

**MEMORANDUM OF AGREEMENT  
AMONG THE DEPARTMENT OF VETERANS AFFAIRS,  
THE MISSOURI STATE HISTORIC PRESERVATION OFFICER, AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING DEMOLITION AND CONSTRUCTION OF MEDICAL CENTER  
BUILDINGS, AND CEMETERY EXPANSION AT ST LOUIS VAMC-JEFFERSON  
BARRACKS DIVISION, ST LOUIS, MO**

Whereas, the Department of Veterans Affairs (VA) is proposing a mission critical undertaking to realign the campus of the St Louis Medical Center -Jefferson Barracks Division (VAMC-JB) to eliminate inefficient, obsolete, and/or unusable facilities to facilitate transfer of approximately 30 acres of land to the National Cemetery Administration (NCA) for development to extend operation of the Jefferson Barracks National Cemetery, while also consolidating medical and tenant functions in facilities that are better equipped to serve the VA's on-going mission needs; and

Whereas, the proposed undertaking will be performed in 5 major phases whose areas are illustrated in attachments A (labeled Major - Phasing Site Plan: Medical Facility Improvements and NCA Expansion), B (labeled Overall Site Development Plan: Jefferson Barracks National Cemetery Gravesite Expansion), and C (labeled Major - Existing Site Plan: Medical Facility Improvements and NCA Expansion), which illustrate both the areas of new construction and existing buildings to be demolished; and

Whereas, phase 1 is comprised of two sub-phases and includes transfer of approximately 24 acres (approximately 13 usable) of land from the VAMC-JB to NCA (see attachments A and B). Phase 1A, which is currently at 100% design, includes demolition of 3 former VAMC-JB quarters buildings 27, 28, 29, and associated structures (utility vault 14) and improvements which exist on the southern portion of the transferred land (see attachment C); development of approximately 13 combined acres with repair of wind walls at the existing committal shelters; placement of approximately 10,000 pre-placed crypts and creation of approximately 5000 columbarium niches and a new in-ground cremains burial site; construction of a new committal shelter, a new memorial wall and plaza, access roads, landscaping, irrigation, fencing, site utilities, and a new electrical duct bank that will relocate above ground electrical lines below ground to improve aesthetics and continue to feed the VAMC-JB campus. Phase 1B which is nearing 60% design will include demolition of an electrical substation that currently exists on the northern section of the transferred land, after a new substation is placed in service on the VAMC-JB campus during phase 2. It will also include repairs to a historic stone wall within the existing cemetery, replacement of an existing fence along Sheridan Road with ornamental fencing, along with development of approximately 3 acres to provide 2000 pre-placed concrete crypts, access roads, landscaping, irrigation, fencing, site utilities and drainage improvements; and

Whereas, Phase 2 (see attachment A) is nearing 50% design and will consist of demolition of existing structure (generator) 85 and buildings 17, 50, 64, and 88, (see attachment C); construction of an approximately 113,300 Gross Square Foot, 3-story, clinical building (proposed building 55); construction of a combined electrical substation and energy plant to



house campus boilers, chillers, and standby generators (proposed building 75); installation of new natural gas and water service lines as required by the new construction; campus-wide distribution upgrades to address fire alarm, electrical utility entrance, backup power generation, electrical, steam and chilled water distribution, and

Whereas, Phase 3 (see attachment A) is at 15% design and will consist of demolition of existing structure 79 and buildings 4, 4T, 5, 6, 7, 8, 61, and 63 (see attachment C); construction of an approximately 49,300 Gross Square Foot, 1-story (with partial basement) Rehabilitation/Recreation/Chapel building (proposed building 54); construction of an approximately 68,600 Gross Square Foot, 1-story Engineering/Warehouse building (proposed building 57); reconfiguration and construction of associated roadways, parking, site utilities, and site improvements required for each building, and

