ENVIRONMENTAL COMPLIANCE FACESHEET (Amendment 4)

Program Objective: (2) Governing Justly and Democratically
Program Area: (2.2) Good Governance
Program Element: (2.2.1) Legislative Function and Processes
Title of Activity: Parliamentary Development Program
Country/Region: Ukraine/E&E
Funding Period: 05/2010 – 12/2015
Resource Level: $7,000,000
Life of Project: 9/1997-12/2015
Life of Project Funding: $17,000,000
Statement Prepared by: Yana Zhambekova, Activity Manager, ODG
Date: April 12, 2010
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
DCN of AMD 3: 2008-UKR-005

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:
   ☑ Negative Determination with Conditions: the procurement, storage, transportation, and use of any equipment shall be done in an environmentally sound manner. The USAID Agreement Officer will specify this wording in the USAID cooperative agreement. The implementer will provide USAID with evidence that the recipient organization followed all applicable environmental laws.

1. Summary of Findings:
The purpose of this IEE Amendment is to cover activities designed to strengthen policy development and legislative decision-making in the executive and legislative branches of the Government of Ukraine, and also to increase civil society access to the legislative process in 2010-2015. New activities will include assistance activities in the Autonomous Republic of Crimea (Crimea) intended to improve regional governance and strengthen ties between Crimea and the rest of the country. 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.

USAID’s technical assistance will be provided in the form of consultations, training sessions and grants. USAID’s 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 include office equipment purchases.

2. Justification for a Categorical Exclusion and Negative Determination
Pursuant to 22 CFR 216.2 (c)(3), the originator of the action has determined that most of the USAID activities under this program consist of types of interventions entirely within the categories listed in paragraph (c)(2) of Section 216.2 of Title 22 CFR 216, and therefore are categorically excluded from any further environmental review requirements. The originator of the proposed action has further determined
that those activities are fully within the following classes of actions:

- Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc). [22CFR 216.2(c)(2)(i)];
- Analyses, studies, academic or research workshops and meetings. [22 CFR 216.2(c)(2)(iii)];
- Document and information transfers. [22 CFR 216.2(c)(2)(v)];
- Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as the construction of facilities, etc). [22 CFR 216.2(c)(2)(xiv)].

As per 22 CFR 216.2(c)(1), neither an initial environmental examination nor an environmental assessment is required for an action which is determined to fall within one or more of the categories listed in 22 CFR 216.2(c)(2). Pursuant to 22 CFR 216.3(a)(2)(i), the originator of the proposed action recommends a negative determination with the following condition: the procurement, storage, transportation, and use of any equipment shall be done in an environmentally sound manner. The USAID Agreement Officer will specify this wording in the USAID cooperative agreement. The implementer will provide USAID with evidence that the recipient organization followed all applicable environmental laws.

3. 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 – the Federal Insecticide, Fungicide, and Rodenticide Act;
- Construction, reconstruction, rehabilitation, or renovation work;
- Activities involving support to agro-processing, industrial enterprises, and regulatory permitting;
- The procurement or use of genetically modified organisms;
- DCA or GDA programs.

Any of these actions would require an amendment to the IEE approved by the E&E Bureau Environmental Officer (EE/BEO).

3. Revisions:

Pursuant to 22 CFR 216.3(a)(9), if new information becomes available that indicates that activities covered by the amended IEE might be considered “major” and their effect “significant,” or if additional activities are proposed that might be considered “major” and their effect “significant,” this recommendation for Categorical Exclusion and Negative Determination will be reviewed and, if necessary, revised by the Mission Environmental Officer (MEO) with concurrence by the EE/BEO. It is the responsibility of the USAID COTR to keep the MEO and BEO informed of any new information or changes in the activity that might require revision of the amended IEE.
Additional clearances:

Deputy Mission Director          ______________________    Date: 9/12/10
                                      Sarah Wines

Regional Legal Advisor            _______________________    Date: 9/12/10
                                      Milan Pavlovic

Mission Environmental Officer     ____________________  Date: 4/12/10
                                      Peter Luzik