

**MEMORANDUM OF AGREEMENT
BETWEEN
THE U.S. ARMY GARRISON ABERDEEN PROVING GROUND
AND
THE MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**

SUBJECT: THE DEMOLITION OF BUILDINGS WITHIN THE WORLD WAR I BARRACKS HISTORIC DISTRICT, EDGEWOOD AREA, HARFORD COUNTY, MARYLAND

WHEREAS, U.S. Army Garrison Aberdeen Proving Ground (APG), Maryland, proposes to demolish the following buildings located in the Edgewood Area E4400 Block: E4162, E4405, E4410, E4415, E4420, E4430, E4435, E4440, E4455, E4460, E4465, E4475, and E4480 (the Project), which are thirteen of the fifteen contributing resources to the World War I Barracks Historic District (the District); and

WHEREAS, APG plans to carry out the Project pursuant to Army Regulation (AR) 210-20, *Real Property Master Planning for Army Installations*, thereby making the Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC § 470 f, and its implementing regulations, 36 CFR Part 800; and

WHEREAS, APG has determined the undertaking necessary, after consideration of alternatives, given the changing needs of APG in the Edgewood Area and the prohibitive costs of maintenance or repair of this building complex; and

WHEREAS, APG defines the Area of Potential Effect (APE) as the boundaries of the District, bounded by Beal Road, Hoadley Road, Wise Road, and Austin Road (Attachment A); and

WHEREAS, APG has determined the undertaking will have an adverse effect on the District (Maryland Inventory of Historic Places [MIHP] HA-1855) as the buildings to be demolished are contributing resources to the District which is eligible for listing in the National Register of Historic Places, and has consulted with the Maryland State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800; and

WHEREAS, the District consists of 13 barracks, 12 of which will be demolished; a bakery, which will be demolished; and a steam plant, which will be retained and will continue to serve nearby buildings; and

WHEREAS, APG has previously documented the District in the Historic American Engineering Record, *HAER No. MD-47 Aberdeen Proving Ground (Edgewood Arsenal)* (1985); and

WHEREAS, APG has consulted with the Cayuga Nation; Delaware Nation, Oklahoma; Oneida Nation of New York; Oneida Tribe of Indians of Wisconsin; Onondaga Nation, Saint Regis Mohawk Tribe; Seneca Nation of Indians; Seneca-Cayuga Tribe of Oklahoma; Tonawanda Band of Seneca; and Tuscarora Nation (Tribes), for whom the lands that APG occupies may have religious and cultural significance, and has invited the Tribes to sign this Memorandum of Agreement (MOA) as concurring parties; and

WHEREAS, no Tribes indicated an interest in participation; and

WHEREAS, APG has solicited the views of the public via a public meeting on November 2, 2011 as well as through notices and letters, including a notice published May 2015 inviting public comment; and

WHEREAS, APG consulted with the Harford County Historic Preservation Board on January 4, 2012 regarding the effects of the undertaking on historic properties and proposed mitigation; and

WHEREAS, the Harford County Historic Preservation Board provided written comment concurring with proposed mitigation; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), APG has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect determination providing the specified documentation in a letter dated 30 April 2012, and the ACHP has chosen to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, APG, in accordance with the National Environmental Policy Act, finalized an Environmental Assessment for the District that detailed the proposed demolition and explored alternatives in April 2011; and

NOW, THEREFORE, APG, SHPO, and the ACHP agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

APG shall ensure that the following measures are carried out:

I. Mitigation

A. Rehabilitation and Reuse of Building E4470:

(1) As mitigation for the demolition of 12 of the 13 historic barracks in the District and the bakery (the majority of the district), APG shall rehabilitate Building E4470 and continue to adaptively reuse it as administrative space. Building E4470 will serve as a representative example of the historic and architectural significance of the District. APG

has selected this building due to its fair condition, renovation already completed on the building, and for the degree to which it is able to visually represent original historic features.

(2) APG shall, in consultation with the SHPO, rehabilitate E4470 in accordance with the Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties (36 CFR Part 68) within 4 years of the execution of the MOA.

(3) Within one year of the execution of the MOA, APG shall conduct a walkthrough of the buildings planned for demolition to catalog items that may be suitable for reuse within E4470.

(a) APG shall inform the SHPO of the results of the analysis within 60 calendar days of completing the walkthrough.

(b) If APG and SHPO agree that reuse of items is a viable option, then APG will proceed to make arrangements for salvage operations of the items for storage until the rehabilitation is undertaken.

(4) APG shall provide a draft of the Request for Qualifications and Request for Proposal regarding the rehabilitation of E4470 to the SHPO. The SHPO has 45 calendar days upon receipt of all pertinent documentation to provide comments.

