United States Agency for International Development (USAID)

Europe Regional Mission

Request for Categorical Exclusion (RCE)

Program Data:

<table>
<thead>
<tr>
<th>Program Name:</th>
<th>Political Processes</th>
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<tbody>
<tr>
<td>Assistance Objective:</td>
<td>Governing Justly and Democratically</td>
</tr>
<tr>
<td>Program Area:</td>
<td>2.3. Political Competition and Consensus Building</td>
</tr>
<tr>
<td>Country(ies) and/or Operating Unit:</td>
<td>Ukraine/E&amp;E</td>
</tr>
<tr>
<td>Originating Office:</td>
<td>USAID/Ukraine/ODG</td>
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<tr>
<td>Date:</td>
<td>January 18, 2012</td>
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<tr>
<td>PAD Level RCE:</td>
<td>Yes</td>
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<tr>
<td>RCE/IEE Amendment:</td>
<td>Yes</td>
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<tr>
<td>Supplemental RCE:</td>
<td>Yes</td>
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<tr>
<td>DCN of Original RCE/IEE:</td>
<td>2006-UKR-010</td>
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<tr>
<td>DCN of Amendment(s):</td>
<td>2009-UKR-003</td>
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<tr>
<td>Implementation Start/End:</td>
<td>FY2014-FY2018</td>
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<tr>
<td>LOP:</td>
<td>FY2009 - FY2018</td>
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<tr>
<td>Funding Amount:</td>
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<td>LOP Amount:</td>
<td>$36,000,000</td>
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<tr>
<td>Contract/Award Number (if known):</td>
<td>AID-121-A-00-09-00709; AID-121-A-11-00001; AID-121-A-12-00004</td>
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<td>IEE Expiration Date:</td>
<td>n/a</td>
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<tr>
<td>Reporting due dates (if any):</td>
<td>n/a</td>
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**Recommended Determination:** Categorical Exclusion

**Additional Elements:**

1. **Project Compliance with the IEE requirements**

CEPPS has been in compliance with the determination made in the original IEE (DCN: 2009-UKR-003). The CEPPS partners have worked diligently with party partners to develop robust and diverse party platforms that reflect and aggregate citizens’ concerns and environmental protection/conservation statements were included in most parties’ platforms for the 2012 parliamentary elections. For example, the Party of Regions included a five-year plan for environmental protection that included completing construction on Chernobyl structures, protecting clean water sources, modernizing sewage systems, and reducing toxic chemical exposure throughout the country. The United Opposition also stated their goals to include “clean air, clean water, and clean cities and villages.” UDAR proposed for further investment in diversifying energy sources and promoting the use of alternative and clean energy sources.

2. **Program Description**

**Component One – Strengthening and Domestic Oversight of Political Processes in Ukraine**

The primary goal of the Strengthening and Domestic Oversight of Political Processes in Ukraine component will be to promote the development of Ukraine’s democratic political system through: (1) support to political parties in improving representation of citizen interests; (2) expanding linkages between political parties and civic groups to increase demand for improved representation of the public interest by political parties and elected officials; and (3) domestic monitoring of key Ukrainian elections to improve their fairness and integrity.
Illustrative activities under Component One

1.1 Identify national level issues on which advocacy can contribute to positive reform of political processes and recommend plans of action

1.2 Facilitate cooperation of political party leaders, activists, and civil society organizations (CSOs) in advocacy campaigns on identified political process issues

1.3 Provide technical assistance and share international best practices to strengthen the position of women members of parliament (MPs) and other women political leaders

1.4 Advise political parties in strengthening the role of women in party leadership and decision making

1.5 Facilitate cooperation of political party leaders, activists, and CSOs in advocacy campaigns on identified sub-national political process issues

1.6 Build on best practices in local political processes that engage citizens and constituents (e.g., public hearings) by replicating activities and approaches in new regions

1.7 Promote the emergence of democratically minded young leaders through exchange visits and support for initiatives that engage citizens in political processes

1.8 Advise political parties on appealing to young voters and attracting young members

1.9 Conduct a nationwide public opinion survey that includes multi-year trend data on key issues, analyze the data, and present the results to a wide group of Ukrainian and international stakeholders

1.10 Support election observation missions

1.11 Support CSOs in monitoring, advocacy and watchdog initiatives to increase elected officials’ accountability and responsiveness to citizen interests

Component Two - Reforming Ukraine’s Electoral Legislation

The primary goal of the Reforming Ukraine’s Electoral Law component is to advance reforms in electoral and political processes legislation, as well as strengthen capacity to administer elections fairly and transparently in Ukraine through: (1) supporting development and revision of election and political processes legislation by means of a participatory process that includes a broad range of stakeholders, including Ukrainian and international experts; (2) working with key stakeholders on implementation of election legislation in anticipation of the next Presidential elections; and (3) institutionalizing the training program(s) of election management bodies.