Whereas, Phase 4 (see attachment A) is at 15% design and will consist of demolition of existing structures 49, 71, 80 and buildings 48, 65, 70, 70A, and 82 (see attachment C); construction of an approximately 86,700 Gross Square Foot, 4-story (3 stories plus basement) tenant building (proposed building 56); and reconfiguration and construction of associated roadways, parking, site utilities, and site improvements required for each building, and

Whereas Phase 5 (see attachment A) will consist of development of approximately 17 combined acres, pre-placement of approximately 13,000 concrete crypts, 4,000-5000 columbarium niches, construction of a new committal shelter, access roads, landscaping, irrigation, fencing, and site utilities; and

Whereas, the Mental Health Addition (outlined and labeled "N.I.C., But Required Coordination" in attachment A) is at contract award for construction and will consist of minor site work to include existing utility and sidewalk relocations; fence replacement on the southwest corner of existing Building 51; and construction of a single story, free-standing addition of approximately 16,000 Gross Square Feet in an open site area on the west side of Building 51; and

Whereas, VA has defined the undertaking's area of potential effect (APE) as including the entire 120 acre medical center campus and adjacent 331 acre National Cemetery; and

Whereas, VA has determined that the undertaking may have an adverse effect on the Jefferson Barracks National Cemetery, listed in the National Register of Historic Places (National Register) and the Veterans Affairs Medical Center, Jefferson Barracks historic district, which is eligible for listing in the National Register, and has consulted with the Missouri State Historic Preservation Officer pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

Whereas, in accordance with 36 C.F.R. § 800.6(a)(1), VA has notified the Advisory Council on Historic Preservation (ACHP), of its adverse effect determination with specified documentation and the ACHP has chosen to participate in the consultation pursuant to 36 CFR 800.6(a)(1)(iii); and

Whereas, VA has notified 42 potentially interested tribes and the tribes have not responded to VA expressing any interest in consultation or coordination (see attachment D labeled Native American Contact Information); and

Whereas, VA has met with the Jefferson Barracks Community Council and contacted the Missouri Air National Guard Station Jefferson Barracks, and invited them to participate in consultation and to be a concurring party to this agreement; and

Whereas, VA has previously completed a Historic American Landscape Survey of the Jefferson Barracks National Cemetery which documents the development of the existing cemetery.

Now, therefore, VA, SHPO and the ACHP agree that VA shall carry out the undertaking in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

### **Stipulations**

*VA will ensure that the following are carried out.*

#### ***1. Architectural and Historical Documentation***

##### **A. HABS documentation of buildings on the VAMC-JB campus to be demolished**

- i. Prior to removal or demolition of the buildings and structures indicated in Attachment B, VA will contract with a historic preservation specialist or specialists who at a minimum meets the professional qualifications as defined in 36 CFR 61, Appendix A to document the contributing buildings to be demolished through sketch plans, photographs, and preparation of short form architectural data. VA will establish the scope of work for documentation in consultation with the SHPO and the Historic American Building Survey (HABS) in the National Park Service (NPS), and will ensure that the documentation is carried out in accordance with the Secretary of the Interior's Standards for Architectural and Engineering Documentation and associated guidelines as set forth at [http://www.nps.gov/history/local-law/arch\\_stnds\\_6.htm](http://www.nps.gov/history/local-law/arch_stnds_6.htm). Documentation will be at the HABS Level II and shall include large format photographs (and negatives) of exterior and interior views, and/or historical views, large format photographs (and negatives), or mylars, of selected existing drawings, and short form history & description.
- ii. The parties understand that VA may elect to prepare the documentation in phases, but VA's intent is to perform field work for photography within 2 weeks of awarding a contract with photographs submitted approximately 30 days after field work completes. Narrative documentation/reports will be submitted approximately 120 days after photography.



