# DEFERRAL OF ENVIRONMENTAL REVIEW TEMPLATE INSTRUCTIONS

**(This page and the next page are template instructions; please delete these pages as you finalize this document.)**

**Background:**

This standardized template is part of a broader initiative to harmonize application of 22 CFR 216 across USAID. It also serves as an important step towards moving to an online Environmental Compliance System (ECS) which is planned to be integrated with the Agency’s Development Information System (DIS). Once online, much of this template will prepopulate based on user inputs.

This template can be used for a variety of situations described below. Usually, if all planned projects/activities are to be deferred, this template should be used. If only some of the planned projects/activities are to be deferred, the Initial Environmental Examination (IEE) template may be used.

**This template is used for:**

1. Environmental Review After the PAD/Activity Approval Memo - When projects/activities or specific aspects of such cannot be identified in sufficient detail to permit the completion of an IEE or EA at the time of preparing the Project Appraisal Document/Activity Approval Memo or similar approval document (22 CFR 216.3(a)(1)).
2. Environmental Review After Authorization of Financing - When projects/activities or specific aspects of projects/activities that are unidentified at the time of authorization, such as in the case of obligating funds through a Development Objective Agreement (DOA), Indefinite Delivery/Indefinite Quantity (IDIQ) contracts, or Leader with Associate Awards, or when a required Environmental Assessment cannot be completed in time (22 CFR 216.3(a)(7)).

**How to use this template:**

1. The first page is standard metadata utilized in the ECD and planned DIS system, please do not alter the fields. Enter as much of the information as is known at the time of drafting.
2. All **headings and existing text** are standard. Please refrain from editing.
3. **Be sure no PII information is contained within the document** prior to submitting for BEO approval. The PII policy for the Environmental Compliance Database is attached at this internal USAID link: <https://sites.google.com/a/usaid.gov/beos-site/home/general-information-processes>
4. The italicized text in brackets in the sections are instructions and should be deleted.
5. **Delete this page as you finalize this document**.

Reminder: Mission Environmental Officers, Regional Environmental Officers, and Bureau Environmental Officers are resources for USAID staff developing projects and compliance documents. Please engage them early and often. Additional guidance and help is also available at <https://www.usaid.gov/environmental-procedures>

USAID’s [Environmental Compliance Database](https://ecd.usaid.gov/) of approved 22 CFR 216 documentation provides examples of approved Deferrals and other environmental compliance documents, which may assist with language for similar projects.

Revision Date: April 2020

Version: 3.0

Responsible Office: E3/AA

File Name: Template\_Deferral

DEFERRAL OF environmental review

## Project/Activity Data

|  |  |
| --- | --- |
| **Project/Activity Name:** |  |
| **Geographic Location(s) (Country/Region):** |  |
| **Implementation Start/End Date** (FY or M/D/Y): |  |
| **Amendment (Yes/No); if Yes indicate # (i.e. 1, 2…)** |  |
| **If Amendment, specify New End Date:** |  |
| **Solicitation/Contract/Award Number(s):** |  |
| **Implementing Partner(s):** |  |
| **Bureau Tracking ID:** |  |
| **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) |  |
| **Other Affected Operating Unit(s):** |  |
| **Lead BEO Bureau:** |  |
| **Funding Account(s) (if available):** |  |
| **Original Funding Amount:** |  |
| **Prepared by:** |  |
| **Date Prepared:** |  |

## Environmental Compliance Review Data

|  |  |
| --- | --- |
| **Analysis Type:** | Deferral |
| **Environmental Determination(s):** | Deferred per 22 CFR 216.3(a)(1) or (7) |
| **Expiration Date of Deferral:** |  |
| **Additional Analyses/Reporting Required:** | Yes |
| **Climate Risks Identified (#):** | TBD |
| **Climate Risks Addressed (#):** | TBD |

# DEFERRAL OF environmental review DESCRIPTION

### PURPOSE AND SCOPE OF THE DEFERRAL OF ENVIRONMENTAL REVIEW

USAID environmental procedures require environmental review of potential impacts of USAID programs, projects, and activities. The environmental review can be deferred under two situations:

1. When USAID does not have sufficient information for meaningful environmental analysis, and therefore a Threshold Decision cannot be reached at the time the Project Appraisal Document/Activity Approval Memo or similar approval document is prepared; and,
2. When USAID is not able to identify projects/activities or aspects of projects/activities prior to the authorization of financing.

This document, in accordance with §216.3(a)(1) or §216.3(a)(7), provides the required information necessary to issue a deferral of the required environmental review, including why the environmental review cannot be completed and the timing for completion of the review. Further it stipulates the requirements that must be implemented. Once this deferral is approved, the conditions and requirements of this document become mandatory.

