

SECOND AMENDMENT TO PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES DEPARTMENT OF ENERGY,
THE TEXAS HISTORICAL COMMISSION,
THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, AND THE
TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
REGARDING THE USE OF INTERSTATE AGREEMENTS
FOR SECTION 106 REVIEW OF EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on 4/1/2010, The United States Department of Energy (DOE), The Texas Historical Commission, and The Texas Department of Housing and Community Affairs, and The Texas Comptroller of Public Accounts 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 Texas.

WHEREAS, on September 26, 2013, the Agreement was amended.

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, 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, the signatories of this Amendment agree as follows:

1. This Agreement 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:



9/10/2020

Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs

Date

Lisa Craven
Deputy Comptroller
Comptroller of Public Accounts

Date

Mark S. Wolfe
Executive Director and State Historic Preservation Officer
Texas Historical Commission

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:

_____ Bobby Wilkinson Executive Director Texas Department of Housing and Community Affairs	_____ Date
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DocuSigned by:  11EA8DEF0EC441E... _____ Deputy Comptroller Comptroller of Public Accounts	_____ 9/14/2020 10:06 AM CDT Date
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_____ Mark S. Wolfe Executive Director and State Historic Preservation Officer Texas Historical Commission	_____ Date
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_____ Derek G. Passarelli Director, Golden Field Office Office of Energy Efficiency and Renewable Energy United States Department of Energy	_____ Date
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Executive Director
Texas Department of Housing and Community Affairs

Date

Lisa Craven
Deputy Comptroller
Comptroller of Public Accounts

Date


Mark S. Wolfe
Executive Director and State Historic Preservation Officer
Texas Historical Commission

9/13/2020
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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_____ Lisa Craven Deputy Comptroller Comptroller of Public Accounts	_____ Date
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_____ Mark S. Wolfe Executive Director and State Historic Preservation Officer Texas Historical Commission	_____ Date
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<i>Derek G. Passarelli</i> _____ Derek G. Passarelli Director, Golden Field Office Office of Energy Efficiency and Renewable Energy United States Department of Energy	<i>October 5, 2020</i> _____ Date
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