

Memorandum

DATE: July 1, 2020

WAP Memorandum 063

REPLY TO

ATTN OF:  Erica Burrin, Weatherization Assistance Program, Program Manager
Weatherization and Intergovernmental Program Office

SUBJECT: Historic Preservation Prototype Programmatic Agreements Amendment Process

TO: Weatherization Assistance Program Grantees

In 2010, the U.S. Department of Energy (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 (NEPA) [Section 106](#) reviews. The Prototype PA provides a streamlined Section 106 process for projects funded under DOE's Office of Weatherization and Intergovernmental Programs (OWIP), including the Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency Conservation Block Grant Program (EECBG). The intent of the Prototype PA is to provide DOE Grantees expending funds and State Historic Preservation Officers (SHPO) with a tailored method for complying with Section 106 of the National Historic Preservation Act. To date, a total of 53 state- and territory-specific subsequent Programmatic Agreements (PAs) have been executed with DOE in accordance with the Prototype PA.

The Prototype PA and subsequent PAs provide great value to DOE, Grantees, and SHPOs. In the 2019 reporting year, consistent with previous years, more than 25,000 undertakings were conducted by Grantees using DOE funds. If these undertakings, which by and large do not have the potential to adversely impact historic properties, required individual Section 106 review, it would add a substantial workload to DOE, SHPOs, and Grantees, and ultimately delay the implementation of energy efficiency and renewable energy projects.

The Prototype PA initially established that subsequent PAs would be valid for three years from the date of execution. On March 11, 2013, as the first subsequent PAs were approaching their end dates, ACHP issued a Program Comment ([78 Federal Register 16275, 16277](#)) to extend the validity of all executed and future subsequent PAs through December 31, 2020. Because that date is fast approaching, DOE has initiated the process to amend all subsequent PAs to extend their validity for another ten years, through December 31, 2030.

DOE worked closely with ACHP and NCSHPO to develop the amendment that will extend the PAs. On July 1, 2020, the DOE NEPA Office and DOE Project Officers will begin reaching out to obtain the signatures from each agency, as well as, each SHPO. Due to the current environment, each signatory will be able to sign an individual page in any number of counterparts and by the different signatories on separate counterparts, but all

of which shall together constitute the same instrument. As a reminder, Grantees with a PA must adhere to all the stipulations of their PA.

All subsequent PAs are available on the Weatherization and Intergovernmental Programs website:

<https://www.energy.gov/eere/wipo/historic-preservation-executed-programmatic-agreements>.

If you have questions regarding the information in this Memorandum, please contact your respective DOE Project Officer.