



LAC-IEE-04-63

**ENVIRONMENTAL THRESHOLD DECISION**

<b>Special Strategic Objective Location:</b>	Bolivia
<b>Special Strategic Objective Title:</b>	Increased Confidence in Democratic Institutions and Processes
<b>Activity Number:</b>	511-0655
<b>Funding:</b>	\$56,400,000
<b>Life of Project:</b>	2003 through September 30, 2008
<b>Prepared by:</b>	Michael Willis, DEMOSOT
<b>Date:</b>	December 4, 2003
<b>Recommended Decision:</b>	Categorical Exclusion; Negative determination with conditions.
<b>Bureau Threshold Decision:</b>	Concur with Recommendation

**Comments:** Section 216.2(c) (1) (i) of USAID Environmental Regulations provide a categorical exclusion for “education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.)” With the exception of the construction and/or rehabilitation of facilities for the pilot Integrated Justice Centers described in IR1 and the technical assistance provided to local governments to plan, design, implement, and construct basic infrastructure projects described in IR3, all activities in this SpO fall under this Section and a **Categorical Exclusion** is therefore issued.

Given that the Integrated Justice Centers will involve the rehabilitation or construction of facilities, a **Negative Determination with Conditions** is issued with the caveat that any rehabilitation or construction of facilities be carried out in accordance with applicable Bolivian law and regulations and pursuant to USAID Environmental Guidelines for Development Activities in Latin America and the Caribbean (Environmental Guidelines). In the USAID agreement with Management Sciences for Development (MSD) and/or any

subsequent contractor responsible for the implementation of the Integrated Justice Centers, DEMO SOT shall require compliance with the Construction Guidelines found in Chapter 2.A. of the USAID Environmental Guidelines (“Environmental Issues and Best Practices for Small-Scale Infrastructure”) and incorporate that chapter into the agreement. This should guarantee that any impacts are negligible.

DEMO SOT’s local governance component includes technical assistance that may directly affect the environment. For example, the activity calls for the establishment of a partnership between the implementing contractor and one or more municipalities to provide ongoing technical assistance to design, implement, and construct basic infrastructure projects. A Negative Determination with Conditions is issued with the caveat that technical assistance for activities that directly affect the environment includes technical assistance to assure compliance with applicable Bolivian law and regulations as well as USAID Environmental Guidelines. DEMO SOT will provide the International City/County Management Association (ICMA), USAID’s implementing contractor of the local governance activity, with the USAID Construction as well as the Water and Sanitation Guidelines found in Chapters 2.A. and 2.B. of the USAID Environmental Guidelines and offer training in their application to ICMA staff as needed.

In addition:

- The project budget needs to incorporate the cost of implementing, monitoring, and evaluating mitigation measures as identified in the by the environmental guidelines applied.
- Responsibility for compliance with mitigation measures must be stipulated in contracts and/or agreements.

\_\_\_\_\_Date\_\_\_\_\_

George R. Thompson, P.E.  
Bureau Environmental Officer  
Bureau for Latin America & the Caribbean

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## Initial Environmental Examination

Special Strategic Objective Location:	Bolivia
Special Strategic Objective Title:	Increased Confidence in Democratic Institutions and Processes
Activity Number:	511-0655
Funding:	\$56,400,000
Life of Project:	2003 through September 30, 2008
Prepared by:	Michael Willis, DEMOSOT
Date:	December 4, 2003

### Recommended Decision:

- Categorical Exclusion for all but two activities, one of which will involve construction and/or rehabilitation of facilities and the other provides technical assistance that may have an effect on the environment. Negative determination with conditions for those two activities.

## **I. STRATEGIC OBJECTIVE DESCRIPTION**

USAID/Bolivia's new strategic objective: "increased confidence in democratic institutions and processes" has been established in order to address the fragile condition of democracy as identified by USAID partners, stakeholders and the Bolivian public. Building on progress to date in key Government of Bolivia (GOB) reforms in the judicial and legislative branches, and in decentralization, the strategic objective seeks to increase the relevance of reformed institutions as places where transparent, public decisions are made. Furthermore, the objective seeks to strengthen the ability of state institutions and political parties to interact productively with civil society. As key democratic institutions (judiciary, legislative, executive and municipal governments) in Bolivia become more responsive to citizen demands, and the participation of citizens (especially those of women and indigenous groups) in governance expands, then support for and confidence in the Bolivian democratic system will increase.

