

ADDENDUM
to
PROGRAMMATIC AGREEMENT AMONG
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION, AND
TRIBES PARTICIPATING AS INVITED SIGNATORIES
to include
PARTICIPATING SOUTH CAROLINA UNITS OF GENERAL LOCAL
GOVERNMENT

WHEREAS, FEMA makes assistance available to States, Commonwealths, communities, Federally recognized Indian Tribes (Tribes) and other eligible entities through programs (Programs) set forth in Appendix A, pursuant to the Homeland Security Act of 2002, Pub. L. No. 107-296 (2002) (codified as amended at 6 U.S.C. § 101 *et seq.*); 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 National Flood Insurance Reform Act of 1994, Pub. L. No. 103-325 (1994) (as amended); the Post-Katrina Emergency Management Reform Act of 2006, Pub. L. No. 109-295 (2006) (as amended); implementing regulations contained in Title 44 of the Code of Federal Regulations (CFR), Executive Order 13407 (2006), and such other acts, executive orders, implementing regulations, or Congressionally authorized programs as are enacted from time to time; and

WHEREAS, FEMA has developed a Prototype Programmatic Agreement (FEMA Prototype Agreement) pursuant to 36 CFR § 800.14(b)(4) in consultation with the ACHP and NCSHPO to serve as a basis for negotiation of a State/Tribal specific Programmatic Agreement with the SHPO, State/Tribal Emergency Management Agency, and/or participating Tribe(s); and

WHEREAS, FEMA consulted with the South Carolina State Historic Preservation Officer (SHPO), the South Carolina Emergency Management Division (SCEM) the Catawba Indian Nation, and the United Keetoowah Band of Cherokee Indians to adopt and execute the FEMA Prototype Agreement for its Programs in South Carolina, and the South Carolina State specific Agreement (Agreement) was executed on October 16, 2014; and

WHEREAS, under the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, January 29, 2013), and other Congressionally authorized programs as are enacted from time to time, the U.S. Department of Housing and Urban Development (HUD) allocates Community Development Block Grant- Disaster Recovery (CDBG-DR) funds for disaster recovery activities similar to the activities covered by the Agreement; and

WHEREAS, the South Carolina Disaster Recovery Office (SCDRO) and participating units of general local government have assumed HUD's environmental review responsibilities as Responsible Entities and are responsible for environmental review, decision-making and action, pursuant to Section 104(g) of the Housing and Community Development Act of 1974 and 24

CFR Part 58, and propose to administer Community Development Block Grant – Disaster Recovery (CDBG-DR) funds pursuant to the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 and other Congressionally authorized programs as are enacted from time to time;

WHEREAS, Stipulation I.A.6. of the Agreement allows other Federal agencies, including state and local governments acting as Responsible Entities for CDBG-DR funds, to fulfill their Section 106 responsibilities for those types of activities covered under the terms of the Agreement by accepting and complying with the terms of the Agreement and executing this Addendum; and

WHEREAS, SCDRO and participating units of general local government will ensure that staff who meet the Secretary’s Professional Qualification Standards will review Second Tier projects in accordance with Appendix B of the Agreement and will provide resumes of such staff to the signatories to this Addendum; and

NOW, THEREFORE, SCDRO and participating units of general local government agree to assume the federal agency role and accept the terms and conditions of the Agreement and subsequent amendments, as appropriate under HUD’s authorizing legislation and regulations, and thereby take into account the effect of its undertakings and satisfy its Section 106 responsibilities for the CDBG-DR program for activities in their jurisdictions in South Carolina.

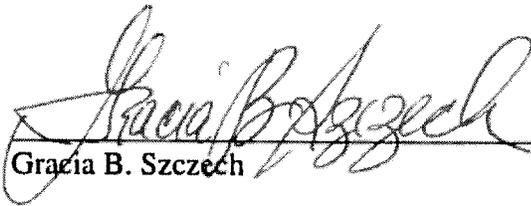
DURATION AND EXTENSION, This Addendum to the Agreement will remain in effect for currently open disaster declarations and subsequent disaster declarations in the state of South Carolina; however, the Addendum will not exceed the expiration date of the Agreement. Signatories may collectively agree to extend this Addendum to cover additional calendar years provided that the Agreement is also extended.

EXECUTION AND IMPLEMENTATION, of this Addendum to the Agreement evidences that SCDRO and participating units of general local government have taken into account the effects of their undertakings on historic properties, and that through the execution of this Addendum and implementation of the Agreement, SCDRO and participating units of general local government will satisfy their responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations for the referenced CDBG-DR program for activities in their jurisdictions in South Carolina. This Addendum may be executed in counterparts, with separate signature pages. Units of general local government may decide to participate and execute the Addendum at any time during the term of the Addendum.

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SIGNATORY PARTIES:

FEDERAL EMERGENCY MANAGEMENT AGENCY

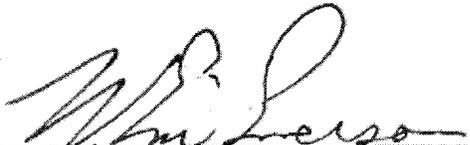
 _____ Date: 11/16/16

Regional Administrator
Region IV

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SIGNATORY PARTIES:

SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER


_____ Date: 11-4-16
W. Eric Emerson, Ph.D.

State Historic Preservation Officer

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SIGNATORY PARTIES:

SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION



Kim Stenson
Director

Date: 4 Nov 16

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INVITED SIGNATORIES:

UNITED KEETOOWAH BAND OF CHEROKEE INDIANS

_____ Date: _____

George Wickliffe

Chief

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INVITED SIGNATORIES:

CATAWBA INDIAN NATION

_____ Date: _____
William Harris
Chief

_____ Date: _____
Wenonah Haire
Tribal Historic Preservation Officer

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SOUTH CAROLINA DISASTER RECOVERY OFFICE

_____ **Date:** _____
Daniel Young

Director of Grants and Incentives
South Carolina Department of Commerce

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PARTICIPATING UNITS OF GENERAL LOCAL GOVERNMENT

[City/County]

_____ Date: _____
[name]
[title]
