



Programmatic Agreement
Among
Farmers Home Administration
The Advisory Council on Historic Preservation
and The Oklahoma State Historic Preservation Office

Whereas the Oklahoma Farmers Home Administration (FmHA) administer loan and grant programs for individuals and corporations to purchase properties that may be included in or eligible for inclusion in the National Register of Historic Places and also may at times acquire such property into FmHA inventory through voluntary conveyance or foreclosure and has consulted with the Advisory Council on Historic Preservation (Council) and the Oklahoma State Historic Preservation Office (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 USC 470 f); and

Now, therefore, FmHA, the Council and the SHPO agree that the program shall be administered in accordance with the following stipulations to satisfy FmHA's Section 106 responsibilities for all aspects of the program.

Stipulations

FmHA will assure that the following measures are carried out:

1. In its loan and grant program for assistance to applicants or its own inventory property prior to selling to the public, FmHA will direct applicants to include the following.



- A. A description of the area of potential effects of the project to which the application pertains, defined in accordance with 36 CFR Section 800.2(c).
- B. Documentation describing all historic properties within the area of potential effects, developed in consultation with the pertinent State Historic Preservation Officer (SHPO) and with local historic preservation commissions and other interested persons, and based on identification efforts carried out in accordance with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and with reference to the Council/National Park Service publication, Identification of Historic Properties: A Decisionmaking Guide for Managers (Washington, DC, 1988).
- C. The applicant's assessment of the project's potential effects on each such property.
- D. The SHPO's comments on the applicant's assessment.
2. FmHA will use the material required by Stipulation 1 in evaluating each such application.
 3. Whenever FmHA admits an application to "Advanced Consideration" status, FmHA will provide the Council with the material required by Stipulation 1 plus FmHA's written comments on the material and any conditions that FmHA proposes to include in the assistance agreement if the application is approved.
 4. Within thirty (30) days after receiving FmHA's submission under Stipulation 3, the Council will:



A. Concur in FmHA's position regarding the application, in which case FmHA will continue to process the application and, if it decides to provide the requested assistance, will condition the assistance agreement as it proposed to the Council; or

B. Propose changes in FmHA's position, whereupon FmHA will initiate consultation with the Council, the SHPO, the applicant, and interested persons, if any, to seek agreement on adopting such conditions, which if agreed upon will lead the Council to concur in FmHA's position; or

C. Object to FmHA's position, whereupon FmHA will initiate consultation regarding the project in accordance with 36 CFR Section 800.5(e).

5. In the event that any individual undertaking of the Program may have a direct and adverse effect on a National Historic Landmark, FmHA shall comply with 36 CFR Sections 800.5, 800.6, and 800.10 for the undertaking.

6. The Council may monitor activities carried out pursuant to this Programmatic Agreement, and the Council will review such activities if so requested. FmHA will cooperate with the Council in carrying out their monitoring activities.

7. Any party to this Programmatic Agreement may request that it be amended, whereupon the parties will consult in accordance with 36 CFR Section 800.13 to consider such amendment.



8. Any party to this Programmatic Agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FmHA will comply with 36 CFR Sections 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement.

9. In the event FmHA does not carry out the terms of this Programmatic Agreement, FmHA will comply with 36 CFR Sections 800.4 through 800.6 with regard to individual undertakings covered by this Programmatic Agreement. Execution and implementation of this Programmatic Agreement evidences that FmHA has satisfied its Section 106 responsibilities for all individual undertakings of the program.

Advisory Council on Historic Preservation

By: Michael R. Bush Date: 3/5/92

Oklahoma State Historic Preservation Officer

By: John Wade Date: 8 Jan 1992

Farmers Home Administration

By: Ernest Hellwege Date: 1/16/92

ERNEST HELLWEGE

State Director