The strategic objective results framework includes the following four principal intermediate results (IR):

- (1) Key institutions of the Rule of Law (ROL) are more transparent, efficient, and accessible;

- (2) Political representatives are more responsive to citizen demands;
- (3) Local governments are more effective and efficient in responding to increased citizen demands; and
- (4) Anti-corruption efforts yield more transparent and effective government.

The activities to be implemented to achieve these results are described below.

**IR1. Key institutions of the Rule of Law (ROL) are more transparent, efficient, and accessible**

The program will provide technical assistance and training to the justice sector institutions and congress in order to: (a) support key legislation needed to consolidate criminal justice reform; (b) assist in the implementation of institutional reforms and provision of training to justice system operators to increase effectiveness, improve efficiency and promote transparency. Support for public education campaigns and civil society advocacy to promote citizen participation in, access to, and sustainability of justice system reforms will also be provided. In light of the recent social unrest and subsequent democratic crisis, priority initiatives include: technical assistance to the constitutional committee of Congress on the Constitutional Assembly and establishment of pilot integrated justice centers in the most conflictive areas of the country (El Alto, El Chapare and Los Yungas). The physical location of the Centers is to be determined. It is expected that the Centers will be housed in rehabilitated or newly constructed facilities.

In 2005, the program will add a new activity to provide technical assistance and training to promote the transparency, consistency and predictability of judicial decision-making in the commercial, administrative and civil arena in order to increase confidence in the country's business climate.

**IR2. Political representatives are more responsive to citizen demands**

The program will intensify its technical assistance and training to target key congressional concerns that have surfaced due to the recent democratic crisis: support to single district Congressional representatives in interacting effectively with their constituents; support for the women legislator's caucus; and increased support to indigenous legislators. The program will also support political party reform through technical assistance and training to democratize internal party structures, improve internal party communications, strengthen communication between parties and society, and promote civic education activities.

Other elements of the program include indigenous participation and conflict resolution activities. Eighty highland indigenous leaders from the regions of Potosi, Oruro and La Paz will receive an intensive, year long applied course in democratic participation. Technical assistance and training for conflict prevention and resolution will also be provided to government officials and civil society leaders by a team of experts from the Organization of American States. The conflict prevention and resolution activity is the subject of a separate categorical exclusion request.

### **IR3. Local governments are more effective and efficient in responding to increased citizen demands**

Under this newly designed local governance component, technical assistance and training will be provided in order to: strengthen municipal management, increase local revenue collection, and improve basic service provision and planning capacity; further disseminate the participatory municipal governance model while adapting it for use in urban areas and expanding the inclusion of women and other underrepresented groups; provide support to municipalities so that they will become active agents in promoting economic growth through innovative use of their own purchasing power and through developing projects in partnership with local employers of all sizes, and; promote the sustainability of inter-municipal organizations like departmental associations and *mancomunidades* to ensure ongoing support to municipalities for the participatory process and access to specialized management and technical services. Under this activity, the implementing contractor will establish a partnership (either directly or through Bolivian partner organizations) with one or more municipalities to provide ongoing technical assistance to carry the local government through the planning, design, implementation, and construction of one or more basic infrastructure projects.

### **IR4. Anti-Corruption Efforts yield more transparent and effective government**

This component will provide technical assistance and training to create an integrated capacity within the GOB to recognize, denounce, and successfully prosecute corruption. The program features four mutually reinforcing components: (1) strengthening enforcement institutions in the investigation and prosecution of acts of corruption; (2) support to civil society organizations to monitor, make known and challenge corrupt practices; (3) to enhance institutional capacity and leadership in President's Anti-corruption Delegate; and (4) to promote and support the implementation of an access to information law.

