

**WORK AND FINANCIAL PLAN**  
**COOPERATIVE AGREEMENT (CA) BETWEEN**  
**APHIS AND -----**  
**(July 14, 2011)**

This Work Plan describes the purposes and objectives of a cooperative relationship between -----  
--- (the Cooperator) and the United States Department of Agriculture (USDA), Animal and Plant Health  
Inspection Service (APHIS), under Cooperative Agreement (# **To Be Assigned by Agreements Staff**). It  
outlines the mission-related goals, objectives, and anticipated accomplishments as well as the  
approach for the funding of an ----- and the related roles and  
responsibilities of the parties as agreed to in the cooperative agreement.

*1. What relevant need or problem within APHIS' mission area as authorized by a law of the  
United States requires a solution? How does the need or problem align with the mission area  
and strategic goals of APHIS?*

The United States Department of Agriculture (USDA), Animal Plant Inspection Service  
(APHIS), Biotechnology Regulatory Services (BRS) is responsible for regulating the  
introduction (importation, interstate movement, and environmental release) of genetically  
engineered (GE) organisms. The regulations in 7 CFR part 340, "Introduction of Organisms  
and Products Altered or Produced through Genetic Engineering which are Plant Pests or  
which there is Reason to Believe are Plant Pests," provide that any person may submit a  
petition to APHIS seeking a determination that a regulated GE organism does not pose a  
plant pest risk and should therefore not be regulated. These regulations describe the  
information that must be included in the petition. APHIS must respond to petitioners who  
request a determination of the regulated status of genetically engineered organisms, including  
genetically engineered crop plants.

If a petition for nonregulated status is submitted, APHIS must determine whether the  
genetically engineered organism is unlikely to pose a plant pest risk. A GE organism is no  
longer subject to the regulatory requirements of 7 CFR part 340 when APHIS determines that

it is unlikely to pose a plant pest risk.

As a Federal agency subject to compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.), APHIS, at this time, is going to prepare ----- to consider the potential environmental effects of granting nonregulated status and the reasonable alternatives to that action consistent with NEPA implementing regulations (40 CFR §§ 1500-1508, 7 CFR part 1(b), and 7 CFR part 372) and the USDA and APHIS NEPA implementing regulations and procedures. The ----- is prepared in order to specifically evaluate the effects on the quality of the human environment that may result from the deregulation of a regulated GE organism and to determine if any of the potential impacts may be significant. APHIS' process typically includes preparing a draft document, accepting public comments on the draft document, and preparing a final document and subsequent NEPA Decision document. The document, conducted pursuant to the National Environmental Policy Act (NEPA), will be complex, will require certain disciplinary expertise, and will require significant resources to complete. APHIS intends to hire an environmental consulting firm to assist it in preparing the document as well as to seek funding and scientific and technical data from the Cooperators for such preparation.

APHIS will select an environmental consulting firm that has significant experience in preparing complex NEPA documents, and successfully meets the request for this proposal. Funding for the preparation of the document will be provided by the Cooperator. There will be no direct interaction between the Cooperator and the consulting firm regarding matters covered in this Cooperative Agreement, namely, the preparation of the document, except as coordinated and supervised by APHIS for the purpose of providing tangible scientific and technical information to complete the document.

Completion of this project is in line with the USDA Strategic Plan, Objective 3.2; "Enhance America's ability to develop and trade agricultural products derived from new technologies."

Moreover, pursuant to both 7 USC 7752(a) and 7 USC § 2279g, APHIS is authorized to use cooperative agreements to reflect a relationship with a state or other cooperator to carry out programs to protect the nation's animal and plant resources; which is the core of APHIS' mission area.

*II. What results or benefits will be derived from the cooperative effort?*

APHIS will use funds provided by the Cooperator to select an experienced environmental consulting firm who will assist APHIS in preparing the document. APHIS will use the document in reference to its decision making on the Cooperator's petition requesting a deregulation of non-regulated status under 7 CFR part 340 for -----.

*III. What is the plan of action or approach to the work?*

APHIS will

- Contract with an experienced environmental consultant who will prepare the document which will examine the potential environmental and interrelated economic impacts of ----- subject to APHIS' guidance, direction, review and approval, consistent with the requirements of federal law.
- Maintain direct control over the contracting relationship and the resulting document. APHIS is not obligated to share documents with the Cooperator unless the documents are eligible to be shared under the Freedom of Information Act or as part of the public comment process required in APHIS' NEPA implementing regulations. APHIS will share information with the Cooperator in a timely manner that is consistent with sharing information with the public.
- Provide updates to the Cooperator as the following milestones are completed:
  - An outline is completed by the contractor
  - A schedule and timeframe for completing the draft document has been received
  - A detailed description of alternatives to be analyzed in the draft document
  - The delivery, for APHIS review and approval, of each section of the draft document as they are developed
  - A complete draft document for APHIS review and approval

- A final version of draft document that addresses all APHIS' issues, concerns, and comments and is ready for publication and public comment.
- Ensure that the time elapsed from awarding the contract for the preparation of the document to submitting a final document to APHIS which APHIS considers appropriate and complete shall be no more than *(time period)* from the date the contract is awarded.
- Provide all necessary FTE staff time for an Authorized Departmental Officers Designated Representative (ADODR) and other APHIS personnel for managing funds and other oversight as needed.

The Cooperator will

- Provide funds to APHIS to cover the full and complete preparation of the document in advance of the contract award from APHIS to the consulting firm. The estimated cost of the preparation of the document is \$\$\$, which shall be provided in its entirety as agreed to with APHIS.
- Provide technical data, if additional data is needed, in a timely manner to facilitate the preparation of the document both to APHIS and/or to the contractor as APHIS so directs.
- As requested by APHIS, provide input on technical questions raised during preparation of the document both to APHIS and/or to the contractor as APHIS so directs.
- At no time have contact with the environmental consulting firm selected by APHIS to prepare the document, except as arranged and facilitated by the ADODR for the purpose of providing scientific and technical information needed to complete the document.

**Financial Plan**  
**Cooperative Agreement**  
**APHIS and Cooperators**

Total costs: -----  
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This is an estimate; cost of contract for the full and complete preparation of -----may increase or decrease due to, among other things, unforeseen or unanticipated changes to the scope of the document as a result of comments received.

SAMPLE