

AMENDMENT TO PROTOTYPE
PROGRAMMATIC AGREEMENT
BETWEEN
THE UNITED STATES DEPARTMENT OF ENERGY, THE KENTUCKY HOUSING
CORPORATION AND THE KENTUCKY ENERGY AND
THE ENVIRONMENT CABINET
AND
THE KENTUCKY HERITAGE COUNCIL REGARDING EECBG, SEP AND
WAP UNDERTAKINGS

WHEREAS, on June 30, 2020, The United States Department of Energy (DOE), Kentucky Energy and Environment Cabinet, and Kentucky Housing Corporation, and Kentucky Heritage Council 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 Kentucky.

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;

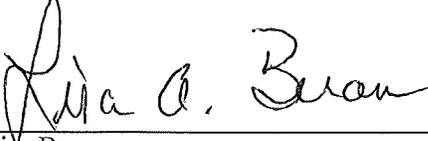
NOW, THEREFORE, in accordance with Stipulation XV of the Agreement, the signatories of this Amendment agree as follows:

1. 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.
2. 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:

 9/9/20

Lisa Beran Date
Interim Executive Director
Kentucky Housing Corporation

Rebecca W. Goodman Date
Secretary
Energy and Environment Cabinet

Craig Potts Date
Executive Director and State Historic Preservation Officer
Kentucky Heritage Council

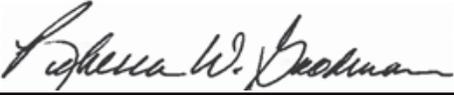
Derek G. Passarelli Date
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

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SIGNATORIES:

Lisa Beran
Interim Executive Director
Kentucky Housing Corporation

Date



Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

September 30, 2020
Date

Craig Potts
Executive Director and State Historic Preservation Officer
Kentucky Heritage Council

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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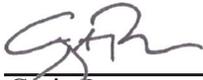
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Interim Executive Director
Kentucky Housing Corporation

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Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

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Craig Potts
Executive Director and State Historic Preservation Officer
Kentucky Heritage Council

9/09/2020
Date

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

October 5, 2020
Date