- iii. VA will provide the resulting documentation for each building to the SHPO and HABS in the National Park Service for review and comment.
- iv. SHPO will review materials and provide written comments within 30 days from receipt of each submission.
- v. VA will address the comments provided by the SHPO and HABS and submit the final documentation to the SHPO, HABS, and the Historic Preservation Office at VA Central Office. VA will obtain confirmation from HABS and SHPO of the filing of the final documentation (photographs) for each building prior to the demolition of said building or structure.

B. Record of the History of the VAMC-JB campus.

- i. VA will contract with a historic preservation specialist or specialists who at a minimum meets the professional qualifications as defined in 36 CFR 61, Appendix A to perform historical research using primary and secondary source materials, oral interviews, and other research techniques as needed along with analysis and evaluation of historic records to assure the accuracy and completeness of all data and organize material appropriately to develop a historic context specific to VAMC-JB. The research and final documentation will meet the requirements and standards established by the National Register of Historic Places for nomination submissions.
- ii. VA will perform this study so that it is complete no later than 1 year from the effective date of this MOA. A copy of the resulting study will be provided to SHPO and concurring parties for comment. SHPO will receive one un-bound final copy and one electronic copy in portable document format. Concurring parties will receive an electronic copy in portable document format.
- iii. Within 9 months of completion of final research documentation, VA will evaluate the results of the research, consider the pros and cons of formal nomination of the VAMC-JB campus to the National Register of Historic Places, and if deemed warranted by VA, will complete and submit appropriate forms for a formal nomination.
- iv. Within 6 months of completion of the study, VAMC-JB will publish the resulting record of the history of VAMC-JB on the medical center's website and will provide copies to the Jefferson Barracks Heritage Foundation, the St Louis County Park Museum, and the St Louis County Library (Cliff Cave Branch).

**2. Design Review**

A. Design Principles for the VAMC

- i. VAMC-JB, in consultation with the SHPO, will make reasonable efforts to ensure that the design of new buildings not only meets mission requirements; appropriately sizes and equips these buildings for their required functions and needs; meets, to the extent practical, federal mandates for sustainability and energy efficiency; improves reliability and minimizes recurring maintenance cost, and; meets mandatory VA physical security requirements; but also attempts to achieve, to the extent practical given the foregoing, a context-sensitive design that attempts to be as visually compatible with the character of the remaining contributing elements on the Veterans Affairs Medical Center, Jefferson Barracks historic district as practical. This aspect of design will be informed by the Secretary of the Interior's Standards for Rehabilitation as set forth at <http://www.nps.gov/hps/tps/tax/rhb/stand.htm> and their associated guidelines.
- ii. VAMC-JB will consider in its planning for new construction a range of facility development solutions such as setbacks, materials selections, landscaping, site layout, modifications to buildings footprints, and other appropriate techniques to improve compatibility with the contributing elements of the Veterans Affairs Medical Center, Jefferson Barracks historic district.
- iii. The contributing elements of the Veterans Affairs Medical Center, Jefferson Barracks historic district reflect two periods of construction and architectural design styles. Buildings 1, 2, 3, 18, 23, 24, and 25 illustrate construction by the Public Health Service and VA in the 1920s and 1930s and are characterized by a Colonial Revival design style with stucco finishes and wood trim. Buildings 51, 52, and 53 illustrate construction by VA in the 1950s and are characterized by a commercial modern design style with yellow brick and bands of contrasting masonry.

#### B. Design Principles for the National Cemetery

- i. VA, in consultation with the SHPO and concurring parties, will make reasonable efforts to ensure that the design of the new buildings are visually compatible with the character of the contributing elements to the Jefferson Barracks National Cemetery historic district, with reference to the Secretary of the Interior's Standards for Rehabilitation as set forth at <http://www.nps.gov/hps/tps/tax/rhb/stand.htm> and their associated guidelines.
- ii. VA in consultation with the SHPO and concurring parties will consider in its planning for new construction a range of facility development solutions such as materials selections, landscaping, and other appropriate techniques to improve compatibility with the contributing elements of the Jefferson Barracks National Cemetery historic district.

