

**MEMORANDUM OF AGREEMENT
BETWEEN
VETERAN AFFAIRS ROSEBURG HEALTHCARE SYSTEM
AND THE
OREGON HISTORIC PRESERVATION OFFICER
REGARDING
THE SEISMICALLY UPGRADE BUILDING 7 BOILER PLANT (Project 653-13-100)
AND BUILDINGS T6, T7, AND T8 REMOVAL (Project 653-10-523) PROJECTS**

WHEREAS, the Veteran Affairs Roseburg Healthcare System (VARHS) plans to seismically upgrade Building 7 (Boiler Plant), and to remove Buildings T6, T7, and T8 (undertakings) pursuant to the United States Code of Federal Regulations, Title 38; and

WHEREAS, the undertakings consists of (1) seismic retrofit and renovation of building 7, boiler plant, to include emergency generator addition, boiler replacement, interior renovation and back up water supply tank installation; (2) and the removal of Buildings T6, T7, and T8; and

WHEREAS, VARHS has defined the undertakings' area of potential effect (APE) as the Roseburg VA medical Center Campus grouping of maintenance buildings specifically, building 7 and temporary buildings T6, T7 and T8 that are included in the bounds of the historic district located in the northwest corner of the campus; and

WHEREAS, 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), VARHS has determined, and the SHPO has concurred, that the undertaking will adversely effect Building 7 located within the VA campus at 913 NW Garden Valley Blvd, Roseburg, Oregon 97471, which listed in the National Register of Historic Places as a contributing element to the overall Roseburg Veterans Administration Hospital, and has consulted with the Oregon State Historic Preservation Officer (SHPO); and

WHEREAS, VARHS has consulted with the Cow Creek Band of the Umpqua Tribe, Coquille Indian Tribe, Confederated Tribes of Siletz Indians, Confederated Tribes of Grand Ronde, Confederated Tribes of Coos, Lower Umpqua & Suislaw and Oregon Commission on Indian Services, for which the VA Roseburg Healthcare Campus may have religious and cultural significance, and has invited the afore mentioned Tribes to provide comment on the proposed project; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), VARHS has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determinations with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, VARHS and the SHPO agree that the undertakings shall be

implemented in accordance with the following stipulations in order to resolve the adverse effects of the undertakings on historic properties.

STIPULATIONS

- I. **VARHS shall ensure the following stipulations will be carried out before of construction of Seismically Upgrade Building 7 Boiler Plant project 653-13-100 begins:**
 - A. A good faith effort will be made to salvage and re-use the existing windows in Building 7. If the windows cannot be salvaged, new windows will be included in the design that conform to the original materials, appearance, and divided light panel layout. Glass panes will be clear and operating windows will match the original window in regards to operation specifically, the hinge and pivot points will be maintained per the original design.
 - B. The generator addition to the building will be adjusted in the design to create a one foot set back from the southwest corner of building 7. Specific design for this element will be submitted to SHPO for review prior to implementation.
 - C. The current condition of the building will be documented to create a permanent record of the structure as it stands today. Documentation will meet the requirements of Oregon State Documentation Standards (revised January 29, 2014), including written descriptions, drawings and photographs. These standards are attached to this document, as Appendix X.

- II. **VARHS shall ensure the following stipulations will be carried out within one year of the Seismically Upgrade Building 7 Boiler Plant 653-13-100 project completion and prior to construction of the Replace T6, T7 and T8 project 653-10-523:**
 - A. Design and install a series of interpretive sign panels on the Roseburg campus to provide information to the public on the history of the site.
 - a. 4 – 8 post and panel interpretive signs to be installed that depict a history of the facilities through written and visual media.
 - b. Sign panels to range in size from 24 x 30 inches to 36 x 48 inches depending on location and content. Panels will be constructed of durable, weather-resistant materials.
 - c. Signs will generally be located adjacent to well-traveled walkways that offer easy access to the information and provide good viewing of existing facilities in order to give the viewing person the ability to make a connection between past and present.
 - d. The services of a professional with experience in creating historical interpretive signage will be procured by the VA to assist in the development of the signage.
 - e. Draft layout and design for each of the panels will be submitted to SHPO for review prior to fabrication. SHPO will provide comment within 30 days of receipt of the draft designs. If any comments are provided by SHPO, VA will address these and/or consult with the SHPO to address content concerns.

 - B. Add historic information section to the VARHS website to provide public access to

educational materials related to the historic campus including a written account of the site and related history, historical photographs, and updates on mitigation measures and any restoration efforts. Prior to publishing of these data to the website, VA will submit proposed updates to the SHPO for review of content.

III. VARHS shall ensure the following stipulations will be carried out within two years of project completion:

- A. VA will coordinate with Douglas County Museum (Roseburg, Oregon) to develop, create, and install an interpretive museum installation highlighting the history of the VA in Roseburg, and the development and evolution of the Roseburg Veterans Administration Hospital. This installation will be ready for display within two years of the completion of the undertaking, even if actual installation is delayed to fit with the display programs of the Douglas County Museum. If such a delay is not avoidable, VA and Douglas County Museum will consult to find a suitable (secure, climate-controlled) temporary storage location for the display materials.

IV. Completion and Subsequent Consultation

- A. Upon completion of Stipulations I-III, above, adverse effects to Building 7 (Boiler Plant) and Buildings T6, T7, and T8 will be considered fully mitigated, and the adverse effects resolved. For future management decisions regarding the Roseburg Veterans Administration Hospital Historic District, Building 7 will be considered to be non-contributing to the overall eligibility of the historic district.

V. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, VARHS may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below.

VI. POST-REVIEW DISCOVERIES

If potential historic properties are discovered or unanticipated effects on historic properties found, the VARHS shall re-negotiate the terms of this agreement with all parties to the agreement.

VII. MONITORING AND REPORTING

Each year following the execution of this MOA until it expires or is terminated, VARHS 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 VARHS's efforts to carry out the terms of this MOA.

VIII. DISPUTE RESOLUTION

Should any signatory * or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, VARHS shall consult with such party within thirty (30) days of notification to resolve the objection. If VARHS determines that such objection cannot be resolved, VARHS will:

- A. Forward all documentation relevant to the dispute, including the VARHS's proposed resolution, to the ACHP. The ACHP shall provide VARHS with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Within thirty (30) days of receipt of advice/comment from ACHP, and prior to reaching a final decision on the dispute, VARHS shall prepare a written response indicating how, and to what result that any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties was considered, and provide them with a copy of this written response. VARHS will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, VARHS may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, VARHS shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- C. VARHS will carry out all other actions subject to the terms of this MOA that are not the subject of the dispute and remain unchanged.

IX. 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.

X. 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 VIII, 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.


Once the MOA is terminated, and prior to work continuing on the undertaking, VARHS 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. VARHS shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by the VARHS and SHPO and implementation of its terms

evidence that VARHS has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.**

XI. SIGNATORIES:

Veteran Affairs Roseburg Healthcare System


Date 10/24/14
~~CAROL S. BOGEDAIN, FACHE~~
Director Douglas V. Paxton

Oregon Historic Preservation Officer


Date 10-23-14
Roger Roper
Deputy Oregon Historic Preservation Officer

Notes:

* This document assumes that the term "signatory" has been defined in the agreement to include both signatories and invited signatories.

** Remember that the agency must submit a copy of the executed MOA, along with the documentation specified in Sec. 800.11(f), to the ACHP prior to approving the undertaking in order to meet the requirements of section 106. 36 CFR § 800.6(b)(1)(iv).

Oregon SHPO Documentation Standards

Mitigation for Adverse Effects under Section 106 of the National Historic Preservation Act or ORS 358.653

In cases where an action by a local, state or federal agency will adversely affect a listed or potentially-eligible National Register property, documentation may be required as part of the mitigation for the undertaking. Documentation is not necessarily adequate in all cases. Agencies should contact the Oregon State Historic Preservation Office (SHPO) before planning or completing any mitigation measures, including documentation.

State Level Documentation

The following items are required for all state level documentation.

- 1. Architectural description of the building** - *Description should be surface-by-surface, covering the entire exterior of the building, noting all important character-defining elements, fenestration types and patterns. Include descriptions of key interior areas, if accessible. Include discussion of all observed alterations, and provide dates for them. Descriptions should be not less than 500 words and use appropriate architectural terms.*
- 2. Building history** - *History of not less than 500 words discussing at least when the building was constructed and by whom, the building or structure's use over time, and any important persons or events associated with the resource. Be as accurate as possible. If the documentation is being conducted for mitigation purposes, give extra detail to those elements being impacted. Contact the Oregon SHPO for research suggestions.*
- 3. Bibliography** - *Include a bibliography of all resources used in the preparation of the document, including sources for appended archival materials described in item 8.*
- 4. Map** - *Digital image of the appropriate United States Geological Survey (USGS) Map with the location of the property marked. A portion of the entire map may be printed for free from a website such as topoquest.com and marked by hand.*
- 5. Scale site plan** – *Include subject building or structure and adjacent buildings and structures on the same tax lot. Drawing may be done by hand as long as it reasonably to scale. Include the name of the person completing the map, date the map was completed, map scale, and north arrow on the map. The name and/or use of each building, structure, object, and adjacent streets on the map should be labeled.*
- 6. Scale Floor plans** - *Include each floor of the subject building or structure. Drawing may be done by hand as long as it reasonable to scale. Include the name of the person completing the map, date the map was completed, map scale, and north arrow on the map. The name and/or use of each space should be labeled.*
- 7. Photographs** – *Include photos of the building or structure interior and exterior. Photos may be taken as 35mm black-and-white 4x6 images or as color digital images. Digital and print images and prints must meet all aspects of the Oregon SHPO Digital Photo Checklist available at the SHPO website: http://www.oregonheritage.org/OPRD/HCD/NATREG/nrhp_documents.shtml .*
- 8. Archival materials** - *If available, include original architectural drawings or maps, brochures, photos, newspaper clippings, or other archival items of interest relating to the history of the building or structure.*

Provide three complete hard-copy sets of documentation including printed photos, and one CD containing a digital copy of the complete submission to the Oregon SHPO. A fourth full set may be required in cases where there is a local repository that is interested in receiving the materials.

Historic American Building Survey (HABS) and Historic American Engineering Record (HAER) Documentation

In cases where HABS / HAER documentation is required, the provided materials must meet all standards set by the National Heritage Documentation Programs Office, including archiving at the Library of Congress. The level of documentation is negotiated on a case-by-case basis between the agency managing the project and the Oregon SHPO. Documentation standards may be found at: <http://www.nps.gov/hdp/>.