

**APPENDIX E**  
**TO THE PROGRAMMATIC AGREEMENT AMONG**  
**THE FEDERAL EMERGENCY MANAGEMENT AGENCY,**  
**THE NEW JERSEY STATE OFFICE OF EMERGENCY MANAGEMENT,**  
**THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICER, AND**  
**THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**

**WHEREAS**, as a result of Hurricane Sandy (DR-4086-NJ) (Disaster Declaration), the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. § 5121 *et seq.*) (Stafford Act); the National Flood Insurance Act of 1968, Pub. L. No. 90-448 (1968) (as amended); the Flood Disaster Protection Act of 1973, Pub. L. No. 93-234 (1973) (as amended); the National Flood Insurance Reform Act of 1994, Pub. L. No. 103-325 (1994) (as amended); and implementing regulations contained in Title 44 of the Code of Federal Regulations (C.F.R.), proposes to provide assistance through the New Jersey State Office of Emergency Management (OEM); and

**WHEREAS**, FEMA consulted with OEM, the New Jersey State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) to develop and execute a Programmatic Agreement (Agreement) for its disaster recovery activities, executed on April 30, 2013; and

**WHEREAS**, the New Jersey Department of Community Affairs (NJDCA) has assumed the role of Responsible Entity on behalf of the U.S. Department of Housing and Urban Development (HUD) and is responsible for environmental review, decision-making and action that would apply to HUD pursuant to 24 CFR Part 58, and NJDCA proposes to administer Community Development Block Grant – Disaster Recovery (CDBG-DR) funds pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, January 29, 2013); and

**WHEREAS**, the CDBG-DR funds will support activities that fall within the scope of programs authorized under the terms of this Agreement and Appendix A (Program activities); and

**WHEREAS**, to efficiently and expeditiously deliver disaster recovery assistance to those affected by Hurricane Sandy, there is an opportunity to coordinate and align Section 106 reviews of disaster recovery projects that may have multiple funding sources; and

**WHEREAS**, Stipulation I.A.3. of this Agreement allows other Federal agencies to fulfill their Section 106 responsibilities for those undertakings addressed in this Agreement by fully accepting all the terms of the Agreement and executing this Addendum; and

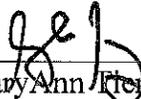
**WHEREAS**, NJDCA will ensure that staff who meet the Secretary's Professional Qualification Standard will review Tier II projects and will provide resumes of such staff to the signatories to this Addendum;

**NOW, THEREFORE**, NJDCA agrees to assume the Federal agency role of HUD and accept the terms and conditions of the Agreement, as appropriate under authorizing legislation and agency regulations, and thereby take into account the effect of its undertakings and satisfy its Section 106 responsibilities for the CDBG-DR program.

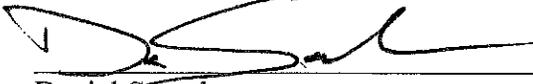
**EXECUTION AND IMPLEMENTATION** of this Addendum to the PA evidences that the New Jersey Department of Community Affairs (NJDCA) has taken into account the effects of its undertaking on historic properties, and that through the execution of this Addendum and implementation of the Agreement, the NJDCA will satisfy its responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations for the referenced CDBG-DR program.

**SIGNATORY PARTIES:**

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

 \_\_\_\_\_ Date: 5/16/13  
Mary Ann Fitzney  
Acting Regional Administrator, FEMA Region II

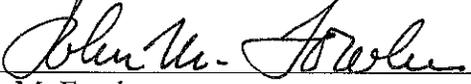
**NEW JERSEY STATE HISTORIC PRESERVATION OFFICER**

 \_\_\_\_\_ Date: 5/17/2013  
Daniel Saunders  
Deputy State Historic Preservation Officer

**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**

 \_\_\_\_\_ Date: 5-17-13  
Richard E. Constable, III  
Commissioner, Department of Community Affairs

**ADVISORY COUNCIL ON HISTORIC PRESERVATION**

 \_\_\_\_\_ Date: 5/20/13  
John M. Fowler  
Executive Director