

MEMORANDUM OF AGREEMENT

SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

PURSUANT TO 36 CFR SECTION 800.6(a)

WHEREAS, the United States Department of Veterans Affairs, has determined that the construction of the Acute Psychiatric Hospital building at the Marion VA Medical Center will have an effect on the Marion Branch of the National Home for Disabled Volunteer Soldiers Historic District, which is eligible for inclusion in the National Register of Historic Places, and has consulted with the Indiana State Historic Preservation Officer (Indiana SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 USC Section 470f); and

NOW, THEREFORE, the Department of Veterans Affairs and the Indiana SHPO 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

The Department of Veterans Affairs shall ensure that the following measures are carried out:

1. The design of the Acute Psychiatric Hospital building shall meet the approaches recommended in the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Standards and Guidelines). Construction Document level drawings shall be provided to the Indiana SHPO for review and comment.
2. The treatment of connecting the Acute Psychiatric Hospital building to the north wall of Building #124 shall meet the Standards and Guidelines. Detailed information, including a section drawing of the north wall, shall be provided to the Indiana SHPO for review and comment.
3. The massing of the Acute Psychiatric Hospital building represented in the initial Schematic Design Development Documents dated April 1995 shall be reconfigured to reduce the visual impact to Building #124, in the manner indicated in the Schematic Design 2 drawings dated November 13, 1995.
4. Trees shall not be planted in the front lawn/new parking area of Building #124 and the south side lawn area of the Acute Psychiatric Hospital building.
5. The Department of Veterans Affairs shall cause to be prepared an application for the listing of the Marion Branch of the National Home for Disabled Volunteer Soldiers Historic District in the National Register and shall submit the application to the Indiana SHPO within 2 years of the date of the acceptance of this Memorandum of Agreement by the Advisory Council on Historic Preservation (Council); the Department of Veterans Affairs shall cooperate with the Indiana SHPO by providing any additional information or any revision of the application that the SHPO determines to be necessary to make the application acceptable.
6. Should the Indiana SHPO object within 30 days to any plans or specifications provided for review or actions proposed pursuant to this agreement, the Department of Veterans Affairs shall consult with the Indiana SHPO to resolve the objection. If the Department of Veterans Affairs determines that the objection cannot be resolved, the Department of Veterans Affairs shall forward all documentation relevant to the dispute to the Council. Within 30 days after receipt of all pertinent documentation, the Council shall either:
 - a. provide the Department of Veterans Affairs with recommendations, which the Department of Veterans Affairs shall take into account in reaching a final decision regarding the dispute; or

b. notify the Department of Veterans Affairs that it will comment pursuant to 36 CFR 800.6(b) and proceed to comment. Any Council comment provided in response to such a request shall be taken into account by the Department of Veterans Affairs in accordance with 36 CFR 800.6(c)(2) with reference to the subject dispute.

Any recommendation or comment provided by the Department of Veterans Affairs shall be understood to pertain only to the subject of the dispute; the Department of Veterans Affairs' responsibility to carry out all actions under this agreement that are not the subjects of the dispute shall remain unchanged.

Execution of this Memorandum of Agreement by the Department of Veterans Affairs and the Indiana SHPO, its subsequent acceptance by the Council, and the implementation of its terms evidence that the Department of Veterans Affairs has afforded the Council an opportunity to comment on the Acute Psychiatric Hospital Building Project and its effects on historic properties and that the Department of Veterans Affairs has taken into account the effects of the undertaking on historic properties.

DEPARTMENT OF VETERANS AFFAIRS

By: Michael W. Murphy Date: 10/23/96
Michael W. Murphy, Ph.D., Acting Director

INDIANA STATE HISTORIC PRESERVATION OFFICER

By: Patricia R. Ralston Date: 12-2-96

ACCEPTED FOR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: [Signature] Date: 8/11/97