



Nationwide Programmatic Agreement for the Improvement, Operation, and Maintenance of Navy Shipyards and Support Facilities

Consultation Meeting #8
March 23, 2021

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- 1. Please type your name and affiliation in the chat box.**
2. Unmute your phone at any time by hovering over the icons in the center of the page to reveal the mute/unmute button.
3. We will pause for Q&A throughout the presentation and before ending today.
4. You can also type questions and comments in the chat box.
5. We will post a recording of this consultation session on the SIOP-NHPA website.

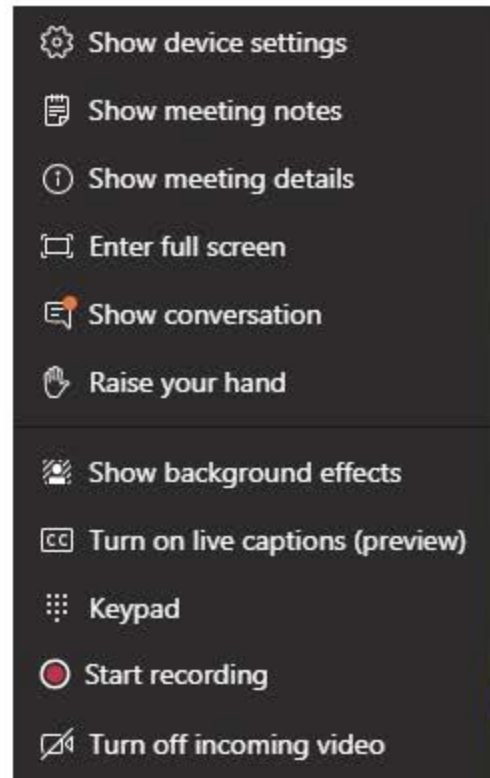
How to use MS Teams



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Consultation Information



The Navy's info website <https://navalshipyards-nhpa.com/> provides consultation support information:

1. The Documents tab provides copies of correspondence and the draft NPA and LMP template.
2. The Programmatic Agreement tab includes a summary of the program alternative, a list of parties invited to consult, and summaries and presentations for the consultation meetings.

Meeting #8 Topics and Goals



Review primary feedback and summarize changes in the NPA approach

Review topics of comments on version 4 NPA and LMP template

Discuss next steps for the NPA consultation

NPA Consultation to Date



- May 1, 2020 – Letter Initiating Consultation
- June 11, 2020 – Consultation Meeting #1 – Introduction of the NPA/LMP alternative
- July 16, 2020 – Consultation Meeting #2 – Discussion of SIOP requirements and the NPA/LMP
- August 12, 2020 – Consultation Meeting #3 – Discussion of NPA consultation planning
- September 24, 2020 – Preliminary Draft NPA
- October 29, 2020 – Discussion of NPA applicability and Draft #2 of NPA
- December 17, 2020 – Review of Draft #3 of NPA



Four key issues to resolve:

- *Determining those consulting parties that have the right to, and who may be invited to, sign the NPA;*
- *The difference between a SIOP project and non-SIOP project at public shipyards and support facilities;*
- *The goals and applicability of a “local management procedure” (LMP) as described in the draft NPA; and*
- *The legality of a LMP as a Section 106 agreement document.*

ACHP Recommendations



- *As the Navy intends this program PA to be nationwide in scope, it must follow the precedent of other nationwide PAs that have no invited signatories or concurring parties.*
- *We urge the Navy to consider expanding it to apply to all Navy undertakings that support the continued operation and maintenance of the public shipyards and support facilities [in order to] provide appropriate flexibility, efficiency, and predictability for other stakeholders likely to continue consulting the Navy on various projects.*
- *This is not the first time a federal agency has incorporated the development of subsequent state or regionally based procedures under the terms of a broader umbrella PA to outline how the agency would meet its Section 106 responsibilities.*

Key Changes in NPA Consultation



Changes in the applicability of NPA, working with the ACHP's comments and revisions:

- Navy ship maintenance facilities in all states, subject to notification and consultation, with plan to include all SHPOs in the consultation.
- Change in NPA applicability to operations, maintenance, and improvement actions—including, but not limited to SIOP projects.

Comments Received on V4



- Kehulani Lum, Hawai'i
- Ken Goldman, Maine
- ME SHPO
- NCSHPO
- NPS
- VA SHPO



- Time-frame for initiation of consultation on LMPs after NPA is executed
- Consulting v. Concurring parties and their roles in implementation of LMPs
- Periods of review for projects under LMPs
- Need for clarification regarding updated approach to ADPs in LMPs

Topics of Comments on V4



- Need for additional details on nationwide mitigation of adverse visual effects
- Need for commitment regarding completing and updating surveys and eligibility determinations for applicable locations
- Review requirements for No Historic Properties Affected and No Adverse Effect determinations
- Duration of the NPA