ENVIRONMENTAL COMPLIANCE FACESHEET & REQUEST FOR CATEGORICAL EXCLUSION (Amendment 3)

Program Objective: Governing Justly and Democratically/Good Governance
Program Element: Legislative Function and Processes
Title of Activity: Parliamentary Development Program

Country/Region: Ukraine/E&E
Funding Period: 9/01/2008 – 9/30/2013
Resource Levels/Amount(s): $ 6,000,000
Life of Project Funding: $10,000,000

Statement Prepared by: Yana Zhambekova, Activity Manager, ODG
May 22, 2008

IEE Amendment?    Yes ☒ No ☐ DCN of Original IEE: 2002-UKR-019
DCN of AMD 1: 2003-UKR-002
DCN of AMD 2: 2005-UKR-015

Environmental Media and/or Human Health Potentially Impacted (check all that apply):
Air ☐ Water ☐ Land ☐ Biodiversity ☐ Human health ☐ Other ☐ None ☒

Environmental Action(s) Recommended (check all that apply):
☒ 1. Categorical Exclusion(s)
☒ 2. Initial Environmental Examination:
☒ Conditional Negative Determination: procurement, storage, transportation, and use of any equipment shall be done in an environmentally sound manner. USAID Contracting Officer will specify this wording in USAID grant agreements. The implementer will provide USAID with evidence that the recipient organization followed all applicable environmental laws.

1. Summary of Findings:

The purpose of this Amendment is to cover the proposed cost extension of the original project through 9/30/2013. Activities presented in the original IEE are similar in type, nature and scope to ones covered under this amendment and all conditions of the original IEE stay in effect for this amendment.

The purpose of the extension of this project is to continue existing activities, and also expand assistance to the executive branch, which is a new direction of the program. The project’s extension will allow for continued strengthening of policy development and legislative decision-making of the executive and legislative branches of government, and also increase civil society access to the legislative process.

Specifically, during the extension, program priorities will be re-structured so that there is: (1) an increase in focus on legislative policy-making, to include expanding targeted assistance to the policy-making institutions of the executive branch; (2) an increase in support for access of civil society organizations to policy-making processes; (3) a decrease in direct training of the Members of Parliament (MPs) and staff by PDP in areas such as new MP orientation, rules and procedures, and internal management systems, in favor of institutionalizing training programs within the structures of the Parliament; (4) a decrease in direct program support for the parliamentary internship program, as the internship program becomes institutionalized within the Parliament; and (5) an expansion of the internship program to the policy-making institutions of the executive branch. To achieve these objectives, USAID will support development of legislation, building capacity of the Parliament and civil society monitoring of Parliamentary activities.
USAID technical assistance will be provided in the form of consultations, training and grants. USAID funds will be used to finance salaries of technical and administrative staff, travel expenses, and costs of production and dissemination of training materials. A limited amount of funds may be used to provide grants, which may include office equipment purchases.

**Recommended Action: Categorical Exclusion**

The proposed actions are entirely within the categories listed in paragraph (c) (2), “Categorical Exclusions”, of Section 216.2, “Applicability of procedures”, of title 22 CFR Part 216, “AID Environmental Procedures”. Pursuant to 22 CFR 216.2(c)(3), “procedures” the originator of the proposed actions has determined that the proposed action is fully within the following classes of actions:

- The action does not have an effect on the natural or physical environment (such as construction of facilities, etc.) [22CFR216.2(c)(1)(i)];
- Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction) [22CFR216.2(c)(2)(i)];
- Analysis, studies, academic or research workshop and meetings [22CFR216.2(c)(2)(iii)].
- Document and information transfers [22CFR216.2(c)(2)(v)].

**Recommended Action: Conditional Negative Determination**

Pursuant to 22 CFR 216.3(a)(2)(i), the originator of the proposed activities recommends a conditional negative determination with the condition that **procurement, storage, transportation, and use of any equipment shall be done in an environmentally sound manner**. USAID Contracting Officer will specify this wording in USAID grant agreements. The implementer will provide USAID with evidence that the recipient organization followed all applicable environmental laws.

2. Limitations of the IEE:

This IEE does not cover activities involving:

- Assistance for 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 FIFRA – “Federal Insecticide, Fungicide, and Rodenticide Act”
- Construction, reconstruction, rehabilitation, or renovation work
- Activities involving support to agro-processing, industrial enterprises, and regulatory permitting.
- Procurement or use of genetically modified organisms (GMOs)
- DCA or GDA programs

Any of these actions would require an amendment to the IEE approved by EE/BEO.

3. Revisions:

Pursuant to 22 CFR 216.3(a)(9), if new information becomes available which indicates that activities covered by this IEE might be considered “major” and their effect “significant”, or additional activities are proposed that might be considered as "major" and their effect “significant”, this recommendation for Categorical Exclusion and Conditional Negative Determination will be reviewed and, if necessary, revised by the Mission Environmental Office with concurrence of the E&E Bureau Environmental Officer. It is the responsibility of the USAID Activity Manager and CTO to keep the MEO and BEO informed of any new information or changes in the activity that might require revision of this Categorical Exclusion.
USAID APPROVAL OF ENVIRONMENTAL ACTION(S) RECOMMENDED:

Clearance:
Acting Mission Director: _______________________________    Date: __________
Peter S. Argo

Concurrence:
Bureau Environmental Officer: _______________________________    Date: __________
Mohammad Latif

Approved: □ Disapproved: □

Mission Environmental Officer ___________________________          Date: _________
Peter Luzik

Date: 30 May 08
Date: 30 May 08
Date: 05/30/08