(5) To the maximum extent feasible, APG shall ensure that one member of the APG Cultural Resources Management staff and one member of the SHPO staff, who meets the SOI Professional Qualification Standards for Historic Architecture, participate in the first day of the Source Evaluation Board for E4470 as non-voting members to address historic preservation values by providing comments on the architectural characteristics of the proposed designs with respect to the SOI Treatment of Historic Properties.

B. Updating District Documentation

(1) Within 3 years of the execution of this MOA and prior to any demolition activities, APG shall develop a plan, in consultation with the SHPO; APG Public Affairs Office; and APG Operations Security, to (a) update the MIHP inventory form for the District (HA-1855), to include photographic and drawing documentation and (b) a public interpretation plan/written history of the District. Demolition can occur once the plan has been agreed to among all parties.

(2) The update shall follow the SHPO's Standards and Guidelines for Architectural and Historical Investigations in Maryland.

(3) The plan shall include a 45 calendar day review period for any aspects of the plan for the SHPO.

C. APG shall contact the National Park Service's Heritage Documentation Programs to determine what information should be submitted to the Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey to update the existing documentation for WWHD within 180 days of the execution of this MOA. A copy of the final documentation should be provided to the SHPO.

II. Duration

A. This MOA will expire 10 years after the date of its execution. At such time, and prior to work continuing on the undertaking, APG shall either (a) execute a MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7.

B. Prior to such time, APG may consult with the signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VI below. APG shall notify the signatories as to the course of the action it will pursue.

III. Post-Review Discoveries

If potential historic properties or archaeological resources are discovered or unanticipated effects on historic properties are found, APG shall address these post-review discoveries in accordance with 36 CFR § 800.13(b).

IV. Monitoring and Reporting

APG will provide the SHPO annual summary reports for the duration of the MOA, which shall include the status of items being carried out under the MOA, schedule changes, and any problems encountered no later than October 30th.

V. Dispute Resolution

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, APG shall consult with the objecting party to resolve the objection. If APG determines that the objection cannot be resolved, APG will:

A. Forward all documentation relevant to the dispute, including APG's proposed resolution, to the ACHP. The ACHP shall provide APG with its advice on the resolution of the objection within 30 calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, APG shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. APG will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the 30 calendar day time period, APG may make a final decision on the dispute and proceed accordingly. Prior to implementing a final decision on the dispute, APG shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the signatories and concurring parties, and provide them and the ACHP with a copy of this written response.

C. APG's responsibility to carry out all actions under the MOA that are not the subjects of the dispute will remain unchanged.

VI. Amendments

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. Termination

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VI. If within 30 calendar days, an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, APG must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7.

APG shall notify the signatories as to the course of action it will pursue.

VIII. Anti-Deficiency Act

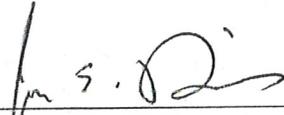
APG's compliance with this MOA is subject to the availability of appropriated funds and the provision of the Anti-Deficiency Act (31 USC § 1341). If the availability of funds and compliance with the Anti-Deficiency Act impair APG's ability to perform under this MOA, APG shall consult according to the amendment and termination procedures found in Stipulations VI and VII of this MOA.

Execution of this MOA by APG, SHPO, and the ACHP and implementation of its terms evidence that APG has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

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SUBJECT: REGARDING THE DEMOLITION OF BUILDINGS WITHIN THE WORLD
WAR I BARRACKS HISTORIC DISTRICT, EDGEWOOD AREA, HARFORD COUNTY,
MARYLAND

