

MEMORANDUM OF AGREEMENT

Between

The Department of Veterans Affairs

The Ohio State Historic Preservation Office

and

The Advisory Council on Historic Preservation

WHEREAS, The Department of Veterans Affairs (VA) has determined that the demolition of Buildings 155, 200, 201, 202, 204, 205, 206, and 217, at the Veterans Affairs Medical Center, Dayton, Ohio, will have an effect on a property determined eligible for the National Register of Historic Places; and,

WHEREAS, the VA has consulted with the Ohio State Historic Preservation Officer (SHPO) and determined that the effect is adverse, but unavoidable in order to provide veterans with additional grave space beyond the year 1996 at the Dayton National Cemetery through the transfer of land from the VA Medical Center (VAMC) to the VA National Cemetery System (NCS); and,

WHEREAS, the VA has requested the comments of the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f) and its implementing regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800); and,

NOW, THEREFORE, the VA, the Ohio SHPO, and the Council agree that the undertakings shall be implemented in accordance with the following stipulations in order to take into account their affect on the historic district:

Stipulations

The VA will ensure that the following measures are carried out:

1. The VAMC Director will offer, for a period of not less than 60 days through public announcement and advertisement, the availability of Buildings 200, 201, 202, and 204 for sale to any interested individuals, parties, or organizations for one dollar each with removal from site and relocation. The VAMC will consult with the Ohio SHPO on the contents of the advertisement.
2. The VA, will have Buildings 155, 200, 201, 202, 204, 205, 206, and 217 recorded so that there will be a permanent record of their history and appearance. The Historic American Buildings Survey (HABS) (National Park Service, Department of the Interior, Washington, D.C. 20243, 202-343-9606) will first be contacted to determine what level of documentation is required. All documentation must be accepted by HABS for submission to the Library of Congress, and the SHPO notified of its acceptance, prior to the demolition or removal of the buildings. Copies of this documentation will be provided to the Ohio SHPO and the VA Historic Preservation Office.

3. The VA NCS will submit the project plans for the development of new grave sites and other site improvements at the VA Dayton National Cemetery for review and comment. The SHPO will have 30 days from receipt of the plans to provide VA with comments. If there are concerns that cannot be satisfactorily resolved between VA and the Ohio SHPO, the project plans will be submitted to the Advisory Council on Historic Preservation for their review and comment in accordance with 36 CFR Part 800.6.
4. The VA will seek to identify planning funds and, when funds are identified and available, develop and implement a plan for the management of historic, architectural and cultural resources (termed an Historic Preservation Plan or "Plan") for the Veterans Affairs Medical Center at Dayton, Ohio. When the Plan is approved by the SHPO and the Council, work carried out in accordance with the Plan, will require no further review by the SHPO or the Council. The Plan will include, but not be limited to the following: Overview; Site History; Identification, Inventory and Evaluation; National Register Nomination; Treatment; Maintenance Standards & Schedules; Design Standards; Phase I Archeological Investigation; and, Compliance Procedures.

Execution of this Agreement and implementation of its terms evidences that, in accordance with 36 CFR Part 800, the VA has afforded the SHPO and the Council an opportunity to comment on the demolition of seven historic buildings for the expansion of national cemetery grave sites at the VA Medical Center at Dayton, Ohio, which is eligible for inclusion on the National Register of Historic Places.

DEPARTMENT OF VETERANS AFFAIRS:

Karen Rose Dupak
Historic Preservation Officer

3/5/92
Date

E. V. ...
Director, Dayton VA Medical Center

JUN 24 1992
Date

Thomas G. ...
Director, National Cemetery Area Office

3-6-92
Date

OHIO HISTORIC PRESERVATION OFFICE:

for Martha J. Raymond
State Historic Preservation Officer

7.23.92
Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION:

Robert D. Bush
Executive Director

9/15/92
Date