Amendment to
PROGRAMMATIC AGREEMENT
AMONG
THE BUREAU OF LAND MANAGEMENT,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND
THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS
REGARDING
THE MANNER IN WHICH THE BLM WILL MEET ITS RESPONSIBILITIES
UNDER THE NATIONAL HISTORIC PRESERVATION ACT

Basis for Amendment

WHEREAS, the Bureau of Land Management (BLM), the National Conference of State Historic Preservation Officers (NCSHPO), and the Advisory Council on Historic Preservation (ACHP) executed the referenced national Programmatic Agreement (PA) on February 9, 2012;

WHEREAS, the PA provides that BLM will meet its responsibilities under the National Historic Preservation Act (NHPA) through the PA and the BLM-SHPO protocols, and that states that are not operating under a the BLM-SHPO protocol will operate under 36 CFR 800.3 through 800.7, 36 CFR 800.8(c), or an applicable program alternative under 36 CFR 800.14;

WHEREAS, pursuant to Component 6b, the PA requires each BLM state director or his/her designee to meet with each relevant SHPO to review and consider the need for changes in the existing BLM-SHPO protocol for that state;

WHEREAS, the PA provides that protocols determined to require revision must be changed within 24 months of the date on the PA, which, absent an amendment to the PA, would be February 9, 2014;

WHEREAS, every BLM state office that maintains a BLM-SHPO protocol, except the BLM Utah State Office, has determined that revision is required and the BLM is making significant progress toward completing those revisions, including ongoing public comment and tribal consultation;

WHEREAS, some BLM state offices need additional time to complete the revision of their BLM-SHPO protocols. The BLM intends to ensure that its state offices have the time, resources, and expertise to effectively conclude their revisions, including appropriate tribal and interested party consultation, and the revised protocols meet the PA criteria and provide efficiencies over the default review process in the 36 CFR part 800 regulations;

WHEREAS, some BLM state offices have made substantial progress in revising BLM-SHPO protocols and are nearing completion. The signatories encourage those BLM state offices to finalize and execute their revised BLM-SHPO protocols according to their originally projected schedules, or as close to them as possible;

WHEREAS, Component 11a of the PA provides that signatories to the PA may agree to revise or amend it at any time;

WHEREAS, through this amendment, the BLM proposes to extend the deadline to revise protocols until February 9, 2015;

NOW THEREFORE, the BLM, NCSHPO and ACHP agree to the following amendment to the PA:

AMENDED STIPULATION

1. The last sentence of the first paragraph of Component 6b is revised to read as follows:

"BLM-SHPO protocols determined to require revision must be changed within 36 months of the date of this agreement. The signatories will meet during the 30th month of this period to discuss progress in meeting that deadline."

2. All other terms of the PA remain unchanged.

Signatories:

Neil Kornze
Principal Deputy Director, Bureau of Land Management

2-7-14
Date

John M. Fowler
Executive Director, Advisory Council on Historic Preservation

2/7/14
Date

Elizabeth Hughes
President, National Conference of State Historic Preservation Officers

2-7-14
Date