

PROGRAMMATIC AGREEMENT
 CITY OF LEWISTON, MAINE
 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
 HOME
 LEAD HAZARD REDUCTION GRANT PROGRAM

WHEREAS, the City of Lewiston proposes to administer the following federal programs funded by the U. S. Department of Housing and Urban Development (HUD); Community Development Block Grant Program (CDBG), HOME and Lead Hazard Reduction Grant Program, and

WHEREAS, the City of Lewiston 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.S. Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f),

NOW THEREFORE, the City of Lewiston, Lewiston Historic Preservation Review Board, and the 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 Lewiston will ensure that the following identified measures are carried out.

Activities Covered by This Agreement

1. The City will consult with the SHPO to determine which program activities to be funded under the CDBG, HOME and Lead Hazard Reduction Grant Program will not be covered under this agreement;

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 Maine Historic 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 Maine SHPO 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 this agreement.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages **3**

To <u>DAVID ALICE</u> <small>Dept./Agency</small>	From <u>CATHERINE BRO...</u> <small>Phone #</small>
Fax # <u>202.708.3363</u>	Fax # _____

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 Lewiston Historic Preservation Review Board, and the Maine 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.

Program Agreement

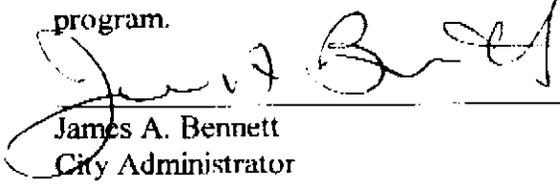
The following treatments shall be excluded from review by MHPC:

- A. In-kind roof replacement;
 - B. Electrical, heating, plumbing upgrade;
 - C. Interior and exterior painting;
 - D. Septic and well work located outside potential archaeological areas as designated by either the Commission, or the Lewiston Historic Preservation Review Board.
- 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, in conjunction with the Lewiston Historic Preservation Officer and initiate the procedures set forth at 36 CFR Part 800.5(e) of the Council's Regulations

Amendment and Renewal

- 5. If any signatory of this Agreement determines 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.
- 6. This Agreement will continue in force for the duration of these grants. After that time it will be reviewed for possible modification, termination, or extension. In the event that any of the signatories of this Agreement decide to terminate the Agreement, it is agreed that the City will comply with regulations (36 CFR Part 800) on a case-by-case basis.

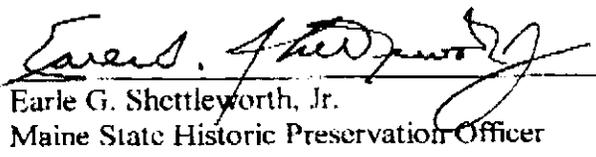
Execution of this *Programmatic Agreement* and carrying out of its terms evidences that the City of Lewiston has satisfied its Section 106 responsibilities for all individual undertakings of the program.



James A. Bennett
City Administrator

4/9/02

Date



Earle G. Shettleworth, Jr.
Maine State Historic Preservation Officer

3/31/02

Date

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

Date