AMENDMENT TO PROGRAMMATIC AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF ENERGY, NORTH CAROLINA STATE ENERGY OFFICE AND NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER REGARDING EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on May 18, 2010, The United States Department of Energy (DOE), North Carolina State Energy Office, and North Carolina State Historic Preservation Officer 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 North Carolina.

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 XIV of the Agreement, the signatories of this Amendment agree as follows:

1. Amend Stipulation XV 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:

John Nicholson

11/18/2020

John A. Nicholson — Date
Chief Deputy Secretary
North Carolina Department of Environmental Quality

Kevin Cherry

11-16-2020

Kevin Cherry, Ph.D. — Date
Deputy Secretary and State Historic Preservation Officer
Department of Cultural Resources for the Office of Archives and History

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

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John A. Nicholson — Date
Chief Deputy Secretary
North Carolina Department of Environmental Quality

Kevin Cherry, Ph.D. — Date
Deputy Secretary and State Historic Preservation Officer
Department of Cultural Resources for the Office of Archives and History

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