

**Second Amendment to
PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
AND
THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION
OFFICERS**

Relative to: Conservation Assistance

WHEREAS, the United States Department of Agriculture, Natural Resources Conservation Service (NRCS), the National Conference of State Historic Preservation Officers (NCSHPO), and the Advisory Council on Historic Preservation (ACHP) originally executed this nationwide Programmatic Agreement (PA) on May 31, 2002;

WHEREAS, pursuant to Stipulation 6 of the nationwide PA, the NRCS, NCSHPO, and ACHP executed an amendment to the PA to clarify NRCS' consultation responsibilities with Indian Tribes and Native Hawaiian organizations (NHOs) and to extend the duration of the PA on May 2, 2012 (amended nationwide PA);

WHEREAS, the amended nationwide PA is scheduled to expire on November 2, 2013;

WHEREAS, the signatories agreed to extend the amended nationwide PA on October 31, 2013, but due to the partial government shutdown in early October 2013, the NRCS has extended the deadline for formally executing the second amendment to the amended nationwide PA to November 22, 2013;

WHEREAS, the NRCS is continuing consultation to consider a nationwide prototype programmatic agreement to replace the amended nationwide PA;

WHEREAS, the NRCS needs additional time to ensure that its State offices have the resources and expertise available to implement the requirements of a prototype programmatic agreement should it be designated by the ACHP, including the negotiation and implementation of State-based agreements that would replace the amended nationwide PA;

WHEREAS, the NRCS intends to conclude the consultation process to develop a subsequent program alternative by September 30, 2014, and, should a prototype programmatic agreement be designated by the ACHP, implement the prototype programmatic agreement through the development of agreements with NRCS State offices;

WHEREAS, through this amendment, the NRCS proposes to extend the duration of the amended nationwide PA for a limited time period while the consultation on the subsequent program alternative is ongoing to provide continuity in its Section 106 compliance;

WHEREAS, those NRCS State offices that have not developed State-Level Agreements with State Historic Preservation Officers or Consultation Protocols with Indian Tribes or NHOs pursuant to the amended nationwide PA, or have terminated such agreements or protocols, shall comply with the Section 106 process set forth in 36 CFR Part 800;

WHEREAS, it is anticipated that once the subsequent program alternative is developed and implemented, it would replace the amended nationwide PA;

NOW THEREFORE, pursuant to stipulation 6 of the amended nationwide PA, NRCS, NCSHPO, and ACHP agree to the following second amendment to the nationwide PA.

AMENDED STIPULATION

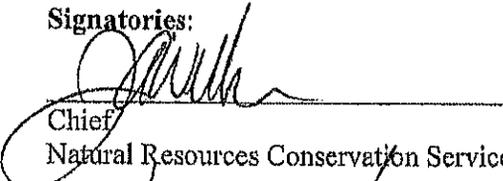
Stipulation 8 of the amended nationwide PA is revised to read as follows:

EXPIRATION

This amended agreement shall expire twelve (12) months from the date of its execution.

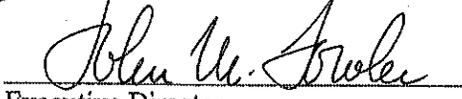
All other terms of the amended nationwide PA are to remain unchanged.

Signatories:



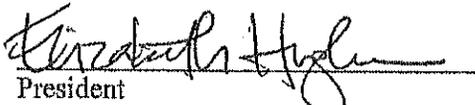
Chief
Natural Resources Conservation Service

11/18/13
Date



Executive Director
Advisory Council on Historic Preservation

11/20/13
Date



President
National Conference of State Historic Preservation Officers

11.20.13
Date