

AMENDMENT TO PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES DEPARTMENT OF ENERGY,  
THE DELAWARE DIVISION OF CLEAN ENERGY AND CLIMATE POLICY, and  
THE DELAWARE STATE HISTORIC PRESERVATION OFFICE  
REGARDING EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on September 23, 2010, The United States Department of Energy (DOE), The Delaware Department of Natural Resources and Environmental Control, Division of Clean Energy and Climate Policy, and The Delaware Division of Historical and Cultural Affairs, 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 Delaware.

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:

  
Eric D. Dawson  
Department of Natural Resources and Environmental Control  
Chief Operating Officer

11/20/2020  
Date

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Timothy A. Slavin  
Director, Division of Historical and Cultural Affairs and  
State Historic Preservation Officer

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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Eric D. Dawson Date  
Department of Natural Resources and Environmental Control  
Chief Operating Officer

*Timothy A. Slavin* *Deputy State Historic Preservation Officer* *12/9/2020*  
Timothy A. Slavin Date  
Director, Division of Historical and Cultural Affairs and  
State Historic Preservation Officer

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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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Eric D. Dawson Date  
Department of Natural Resources and Environmental Control  
Chief Operating Officer

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Timothy A. Slavin Date  
Director, Division of Historical and Cultural Affairs and  
State Historic Preservation Officer

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*Derek G. Passarelli* December 9, 2020  
Derek G. Passarelli Date  
Director, Golden Field Office  
Office of Energy Efficiency and Renewable Energy  
United States Department of Energy