Illustrative activities under Component Two

2.1 Bring together experts, civil society, government officials, MPs, political party leaders to discuss and develop recommendations on electoral or political process law reform

2.2 Mentor, train and consult CSOs and activists on international election law standards and related advocacy

2.3 Prepare draft language for legislation or amendments to legislation

2.4 Analyze and report on the implications of proposed changes to electoral legislation in advance of the Presidential and local elections
### Illustrative activities under Component Two

2.5 Facilitate coordination meetings and other communications on electoral processes for international donors and the diplomatic community

2.6 Analyze and report on the implementation of electoral legislation and regulations in advance of the Presidential and local elections

2.7 Prepare recommendations for improving election law implementation and election administration consistent with international best practices

2.8 Mentor, train, and consult CSOs and activists on standards and best practices for implementation of laws related to elections and political processes

2.9 Engage CSOs in monitoring key areas of election law implementation in the run up to and during elections

2.10 Communicate with international donors and diplomatic community on problems and challenges in the implementation of election laws and regulations

2.11 Mentor, consult, and provide technical expertise on institutionalizing a training facility or department in the Central Electoral Commission (CEC)

2.12 Organize exchange visits to provide exposure to and share best practices in election commissioner training and election administration

2.13 Contribute to the development of training curricula, materials, and methodologies for training election commissioners and advise the CEC on related learning strategies and training plans

2.14 Provide technical expertise and share international best practices on oversight of campaign finance expenditures by electoral management bodies

2.15 Develop tools for and engage civil society in monitoring the performance of the CEC and other electoral management bodies

### 3. Justification for Categorical Exclusion Determination

The activities under the Political Processes Program will not have an effect on the natural or physical environment and are among the classes of activities listed in 22 CFR 216.2(c)(2). Therefore, under §216.2(c)(1), neither an IEE nor an EA will be required for these activities. Instead, a categorical exclusion threshold determination is recommended for:

- Activities 1.1-1.8, 1.11, 2.1-2.9, and 2.11-2.15 under §216.2(c)(2)(i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.); and
- Activities 1.1, 1.9, 1.10, 2.1, 2.4-2.6, 2.9, 2.10, and 2.12 under §216.2(c)(2)(iii) Analyses, studies, academic or research workshops and meetings.
- Activities 1.1, 1.3, 1.4, 1.8, 1.9, 2.3, 2.4-2.7, 2.10, and 2.13-2.15 under §216.2(c)(2)(v) Document and information transfers.

### 4. Limitations of the Categorical Exclusion Determination:

This categorical exclusion does not cover classes of actions normally having a significant effect on the environment under §216.2(d):
i. Programs of river basin development;
ii. Irrigation and water management;
iii. Agricultural land leveling;
iv. Drainage projects;
v. Large scale agricultural mechanization;
vi. Resettlement projects;
vii. New land development;
viii. Penetration road building and road improvement;
ix. Powerplants;
x. Industrial plants; and
xi. Potable water and sewerage projects

In addition, this categorical exclusion does not cover activities that:

- Support project preparation, project feasibility studies, engineering design for activities listed in §216.2(d)(1);
- Affect endangered species;
- Provide support to extractive industries (e.g. mining and quarrying);
- Promote timber harvesting;
- Lead to construction, reconstruction, rehabilitation, or renovation work;
- Support agro-processing or industrial enterprises;
- Provide support for regulatory permitting;
- Lead to privatization of industrial facilities or infrastructure with heavily polluted property;
- Assist 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 the insecticides, fungicides, rodenticides, etc. covered under the Federal Insecticide, Fungicide, and Rodenticide Act; and/or
- Procure or use genetically modified organisms.

Any of these actions would require a Europe and Eurasia Bureau Environmental Officer (BEO) approved amendment to the categorical exclusion.

5. Mandatory Inclusion of Environmental Compliance Requirements in Solicitations, Awards, Budgets, and Work Plans

- Appropriate environmental compliance language, including limitations defined in Section 3, shall be incorporated into solicitations and awards for categorical exclusions.
- The implementing partner shall ensure annual work plans do not prescribe activities that are defined as limitations in Section 3.

6. Revisions

Under §216.3(a)(9), if new information becomes available that indicates that activities covered by the categorical exclusion might be considered major and their effect significant, or if additional activities are proposed that might be considered major and their effect significant, this categorical exclusion determination will be reviewed and, if necessary, revised by the Mission Environmental Officer (MEO) with concurrence by the BEO. It is the responsibility of the USAID Agreement Officer’s Representative (AOR) to keep the MEO and BEO informed of any new information or changes in the activity that might require revision of this determination.
7. **Recommended Determination for Categorical Exclusion Clearances**

**Approval:**
- E. Jed Barton, Regional Mission Director
- Date: 9/3/13

**Clearance:**
- David Young, Acting Deputy Mission Director
- Date: 9/4/13

- David Young, Regional Legal Advisor
- Date: 8/20/13

- Brian Fink, Acting Supervisory Program Officer
- Date: 8/28/13

- Peter Luzik, Mission Environmental Officer
- Date: 8/28/13

**Drafted:**
- Tetyana Sira, AOR
- Date: 8/28/13

**Concurrence:**
- William Gibson
  - E&E Bureau Environmental Officer (acting)
- Date: Sept 6, 2013

**Distribution:**
- IEE File
- MEO (to also provide a copy to AOR)
- ODG Files