**USAID Environmental Documentation Process for Negative Determination With Conditions (ND w/C)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 1. **USAID**
 | 1. **USAID**
 | 1. **USAID**
 | 1. **Partners \***
 | 1. **USAID**
 | 1. **USAID-**
 | 1. **USAID and Partners**
 |
| Activity Design:* Describe the concept of the proposed activities.
 | IEE**:*** Prepare an Initial Environmental Examination (IEE) for the proposed activities.
* The IEE determines the impact level and type of environmental documentation required.
* For example, an Environmental Mitigation and Monitoring Plan (EMMP) is required when a Negative Determination with conditions (ND w/C) is defined. A Pesticide Evaluation Report and Safer Use Action Plan (PERSUAP) is required when a program will purchase/procure any chemical agricultural input. An Environmental Assessment (EA) is mandatory for a Positive Determination. Additional environmental review is not required for activities classified as Categorical Exclusions.
 | Solicitation:* The IEE must be included with the solicitation.
* An EMMP is required for activities classified as Negative Determination with Conditions, and for a PERSUAP.
* For assistance in developing the EMMP, Refer to the USAID Sector Guidelines.

See: <http://www.usaidgems.org/sectorGuidelines.htm> * Referencing other environmental guidelines could be required depending on the nature of the proposed activity.
* The application includes the responsibilities to comply with the IEE requirements on environmental documentation. Use Annex to ADS 204 (Language for Use in Solicitations and Awards) as guidance.
 | Preparing Proposals: * Potential partners prepare proposal and budget based on the IEE information.
* Prepare a draft EMMP that includes all proposed actions, environmental mitigation activities and budget required for their implementation. EMMP budget is considered part of the total project budget.
* The EMMP doesn’t have to be approved at this stage, just reviewed by the MEO and the proposal selection team.
 | Proposal Review:* The USAID technical team reviews the proposals, taking into account pre-established environmental criteria and the EMMP.
 | Contracts and Agreements: * The contract or agreement describes the responsibilities for full environmental compliance, including following all IEE conditions and developing relevant environmental compliance documentation. Reference ADS 204 Annex (Language for Use in Solicitations and Awards) as guidance.
* Contracts and Agreements should include an environmental section mentioning:
* Determination level (ND w/C).
* Type of documentation required (EMMP, Environmental Assessment (EA), and/or PERSUAP),
* Required environmental reports.
 | Post-award meeting:* The Contract Officer, AOR-COR, the partner and the Mission Environmental Officer (MEO) participate in the meeting and review the requirements of the contract when there is a ND w/C.
* The MEO guides the Partner on the preparation of all relevant environmental compliance documentation (specified in the program IEE).
 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 1. **Partners**
 | 1. **USAID**
 | 1. **Partners \***
 | 1. **Partners and USAID**
 | 1. **Partners \***
 | 1. **USAID**
 | 1. **Partners**
 |
| Preparation of the EMMP:* As part of the annual work plan, the partner updates the original EMMP draft (Step 4) for the first year.
* This EMMP is the official environmental document that complies with the requirements of the IEE’s ND w/C, and must be approved by USAID prior to the implementation of activities.
 | Approval of the EMMP:* The EMMP is reviewed and approved. The AOR/COR, the MEO and occasionally the REA provide technical review, comment and approval.
* The AOR/COR keeps a copy of the EMMP in the activity files.
 | Implementation:* The mitigation activities recommended in the EMMP are implemented.
* The EMMP must be adapted and modified when new activities are included.
 | Monitoring: * The mitigation activities are monitored with indicators, according to Table 3 of the EMMP.
* Monitoring activities are also documented in Table 3 (which informs the annual Environmental Status Report)
* Mitigation activities that were not implemented and/or failed are corrected.
* Environmental factors are included in formal evaluations of the activities.
* Lessons learned are applied in current and future activities.
 | Annual Report: * The annual Environmental Status Reports are prepared using the monitoring information from Table 3 of the EMMP.
* The annual report includes a summary of the mitigation actions that didn’t work and an explanation of the changes made.
* Table 3 is included in the report as an Annex.
 | Annual Report: * The AOR/COR and MEO review and approve the report.
* The MEO sends a copy of the approved report to the REA.
 | Subsequent EMMPs:* An EMMP is prepared for the activity’s second year incorporating actions that were identified in the second year’s work plan
* USAID approves the Year 2 EMMP.
* The EMMP preparation and report are updated every year.
 |

**USAID Environmental Documentation Process for Negative Determination With Conditions (ND w/C)**