

AMENDMENT TO PROTOTYPE PROGRAMMATIC AGREEMENT  
BETWEEN THE UNITED STATES DEPARTMENT OF ENERGY, THE UTAH STATE ENERGY  
PROGRAM, THE UTAH DIVISION HOUSING AND COMMUNITY DEVELOPMENT, AND THE  
UTAH STATE HISTORIC PRESERVATION OFFICE REGARDING EECBG, SEP AND WAP  
UNDERTAKINGS

WHEREAS, on May 27, 2010, The United States Department of Energy (DOE), The Utah State Energy Program, and The Utah Division of Housing and Community Development, and The Utah 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 Utah.

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 Agreement.

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:

  
Jonathan Hardy (Oct 29, 2020 09:04 MDT)

10/29/2020

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Jonathan Hardy  
Director  
Department of Workforce Services - Housing and Community Development Division

Date

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Rob Simmons  
Energy Advisor, Executive Director  
Utah Office of Energy Development

Date

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Christopher Merritt, Ph.D.  
State Historic Preservation Officer  
Utah Division of State History

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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SIGNATORIES:

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Jonathan Hardy Date  
Director  
Department of Workforce Services - Housing and Community Development Division

**Robert Simmons**  
Robert Simmons (Nov 24, 2020 15:38 MST)

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Rob Simmons Date  
Energy Advisor, Executive Director  
Utah Office of Energy Development

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Christopher Merritt, Ph.D. Date  
State Historic Preservation Officer  
Utah Division of State History

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

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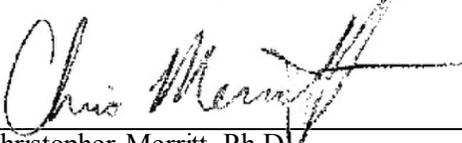
SIGNATORIES:

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Jonathan Hardy Date  
Director  
Department of Workforce Services - Housing and Community Development Division

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Rob Simmons Date  
Energy Advisor, Executive Director  
Utah Office of Energy Development

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Derek G. Passarelli Date  
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Rob Simmons Date  
Energy Advisor, Executive Director  
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Christopher Merritt, Ph.D. Date  
State Historic Preservation Officer  
Utah Division of State History

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*Derek G. Passarelli* November 27, 2020  
Derek G. Passarelli Date  
Director, Golden Field Office  
Office of Energy Efficiency and Renewable Energy  
United States Department of Energy