

AMENDMENT TO
PROTOTYPE
PROGRAMMATIC AGREEMENT
BETWEEN
THE UNITED STATES DEPARTMENT OF ENERGY, THE GEORGIA
ENVIRONMENTAL FACILITIES AUTHORITY AND
THE GEORGIA STATE HISTORIC PRESERVATION OFFICE REGARDING
EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on May 25, 2010, The United States Department of Energy (DOE), The Georgia Environmental Facilities Authority, and The Georgia 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 Georgia; and

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; and

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;) in accordance with the Prototype PA; and

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, were extended through December 31, 2020. (78 FR 16275, 16277); and

WHEREAS, the Georgia Environmental Finance Authority now administers the WAP and the SEP; and

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. Change all references to 'The Georgia Environmental Facilities Authority' to the 'Georgia Environmental Finance Authority'
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.
3. Remove the term "Prototype" from the title of the PA.

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:



Kevin Clark
Executive Director
Georgia Environmental Finance Authority



Date

D. David Crass
Division Director and Deputy State Historic Preservation Officer
Georgia Historic Preservation Division

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:

Kevin Clark
Executive Director
Georgia Environmental Finance Authority

Date



D. David Crass
Division Director and Deputy State Historic Preservation Officer
Georgia Historic Preservation Division

December 3, 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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Derek J. Passarelli
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Office of Energy Efficiency and Renewable Energy
United States Department of Energy

December 4, 2020
Date