

PROGRAMMATIC AGREEMENT
CITY OF PAWTUCKET, RHODE ISLAND
HUD ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
HOME HOUSING INVESTMENT PARTNERSHIP PROGRAM

WHEREAS, the City of Pawtucket proposes to administer the (Federal Fiscal Year 2004-2005) Community Development Block Grant Program funded by the Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended, and under Title II (HOME Program) of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, and

WHEREAS, the City of Pawtucket has determined that the program may have an effect upon properties included in or eligible for inclusion in the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) and the State Historic Preservation Officer (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f),

NOW, THEREFORE, the City of Pawtucket, the Council, and the Rhode Island State Historic Preservation Officer agree that the program shall be administered in accordance with the following stipulations to satisfy the City's Section 106 responsibilities for all individual undertakings of the program.

Stipulations

The City of Pawtucket will ensure that the following measures are carried out.

Activities Covered by this Agreement

1. The City and the SHPO concur that the activities to be funded under the FFY 2004 Community Development Block Grant Program and 2004 HOME Program will be covered under this Agreement:

- Removal of Architectural Barriers
- Residential Rehabilitation Loan Program
- Commercial Rehabilitation Loan Program
- Local Commercial & Industrial Development Corporation
- Parks & Recreation Facility Improvements
- Neighborhood Site Improvements
- Acquisition, Demolition & Relocation
- Public Facility Improvements
- HOME Investment Partnerships Program

Identification of Properties

2. The City will consult the current list of all properties included or eligible for inclusion in the National Register of Historic Places maintained by the Rhode Island Historical Preservation Commission, a copy of which will be provided to the City. If such a list is incomplete or if there is a question about eligibility, the City will request eligibility assessments of the RISHPO on a case-by-case basis. All properties included or eligible for inclusion in the National Register of Historic Places shall be treated in accordance with the Agreement.

Treatment

Properties that are included or eligible for inclusion in the National Register shall be treated in the following manner:

3. Historic properties that are to be rehabilitated under projects covered in this Agreement shall be treated in accordance with the Secretary of the Interior's "Standards for Rehabilitation" which will be applied in consultation with the Rhode Island State Historic Preservation Officer. Rehabilitation accomplished in this manner will have no adverse effect on such properties and no further review by the Council is necessary.

4. In those instances where the rehabilitation standards cannot be met, or the proposed treatment is not rehabilitation, or demolition is the recommended treatment, or if the proposed action may have an indirect effect on historic properties, prior to taking any action, the City will consult with the Rhode Island State Historic Preservation Officer and initiate the procedures set forth at 36 CFR Part 800.5(e) of the Council's Regulations.

Activities Exempt from Further Review

5. The following rehabilitation activities do not require further consultation with the Rhode Island SHPO.

- A. Electrical work (upgrading or in-kind replacement);
- B. Plumbing work (upgrading or in-kind replacement);
- C. Installation of new furnace;
- D. Painting in a complementary or in-kind color;
- E. Repair of porches or cornices when the repair is done in-kind to match existing material and form;
- F. Caulking;
- G. Repair of roofing material when the repair is done in-kind to match existing materials and form.

The above rehabilitation activities are exempt from further review except when it involves properties that are listed or eligible to be listed on the National Register of Historic Places as individual buildings.

Amendment and Renewal

6. If any of the signatories of this Agreement determine that the terms of the Agreement cannot be met or believes a change is necessary, that signatory will immediately request the consulting parties to consider an Amendment or Addendum to this Agreement. Such an Amendment or Addendum shall be executed in the same manner as the original Agreement.

7. This Agreement will continue in force for the duration of this grant, or no longer than two (2) years. After that time, it will be reviewed for possible modifications, termination or extension. In the event any of the signatories of this Agreement decide to terminate the Agreement, it is agreed that the City will comply with the Council's regulations (36 CFR Part 800) on a case-by-case basis.

Execution of this Programmatic Agreement and carrying out its terms evidences that the City of Pawtucket has satisfied its Section 106 responsibilities for all individual undertakings of the FFY 2004-2005 Community Development Block Grant Program.


James E. Doyle, Mayor
City of Pawtucket, Rhode Island


Date


R.I. State Historic Preservation Officer


Date


Advisory Council on Historic Preservation


Date