#### C. Design Review Process

- i. With the exception of the Mental Health minor project and phase 1A which are both at 100% design, and phases 1B, and 2, which are at 60% and 50% design,



respectively, prior to finalizing design or contracting for the construction of each phase of the VAMC and NC Major Construction Projects, VA will provide the SHPO and concurring parties with design review opportunities at 15 % and 35% design. The SHPO shall provide written comments regarding the VA's efforts to achieve design compatibility, as outlined in this agreement, within 30 days of receipt of the design documents. VA will respond to SHPO's comments in writing. The goal will be to resolve such issues prior to completion of 50% design.

- ii. For the Mental Health Minor and phase 1A, which are out for bid, and phases 1B, and 2, VA will have provided design documents for SHPO review and solicited SHPO's comments prior to the date of this agreement. VA and SHPO will make reasonable efforts to reach a mutually satisfactory resolution to any issues identified by SHPO's review, prior to putting documents out for bid, as it is in both SHPO's and VA's mutual interest to resolve at the earliest possible point prior to construction.

### ***3. Historic Preservation Plan for Historic District***

- A. No later than 3 months from the date of completion of the historic evaluation described in stipulation 1.B, VA will initiate development of a historic resources management plan (HRMP) for the VAMC Jefferson Barracks Historic District and the buildings, structures, and landscape that contribute to its significance. VA will ensure that the HRMP is completed and put into effect within one year after initiation of its development, subject to the following:
  - i. VA will develop the HRMP in consultation with the SHPO, ACHP, and concurring parties. The results of the HRMP will reflect a consensus among the parties participating in consultation. If a consensus cannot be reached, VA will initiate the dispute resolution process defined in stipulation 8.
  - ii. The HRMP will establish boundaries for the land to which its terms apply, but not exceed the boundary of the VAMC-JB after the transfer of approximately 30 acres to NCA as illustrated in Attachment A.
  - iii. The HRMP will identify and briefly describe the buildings, structures, landscape elements, sites, and objects that contribute to the significance of the historic property, and will provide management standards and guidelines for each.
  - iv. The HRMP will provide for the maintenance, preservation, and rehabilitation of buildings, structures, landscape elements, sites, and objects that contribute to the significance of the historic property consistent with the standards and guidelines issued by the Secretary of the Interior pertinent to each type of property (see [http://www.nps.gov/history/local-law/arch\\_stnds\\_8\\_2.htm](http://www.nps.gov/history/local-law/arch_stnds_8_2.htm))

- v. VA will, in consultation with the SHPO, establish and execute a plan to involve interested parties, including veterans service organizations, and the public in the development of the HRMP.

#### 4. *Archaeology*

- A. The Department of Veterans Affairs shall engage a qualified archaeologist to conduct an archaeological survey of any area of the VA Medical Center and National Cemetery prior to any ground disturbing activities in that area associated with project activities to be completed in a manner consistent with National Park Service [NPS] standards and SHPO *Minimum Guidelines for Professional Surveys of Historic Properties*, with the exception of those areas of the Project already determined not to have a potential for archaeological resources. If archaeological resources are found which meet the National Register criteria, they will be avoided or preserved in place, whenever feasible. When this is not feasible, a data recovery plan shall be developed and implemented in consultation with the SHPO. A final report describing the results of the survey and meeting the standards of the NPS and the SHPO shall be submitted to the SHPO for review and approval. The VA shall evaluate properties identified through the survey in accordance with 36 CFR Part 8.4(c).
- B. For the purposes of this stipulation, SHPO, ACHP, and VA agree that areas associated with phase 1 are determined not to have the potential for archaeological resources so that VA may proceed with Phase 1 project work once the HABS photography outlined in stipulation 1A is completed and accepted by SHPO and NPS.

#### 5. *Duration*

This MOA will be in effect for a period of five (5) years from the date of its execution. Prior to such time, VA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation 9 below.