## **II. DISCUSSION**

Section 216.2(c) (1) (i) of USAID Environmental Regulations provide a categorical exclusion for "education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.)." With the exception of the construction and/or rehabilitation of facilities for the pilot Integrated Justice Centers described in IR1 and the technical assistance provided to local governments to plan, design, implement, and construct basic infrastructure projects described in IR3, DEMO SOT believes that all activities identified above qualify for a Categorical Exclusion.

Given that the Integrated Justice Centers will involve the rehabilitation or construction of facilities, DEMO SOT expects minor environmental impacts and a negative determination with conditions that any rehabilitation or construction of facilities be carried out in accordance with applicable Bolivian law and regulations and pursuant to USAID Environmental Guidelines for Development Activities in Latin America and the Caribbean (LAC Environmental Guidelines). In the USAID agreement with Management Sciences for Development (MSD) and/or any subsequent contractor responsible for the implementation of the Integrated Justice Centers, DEMO SOT shall require compliance with the Construction Guidelines found in Chapter 2.A. of the USAID LAC Environmental

Guidelines (“Environmental Issues and Best Practices for Small-Scale Infrastructure”) and incorporate that chapter into the agreement.

DEMO SOT’s local governance component, described above under IR3, includes technical assistance that may directly affect the environment. For example, the activity calls for the establishment of a partnership between the implementing contractor and one or more municipalities to provide ongoing technical assistance to design, implement, and construct basic infrastructure projects. As a result, DEMO SOT anticipates a negative determination with conditions that technical assistance for activities that directly affect the environment includes technical assistance to assure compliance with applicable Bolivian law and regulations as well as USAID LAC Environmental Guidelines. DEMO SOT will provide the International City/County Management Association (ICMA), USAID’s implementing contractor of the local governance activity, with pertinent sections of LAC Environmental Guidelines, including Chapter 2A and 2B in Environmental Issues and Best Practices for Small-Scale Infrastructure (Construction, Water And Sanitation), Chapter 3 Environmental Issues and Best Practices for Rural Roads, and Chapter 4 Environmental Issues and Best Practices for Solid Waste Management. DEMO SOT will also offer training in the application of LAC Environmental Guidelines to ICMA staff as needed, and ICMA will ensure that these guidelines are employed in municipal services and infrastructure projects. ICMA will also develop an appropriate system for monitoring the application of these guidelines with its municipal partners.

### **III. RECOMMENDATION**

With the exception of the Integrated Justice Centers (under IR1) and the local governance activity (IR3), USAID/Bolivia recommends a categorical exclusion for all activities mentioned above, given that no USAID funds will be used to finance activities that will affect Bolivia’s environment. The following sections of 216.2 (c) (2) Categorical Exclusions apply to DEMO SO.

- (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.);**
- (iii) Analyses, studies, academic or research workshops and meetings;
- (v) Document and information transfers;
- (xiv) 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 construction of facilities, etc.);**

For the reasons identified above, USAID/Bolivia recommends a negative determination with conditions for rehabilitation or construction of facilities under the Integrated Justice Centers, and for technical assistance in the planning, design, implementation, and construction of basic municipal service and infrastructure projects under its local governance activities (IR3). ICMA will ensure that the municipalities employ the appropriate sections of LAC Environmental Guidelines for these projects, and develop an appropriate environmental monitoring system.

**IV. ACTION REQUESTED**

That the USAID/Bolivia Mission Director makes the recommended decision by signing in the space indicated below. Once signed, this document will be forwarded to the LAC Bureau Environmental Coordinator for review and approval.

Concurrence: \_\_\_\_\_

Date: \_\_\_\_\_

Liliana Ayalde  
Mission Director

Non-concurrence: \_\_\_\_\_

Date: \_\_\_\_\_

Liliana Ayalde  
Mission Director

Clearances:

DEM: TSloan \_\_\_\_\_ date: \_\_\_\_\_

ENV: VBullen \_\_\_\_\_ date: \_\_\_\_\_

RCO: CBucher \_\_\_\_\_ date: \_\_\_\_\_

DD: ELandau \_\_\_\_\_ date: \_\_\_\_\_