

AMENDMENT TO PROGRAMMATIC AGREEMENT
BETWEEN
THE UNITED STATES DEPARTMENT OF ENERGY, THE STATE OF SOUTH
DAKOTA OFFICE OF THE STATE ENGINEER, THE SOUTH DAKOTA
OFFICE OF ENERGY ASSISTANCE AND WEATHERIZATION, AND THE
SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICE REGARDING
EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on April 15, 2010, The United States Department of Energy (DOE), The State of South Dakota Bureau of Administration, Office of State Engineer, and The South Dakota Department of Social Services, and The South Dakota State Historic Preservation Office entered into a Programmatic Agreement (Agreement) to fulfill the requirements of Section 106 of the National Historic Preservation Act for certain DOE-funded Undertakings in South Dakota.

WHEREAS, in 2010, as the result of unprecedented funding levels resulting from the implementation of the American Recovery and Reinvestment Act (Recovery Act), DOE, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO) developed a first-of-its-kind [Prototype Programmatic Agreement](#) (Prototype PA) for National Historic Preservation Act Section 106 reviews;

WHEREAS, the intent of the Prototype PA was to provide DOE, recipients of financial assistance under DOE's Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency Conservation Block Grant (EECBG) program, as applicable, and State Historic Preservation Offices (SHPOs) with a tailored method for complying with Section 106 of the National Historic Preservation Act. DOE, recipients, and SHPOs negotiated and executed subsequent programmatic agreements (subsequent PAs; i.e. this Agreement) in accordance with the Prototype PA;

WHEREAS, the Prototype PA originally provided that each subsequent PA would be valid for three years from the date of execution. As the result of ACHP's Program Comment dated March 11, 2013, however, all subsequent PAs, including this Agreement, were extended through December 31, 2020. (78 FR 16275, 16277);

WHEREAS, the SHPO understands the need for Section 106 of the National Historic Preservation Act training for subrecipients (local community action agencies) to the South Dakota Department of Social Services;

WHEREAS, ACHP, NCSHPO, and DOE recognize the Prototype PA and subsequent PAs continue to provide great value to DOE, recipients, and SHPOs, notwithstanding expiration of most Recovery Act funding, this amendment extends the use of the Agreement for an additional 10 years; and

WHEREAS, DOE will send a copy of this executed amendment to the ACHP;

NOW, THEREFORE, in accordance with Stipulation XV of the Agreement, the signatories of this Amendment agree as follows:

1. Amend Stipulation XI to include:

G. The Recipients shall organize training to be held every two years. Staff from both Recipients, SHPO and/or DOE will provide training on general Section 106 compliance and the specific terms of this Agreement. A representative of each local community action agency must be present at the training session for that subrecipient and Recipient to comply with the terms of the Agreement.

2. Amend Stipulation XVI so it reads as follows:

This PA will be valid until December 31, 2030, as verified with DOE filing the PA with the ACHP.

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:

Scott W. Bollinger

12/09/2020

Scott W. Bollinger
Commissioner
Bureau of Administration

Date

Laurie R. Gill
Cabinet Secretary
South Dakota Department of Social Services

Date

Jay D. Vogt
Director and State Historic Preservation Officer
South Dakota State Historical Society

Date

Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

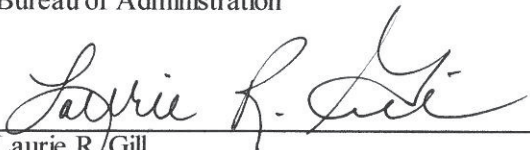
Date

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SIGNATORIES:

Scott W. Bollinger
Commissioner
Bureau of Administration

Date


Laurie R. Gill
Cabinet Secretary
South Dakota Department of Social Services

12-18-20
Date

Jay D. Vogt
Director and State Historic Preservation Officer
South Dakota State Historical Society

Date

Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

Date

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SIGNATORIES:

Scott W. Bollinger
Commissioner
Bureau of Administration

Date

Laurie R. Gill
Cabinet Secretary
South Dakota Department of Social Services

Date



Jay D. Vogt
Director and State Historic Preservation Officer
South Dakota State Historical Society

12-04-2020

Date

Derek Passarelli
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Passarelli
Date: 2020.12.18 16:15:09
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Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

Date