#### 6. *Post-Review Discoveries*

- A. *Historic buildings, structures, districts and landscape elements.* In the event that unanticipated effects on historic buildings, structures, districts or landscape elements come to VA's attention during the implementation of the undertaking, VA will stop any work that may adversely affect the relevant property or that may foreclose opportunities to avoid such adverse effects. VA in consultation with the SHPO will determine the appropriate course of action to ensure that adverse effects are avoided, reduced, or mitigated.
- B. *Archaeological sites, graves, artifacts, and cultural items.* Should an archaeological site, grave, artifact, or cultural items of non-Native American origin be found during earthmoving, VA will halt all earthmoving in the vicinity of the discovery until the discovery is documented and safely removed by or under the supervision of the



monitoring archaeologist. VA will ensure that any non-Native American human remains and associated funerary objects are treated in a manner consistent with the provisions of Missouri Statutes. Should a site, grave, artifact or cultural items of Native American origin be discovered during earthmoving, VA will ensure that the discovery is managed in accordance with the requirements of 43 CFR 10.4.

## **7. *Monitoring & Reporting***

Each year, on or before September 30, following execution of this MOA until it expires or is terminated, VA shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in VA's efforts to carry out the terms of this MOA. The report may be submitted electronically.

## **8. *Dispute Resolution***

- A. Should any signatory to this MOA provide written objection at any time to any actions proposed, or the manner in which the terms of this MOA are implemented, VA shall consult with the objecting party to resolve the objection. If after initiating such consultation VA determines that the objection cannot be resolved through consultation, VA shall:
  - i. Forward all documentation relevant to the dispute, including VA's proposed resolution, to the ACHP. The ACHP shall provide VAMC-JB with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, VAMC-JB shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and signatories, and provide them with a copy of this written response. VAMC-JB will then proceed according to its final decision.
  - ii. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, VAMC-JB may make a final decision on the dispute and proceed accordingly. Prior to reaching a final decision on the dispute, VAMC-JB shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the signatories of the MOA, and provide them and the ACHP with a copy of this written response
  - iii. VAMC-JB's responsibility to carry out all the other actions subject to the terms of this MOA that are not subject of the dispute remain unchanged.

## **9. *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 signatories, is filed with the ACHP.



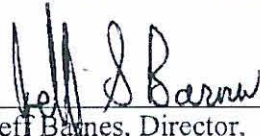
## 10. Termination

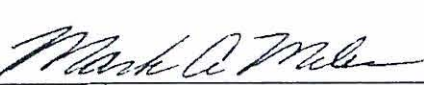
- A. If any signatory to this MOA determines that its terms will not, or cannot, be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation 9, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.
- B. Once the MOA is terminated, and prior to work continuing on the undertaking, VA 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. VA shall notify the signatories as to the course of action it will pursue.

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

### SIGNATORIES:

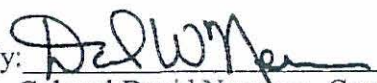
By:  Date: 6/2/2010  
Director, VA Medical Center St Louis,  
Jefferson Barracks Division

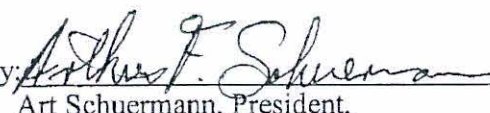
By:  Date: 6/10/10  
Jeff Baines, Director,  
Jefferson Barracks National Cemetery