### PROGRAM/PROJECT/ACTIVITY OVERVIEW

*[Instructions (delete when done): Provide a 1 to 2 paragraph summary of the program/project/activity to be deferred to the extent known.]*

### DESCRIPTION OF THE DEFERRAL OF ENVIRONMENTAL REVIEW

*[Instructions (delete when done): Provide the circumstances surrounding this deferral. Clearly describe in greater detail than above the program, project, or activity, or specific aspects of such, to be deferred. Describe the relevant stage in the project cycle, for example, whether this deferral of environmental review is at the point of preparing the Project Appraisal Document or at the point of approving the funding action. The two stages are summarized below:*

1. ***PAD Approval or Activity Approval Memo******Stage*** *- When projects/activities or specific aspects of such cannot be identified in sufficient detail to permit the completion of an IEE or EA at the time of preparing the Project Appraisal Document/Activity Approval Memo or similar approval document (22 CFR 216.3(a)(1)).*
2. ***Authorization of Financing******Stage*** *- When projects/activities or specific aspects of projects/activities that are unidentified at the time of authorization, such as in the case of obligating funds through a Development Objective Agreement (DOA), Indefinite Delivery/Indefinite Quantity (IDIQ) contracts, or Leader with Associate Awards, or when a required Environmental Assessment cannot be completed in time (22 CFR 216.3(a)(7)).]*

### JUSTIFICATION FOR WHY THE ENVIRONMENTAL REVIEW CAN NOT BE COMPLETED

*[Instructions (delete when done): Provide an explanation, per §216.3(a)(1) or 216.3(a)(7), why an environmental review cannot be completed.]*

### TIMING AND APPROACH FOR COMPLETION OF THE ENVIRONMENTAL REVIEW

*[Instructions (delete when done): Per §216.3(a)(1), indicate when the required environmental review (i.e. IEE or EA) will be completed. Examples:*

* *For an IDIQ that requires completion of an IEE prior to issuance of each Task Order, indicate when the IEE will be completed.*
* *For a Positive Determination that requires completion of the Scoping Statement (SS) and Environmental Assessment (EA) prior to authorizing funding for implementation of the project/activity, indicate when the SS or EA will be completed.]*

### IRREVERSIBLE COMMITMENT OF FUNDS

*[Instructions (delete when done): For an environmental review deferred until after the authorization of financing, state how an irreversible commitment of funds will be avoided until the environmental review is completed. The responsible Operating Unit must consult with the Office of General Counsel for the purpose of establishing the manner in which conditions precedent to disbursement or covenant in project and other agreements will avoid an irreversible commitment of resources before the environmental review is completed. (22 CFR 216.3(a)(7)(iv))]*

### CLIMATE RISK MANAGEMENT

At this time there is insufficient information to adequately undertake the Climate Risk Management (CRM) screening. The CRM will be completed and incorporated into the IEE, EA, or other relevant document.

### TERMS AND CONDITIONS OF THIS DEFERRAL

1. The responsible Operating Unit will ensure the required environmental review (IEE or EA) is completed in the timeframe designated herein.
2. If the required environmental review cannot be completed in the designated timeframe, an amendment will be prepared and approved with justification and with a revised timeframe.
3. The responsible Operating Unit will ensure that appropriate language to carry out the requirements of this deferral is incorporated into relevant award documents, including requirements relating to development of the IEE or EA. Relevant award language shall ensure that implementation plans will be modified in accordance with the environmental review.
4. The responsible Operating Unit will (i) ensure an irreversible commitment of resources will be avoided until the environmental review is completed, and (ii) ensure appropriate environmental reviews are completed for incremental funding actions as subprojects/subactivities or aspects of projects/activities are identified.
5. The CRM will be completed and incorporated into the IEE or EA.
6. The responsible Operating Unit will clear this deferral with the cognizant BEO as part of the IEE or EA as required by this document. Deferrals may be cleared for aspects of projects/activities, such as clearing one task order under an IDIQ, while the deferral remains in place for further task orders.

### BEO SPECIFIED CONDITIONS OF APPROVAL

*[Instructions (delete when done): The BEO may indicate any additional conditions.]*

### IMPLEMENTATION

In accordance with 22 CFR 216 and Agency policy, the conditions and requirements of this document become mandatory upon approval.

# [USAID APPROVAL OF DEFERRAL OF ENVIRONMENTAL REVIEW](#bookmark=id.30j0zll)

**PROJECT/ACTIVITY NAME: ­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

[**Bureau Tracking ID**](#_heading=h.2et92p0)**:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| --- | --- | --- | --- |
| **Approval:** |  |  |  |
|  | [NAME], Mission Director or Washington, DC Equivalent **[*required*]** |  | Date |
|  |  |  |  |
| Clearance: |  |  |  |
|  | [NAME], Activity Manager *[as appropriate]* |  |  |
|  |  |  |  |
| Clearance: |  |  |  |
|  | [NAME], Mission Environmental Officer/Climate Integration Lead *[as appropriate]* |  | Date |
|  |  |  |  |
| Clearance: |  |  |  |
|  | [NAME], Regional Environmental Advisor [as appropriate] |  | Date |
|  |  |  |  |
| Clearance: |  |  |  |
|  | [NAME], Resident Legal Officer *[****required for 216.3(a)(7) deferrals,*** *or otherwise, as appropriate]* |  | Date |
|  |  |  |  |
| Clearance: |  |  |  |
|  | [NAME], other *[as appropriate]* |  | Date |
|  |  |  |  |
| Concurrence: |  |  |  |
|  | [NAME], Bureau Environmental Officer***[required]***  *[add other BEO signatures as required for cross Bureau funding or geographic responsibilities]* |  | Date |

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