 35% of Nepal's gross domestic product. In response, the ADB

approved \$200 million to finance reconstruction activities. USAID will provide \$10 million under this facility to support the construction of schools.

The following are the outcomes proposed under the PIO grant:

1. Rebuild or retrofit at least 15 schools to disaster-resistant standards
2. Supply 15 schools with water and sanitation facilities, including sex-disaggregated toilets.

POTENTIAL IMPACT:

The construction will take place largely where previous schools existed. There is no large-scale construction or development on undeveloped land or any unstable ground that is prone to landslide and soil erosion, or fragile habitats/wetlands. Sites will be confirmed based on geology and slope analysis in consultation with the Department of Education (DOE) and School Management Committees (SMCs), the local bodies that have jurisdiction over school operations and maintenance. These activities are not expected to have significant adverse effects on the environment, particularly with appropriate monitoring and mitigation measures. If appropriate monitoring and mitigation measures are not adopted, the following potential adverse environmental effects are anticipated:

1. Landslide, run-off, erosion control and unmanaged disposal plan may lead to improper disposal of excavated material, which can ultimately cause ecological damage (water, land, air).
2. Construction sites and construction activities present hazards to the safety of both construction workers and others in the area.
3. Improper site assessment and selection, poor latrine or tap design and lack of operations and maintenance may increase transmission of vector borne disease and contaminate water bodies.
4. Improper infrastructure design or construction could be dangerous for users through structural collapse.

**RECOMMENDED DETERMINATIONS AND MITIGATION ACTIONS
(INCLUDING MONITORING AND EVALUATION):**

Recommended Determinations

Pursuant to 22 CFR 216, the following threshold determination is recommended for the additional activities.

New Activities	Recommended Determination
Construct 15 schools	Negative Determination with Conditions (NDC)

Construct/renovate school latrines with water accessibility	
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MITIGATION MEASURES AND MONITORING:

All schools constructed under EEAP, including those built with USAID funds, will conform to ADB’s Safeguards Policy Statement, 2009 (SPS) with respect to social and environmental considerations. Schools with significant (Category A) environmental and resettlement impact, or with impacts on indigenous peoples (Category A and B), will be excluded. Activities described in ADB’s Prohibited Investment Activities List will also be excluded. If at any time the activities are found to be out of compliance, ADB will immediately notify USAID. Quarterly Progress Reports provided to USAID by ADB will include the status of environmental compliance for school construction activities, including any corrective and preventive actions that have been taken.

The establishment of schools and latrines with water accessibility as per the approved design by the Government of Nepal will comply with environmental regulations established by the Ministry of Education for education facilities. Additionally, the agreements for school construction will also adhere to ADB’s guidelines on Environmental Impact Assessments:

1. <https://www.adb.org/documents/adb-environmental-assessment-guidelines>
2. <https://www.adb.org/sites/default/files/institutional-document/32635/files/environmental-assessment-guidelines.pdf>
3. <https://www.adb.org/site/safeguards/environment>

ADB will follow the designs approved by the Department of Education under the Ministry of Education. In particular, site selection, construction activities and waste disposal will be carefully monitored by ADB and the USAID AOR for this project.

LIMITATIONS OF THE IEE:

This IEE does not cover all activities and therefore should changes in scope implicate any of the issues/activities listed below, a BEO-approved amendment shall be required:

- Normally have a significant effect on the environment under §216.2(d)(1) [See http://www.usaid.gov/our_work/environment/compliance/regulations.html]
- Support project preparation, project feasibility studies, engineering design for activities listed in §216.2(d)(1);
- Result in wetland or biodiversity degradation or loss;
- Support extractive industries (e.g. mining and quarrying);
- Promote timber harvesting;
- Provide support for regulatory permitting;
- Result in privatization of industrial or infrastructure facilities;

- 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 and /or pesticides (cover all insecticides, fungicides, rodenticides, etc. covered under the Federal Insecticide, Fungicide, and Rodenticide Act); and
- Procure or use genetically modified organisms.
- DCA & GDA;
- GMO;
- non-native, potentially invasive species;
- arsenic, asbestos, mercury and PCBs

IEE RECOMMENDATION:

Under 22 CFR 216.3(a)(2)(iii), a negative determination with conditions is recommended for school construction under the ADB PIO grant for Nepal Earthquake Emergency Assistance Project. Specific terms and conditions are presented in the preceding Mitigation Measures and Monitoring section.

REVISIONS:

Under §216.3(a)(9), if new information becomes available that indicates that activities covered by the IEE might be considered major and their effect significant, or if additional activities are proposed that might be considered major and their adverse effect significant, this environmental threshold decision will be reviewed and, if necessary, revised by the Mission with concurrence by the BEO. It is the responsibility of the USAID AOR to keep the MEO informed of any new information or changes in the activity that might require revision of this IEE.

APPROVAL OF ENVIRONMENTAL ACTION RECOMMENDED:

APPROVED

DISAPPROVED



Amy Tohill-Stull
Acting Mission Director

Amy Tohill-Stull
Acting Mission Director

12/2/2016
Date

CONCURRENCE:
APPROVED



William Gibson
Bureau Environmental Officer

12/7/2016

Date

DISAPPROVED

William Gibson
Bureau Environmental Officer