US ARMY AT ABERDEEN PROVING GROUND


Date: 21 OCT 2015

JAMES E. DAVIS
Colonel, FA
Commanding

MARYLAND STATE HISTORIC PRESERVATION OFFICER


Date: 11-9-15

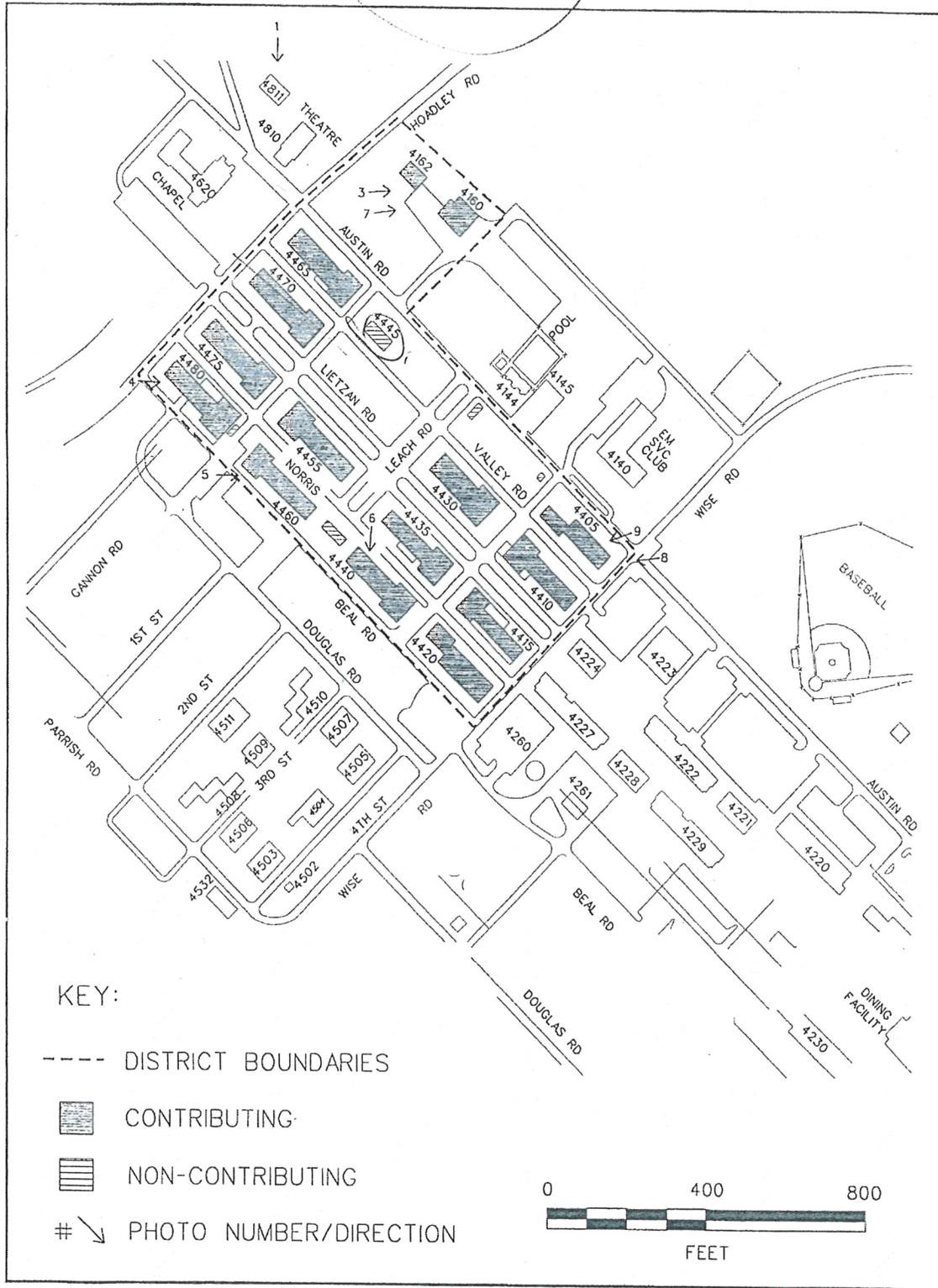
ELIZABETH HUGHES
Maryland State Historic Preservation Officer
Acting Director, Maryland Historical Trust

ADVISORY COUNCIL ON HISTORIC PRESERVATION


Date: 12/30/15

JOHN F. FOWLER
Executive Director

ATTACHMENT A
Area of Potential Effect





Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

David R. Craig, Secretary
Wendi W. Peters, Deputy Secretary

Maryland Department of Planning
Maryland Historical Trust

November 9, 2015

U.S. Army Garrison, Aberdeen Proving Ground
Directorate of Public Works, Environmental Division
ATTN: IMAP-PWE (Mr. Mark Gallihue)
Cultural Resources Program
Building 4304, 3rd Floor
4510 Boothby Hill Avenue
Aberdeen Proving Ground, Maryland 21005-5001

Re: MOA regarding Demolition of World War I Barracks
Edgewood Area E4400 Block at Aberdeen Proving Ground
Harford County, Maryland

Dear Mr. Gallihue:

I am pleased to provide you with the Memorandum of Agreement (MOA) regarding the Demolition of the World War I Barracks Historic District, HA-1855. The document was executed by Elizabeth Hughes on behalf of the Maryland Historical Trust, the State Historic Preservation Office. We ask that it be circulated for the other signatories' signatures and forwarded to the Advisory Council on Historic Preservation to be filed.

Thank you for your cooperation in this matter. We look forward to receiving a copy of the fully-executed MOA amendment and working with you to complete the stipulations of the agreement. If you have any questions or we may be of assistance, please contact me at amanda.apple@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Amanda R. Apple', is written over a faint, larger version of the same signature.

Amanda R. Apple
Preservation Officer, Project Review and Compliance
Maryland Historical Trust

Enclosure MOA

ARA / 201504744