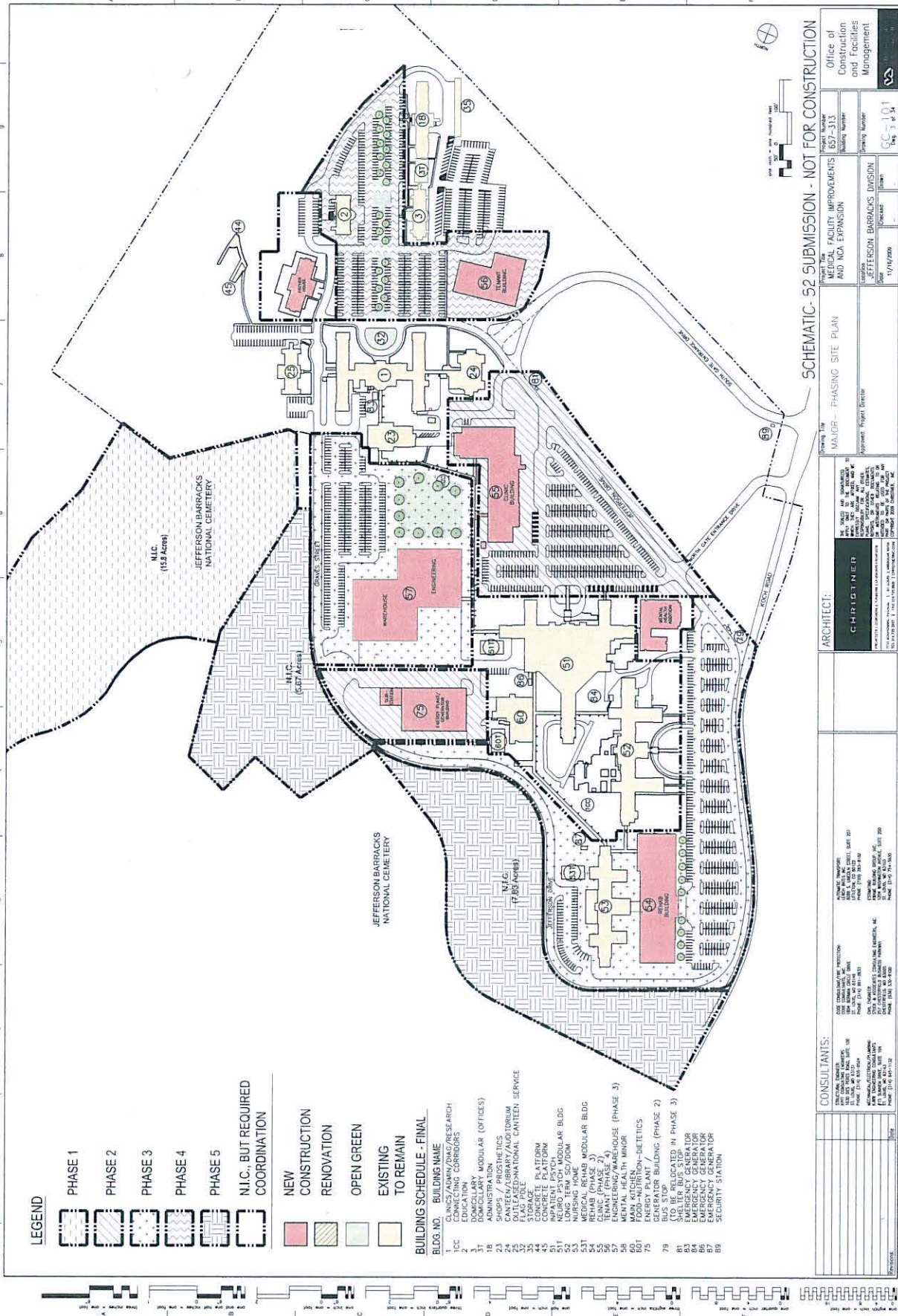
By:  Date: 6/24/10  
Mark A. Miles, Director and Deputy  
Missouri State Historic Preservation Officer

By:  Date: 7/8/10  
John M. Fowler, Executive Director,  
Advisory Council on Historic Preservation

### CONCURRING PARTIES:

By:  Date: 10 JUN 10  
Colonel David Newman, Commander,  
Missouri Air National Guard Station Jefferson Barracks

By:  Date: 10 June 2010  
Art Schuermann, President,  
Jefferson Barracks Community Council



