



U.S. Department
of Veterans Affairs

December 3, 2019

Dear State Historic Preservation Officer,

The U.S. Department of Veterans Affairs, through the State Veterans Home Construction Grant Program (SVHCGP), provides financial assistance to states for construction and renovation projects on State Veterans Homes. The SVHCGP funds 65% of construction. The recipient, a state Department of Veterans Affairs or its representative, funds the remaining 35% of the project cost. For the federal regulations which implement the program, please see 38 CFR Part 59. Due to the federal funding, each of the projects is a federal undertaking subject to consultation under Section 106 of the National Historic Preservation Act (NHPA).

Through this memorandum, SVHCGP is issuing a program-wide authorization for grant applicants to initiate NHPA consultation with State Historic Preservation Officers (SHPOs) and other parties, pursuant to 36 CFR § 800.2(c)(4). Effective immediately, SVHCGP applicants may consult with SHPOs and other stakeholders to initiate the review process established under 36 CFR 800 and to carry out some of its steps. Specifically, SVHCGP applicants are authorized to gather information to identify and evaluate historic properties, and to work with consulting parties to assess effects. This memorandum is a follow-up to the SVHCGP's recent notification letter to the Advisory Council on Historic Preservation (ACHP).

SVHCGP remains the responsible federal agency for this program, and for all determinations and findings. Applicants must notify the SVHCGP whenever:

- The applicant or SHPO believe that the criteria for adverse effect pursuant to 36 CFR § 800.5 apply to the project;
- There is a disagreement between the applicant and SHPO about the area of potential effects, identification and evaluation of historic properties, and/or the assessment of effects;
- There is an objection from a consulting party or the public regarding its involvement in the review process established by 36 CFR Part 800, findings and determinations, or implementation of agreed-upon resolution; or
- There is the potential for foreclosure or anticipatory demolition as defined under 36 CFR § 800.9(b) and (c).

SHVCGP will participate in consultation if any of the above circumstances arise. SVHCGP also remains responsible for consultation with federally-recognized tribes.

Please let me know if you have any questions. I can be reached at anna.gaug@va.gov.

Best Regards,

Anna Gaug
Program Manager
State Veterans Home Construction Grant Program
US Department of Veterans Affairs

Enclosure: November 20, 2019 ACHP letter



Preserving America's Heritage

November 20, 2019

Anna Gaug
Program Manager
State Home Construction Grant Program
U.S. Department of Veterans Affairs, VHA, 10NA5
425 I Street, NW
Washington, DC 20001

Ref: *Applicant Authorization for State Veterans Home Construction Grant Program
Nationwide
ACHPConnect Log Number: 014250*

Dear Ms. Gaug:

Thank you for notifying the Advisory Council on Historic Preservation (ACHP) of the U.S. Department of Veterans Affairs' (VA) intent to issue a program-wide authorization for the State Veterans Home Construction Grant Program (SVHCGP)'s grant applicants "to gather information to identify and evaluate historic properties, and to work with consulting parties to assess effects," pursuant to 36 CFR Part 800.2(c)(4). This letter serves as the ACHP's acknowledgement of receipt of this notification.

As indicated in your letter, VA remains legally responsible for all findings and determinations, and remains responsible for their government to government relationships with Indian tribes. Pursuant to 36 CFR Part 800.2(c)(4), VA is also responsible for providing notice to all SHPOs/THPOs of this authorization. Please inform us once VA has notified all SHPOs/THPOs of this authorization. We would appreciate a copy of the notice for our records.

Should any grant applicants require assistance with the Section 106 process, please make them aware of the ACHP's [Section 106 Applicant Toolkit](#) on our website. This toolkit is designed to provide information and guidance on the Section 106 process to parties who are the recipients of, or are applying for federal licenses, permits, assistance, or approvals.

The Federal Property Management Section (FPMS) of the Office of Federal Agency Programs is the office responsible for VA-related matters at the ACHP.

Should you have any questions, please contact Ms. Angela McArdle, VA Liaison, at (202) 517-0221 or by email at amcardle@achp.gov and/or Mr. Tom McCulloch, Assistant Director of the FPMS,

at (202) 517-0222 or by email at tmcculloch@achp.gov and please reference the ACHPConnect Log Number above.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom McCulloch". The signature is written in a cursive style with a horizontal line above the first few letters.

Tom McCulloch, Ph.D., R.P.A.
Assistant Director
Federal Property Management Section
Office of Federal Agency Programs