SCHEMATIC-52 SUBMISSION - NOT FOR CONSTRUCTION

<b>CONSULTANTS:</b> STRUCTURAL ENGINEERING 1515 AND 1516 N. 15TH ST. SUITE 100 OMAHA, NE 68104 PHONE: 402-466-1111 FAX: 402-466-1112 PROJECT: 15-01-001		<b>ARCHITECT:</b> CHARTER 1515 AND 1516 N. 15TH ST. SUITE 100 OMAHA, NE 68104 PHONE: 402-466-1111 FAX: 402-466-1112 PROJECT: 15-01-001		<b>MAJOR - PHASING SITE PLAN</b> PROJECT TITLE: MAJOR - PHASING SITE PLAN PROJECT NUMBER: 15-01-001 DRAWING NUMBER: 15-01-001-01 DATE: 1/14/2009 DESIGNED BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	
<b>PROJECT INFORMATION:</b> PROJECT TITLE: MAJOR - PHASING SITE PLAN PROJECT NUMBER: 15-01-001 DRAWING NUMBER: 15-01-001-01 DATE: 1/14/2009 DESIGNED BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]		<b>OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT</b> PROJECT NUMBER: 15-01-001 DRAWING NUMBER: 15-01-001-01 DATE: 1/14/2009 DESIGNED BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]		<b>JEFFERSON BARRACKS DIVISION</b> PROJECT NUMBER: 15-01-001 DRAWING NUMBER: 15-01-001-01 DATE: 1/14/2009 DESIGNED BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	

ATCH A











## Native American Contact Information

### **Absentee-Shawnee Tribe of Indians of Oklahoma**

THPO

Mr. Scott Miller, Governor  
Mr. Dan LittleAxe, Lieutenant Governor

Ms. Karen Kaniatobe  
Tribal Historic Preservation Officer  
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### **Caddo Nation**

THPO

Ms. LaRue Parker, Chairwoman

Mr. Bobbie Gonzalez, NAGPRA  
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Robert Cast, Tribal Historic Preservation Officer  
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### **Cherokee Nation**

Mr. Chad Smith, Principal Chief

Dr. Richard Allen, NAGPRA

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### **Cheyenne & Arapaho Tribes of Oklahoma**

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Mr. Gordon Yellowman, NAGPRA  
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### **Chickasaw Nation of Oklahoma**

Mr. Bill Anoatubby, Governor  
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### **Choctaw Nation of Oklahoma**

THPO

Mr. Gregory E. Pyle, Chief

Mr. Terry Cole, NAGPRA

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### **Citizen Potawatomi Nation**

THPO

ATCH D

Mr. John A. "Rocky" Barrett, Jr.  
Tribal Chairman  
Tribal Historic Preservation Officer

Ms. Karen Phillips  
Office of Tribal Historic Preservation  
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Mr. Jon E. Boursaw  
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Cultural Heritage Center

Stacy S. Pero  
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Tribal Museum

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#### **Delaware Nation**

Kerry Holton, Nation President

Ms. Tamara Francis, NAGPRA Director  
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Somier Harris, NAGPRA Assistant

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#### **Eastern Shawnee Tribe of Oklahoma**

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#### **Forest County Potawatomi Community of Wisconsin Potawatomi Indians, Wisconsin**

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#### **Gun Lake Potawatomi**

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#### **Hannahville Indian Community of Michigan**

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906/466-0306 (phone)

#### **Ho-Chunk Nation of Wisconsin THPO**

Mr. Wilfrid Cleveland, President

William Quackenbush  
Tribal Historic Preservation Officer

Mr. Larry Garvin, NAGPRA Representative  
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#### **Huron Potawatomi Nation**

Ms. Laura W. Spurr, Chairman

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#### **Iowa Tribe of Kansas and Nebraska**

Mr. Leon Campbell, Chairman and  
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Mr. Patt Murphy, NAGPRA Representative  
Iowa Tribe of Kansas & Nebraska

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#### **Iowa Tribe of Oklahoma**

Ms. Christie Modlin, Chair

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