

MEMORANDUM OF AGREEMENT (MOA)

BETWEEN

**THE U.S. DEPARTMENT OF VETERANS AFFAIRS (VA)
ALEXANDRIA VA HEALTH CARE SYSTEM (VAHCS)
AND THE LOUISIANA STATE HISTORIC PRESERVATION OFFICER (LA SHPO)
REGARDING RENOVATIONS TO THE BOILER PLANT - BUILDING 14
AT THE ALEXANDRIA VA MEDICAL CENTER (AVAMC) IN
PINEVILLE, RAPIDES PARISH, LOUISIANA**

WHEREAS, the U.S. Department of Veterans Affairs (VA), Alexandria VA Health Care System (VAHCS), located at 2495 Shreveport Highway, Pineville, Rapides Parish, Louisiana 71360-4044, proposes to undertake a construction project, Project No. 502-14-102, "Replace Boiler and Steam Distribution System" during Fiscal Years 2020-2022 (Undertaking); and

WHEREAS, the Undertaking consists of renovating Building 14, Boiler Plant, by replacing all boilers and associated equipment and plumbing housed within the building, replacing the terra cotta roof tiles with a new metal roof, replacing some of the windows, and providing an expansion of approximately 2000 square feet for a new control room for the plant; and

WHEREAS, Alexandria VAHCS has determined that the proposed replacement of the Boiler and Steam Distribution System is a federal action that meets the definition of an undertaking, per 36 CFR § 800.16(y), and is the type of activity that has the potential to cause effects on historic properties, and therefore subject to Section 106 of the National Historic Preservation Act (NHPA) (54 USC § 306108) and its implementing regulations (36 CFR Part 800 – Protection of Historic Properties); and

WHEREAS, Alexandria VAHCS has consulted with the Louisiana State Historic Preservation Officer (LA SHPO), consistent with 36 CFR § 800.2(c)(1); and

WHEREAS, Alexandria VAHCS has invited the following to be consulting parties consistent with 36 CFR § 800.2(c)(2 through 5): Mississippi Band of Choctaw Indians, Choctaw Nation of Oklahoma, Apache Tribe of Oklahoma, Jena Band of Choctaw Indians, Tunica-Biloxi Indian Tribe, Coushatta Tribe of Louisiana, and Caddo Nation of Oklahoma; and none have yet chosen to participate in the consultation; and

WHEREAS, Alexandria VAHCS provided the public with information about the undertaking and its effects on historic properties and sought public comment and input, consistent with 36 CFR § 800.2(d) on March 13, 2020 thru notices placed in the local newspaper, posting on the Facility's Facebook page and notices throughout the campus; and

WHEREAS, Alexandria VAHCS, in consultation with the LA SHPO, has determined the area of potential effects (APE) to be a 20-foot buffer surrounding the footprint of the Boiler Plant, Building 14, and

WHEREAS, Alexandria VAHCS, in consultation with the LA SHPO, has identified the Boiler Plant (Building 14), which is a contributing element to The Alexandria Veterans Administration Hospital Historic District, listed in the National Register of Historic Places (NRHP) as a historic property within the APE that will be affected by the undertaking; and

WHEREAS, Alexandria VAHCS has found the undertaking will have an adverse effect on historic Building 14 and consulted to resolve the adverse effect per 36 CFR § 800.6; and

WHEREAS, Alexandria VAHCS has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect finding, and the ACHP has chosen not to participate in the consultation, pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, Alexandria VAHCS and the LA SHPO agree that the adverse effect will be resolved through execution of this Memorandum of Agreement (MOA) pursuant to 36 CFR § 800.6(b)(1)(iv), and that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

Alexandria VAHCS will ensure that the following measures are carried out:

I. Documentation of Building

SHPO and the National Park Service (NPS) stipulate the following:

1. Prior to authorizing any demolition or other activity within the area of construction that could damage a historic building, structure or landscape, the Alexandria VAHCS will ensure that the resource is documented in accordance with the standards and guidelines of the Historic American Buildings Survey (HABS) (www.nps.gov/hdp/standards/index.htm).
2. The Alexandria VAHCS will provide NPS and SHPO draft HABS documentation for review and comment. The NPS and SHPO will review and comment on the draft HABS documentation within 30 calendar days. The Alexandria VAHCS will submit Final HABS documentation to the NPS in accordance with requirements in the Secretary of the Interior's Guidelines for Architectural and Engineering Documentation (Federal Register, Vol. 68, No. 139, pp. 43159-43162, July 21, 2003). Once completed and accepted in writing by NPS and the SHPO, the documentation will be placed in the Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey Collection at the Library of Congress where it will be available to the public.
3. Unless otherwise agreed to by the NPS and the SHPO, the Alexandria VAHCS will ensure that all documentation is completed and accepted in writing by the NPS and SHPO prior to demolition.
4. The Alexandria VAHCS is responsible for ensuring successful completion of HABS documentation to the *Secretary of Interior Standards*. Once the HABS documentation is approved by the NPS, the Alexandria VAHCS will provide a digital copy to SHPO and the required format to the Library of Congress.
5. HABS documentation for the resource to be demolished or altered will include, but is not limited to:
 - a. The written historical and descriptive data prepared in accordance with HABS history guidelines containing:
 - i. A general history of the area (and district if applicable) including specific history of the parcel.

- ii. A general narrative of the architectural style, building type, and construction methods.
 - iii. An architectural description of the resource including alterations.
 - iv. A description of the historic landscape and changes.
 - v. Any historical photographs should be reproduced in the supplementary materials section (subject to copyright release).
 - vi. A site plan.
- b. Reproduction of select existing as-built drawings (if such exist)
- c. Large-format (4" x 5" or larger negative size) photographs processed for archival permanence in accordance with HABS photographic specifications (www.nps.gov/hdp/standards/photoguidelines.pdf). Views will include but are not limited to:
 - i. General or environmental view(s) to illustrate setting, including landscaping, adjacent building(s), and roadways.
 - ii. Front façade, with and without a scale stick.
 - iii. Perspective view, front and one side.
 - iv. Perspective view, rear and opposing side.
 - v. Detail, front entrance and/or typical doorway.
 - vi. Typical window.
 - vii. Exterior and details indicative of the era of construction or of historic and architectural interest.
 - viii. Interior views to capture spatial relationships, structural evidence, a typical room, and any decorative elements; these include hallways, stairways, attic and basement framing, fireplaces and mantels, moldings, interior shutters, kitchen (especially if original), and mechanicals.
- d. At least one-color digital photograph of the resource and its setting. The digital format should meet the NPS NRHP's 75-year permanence standard and higher resolution digital files (www.nps.gov/NR/PUBLICATIONS/bulletins/photopolicy/index.htm).
- e. Photo locations keyed to the site plan and included with the "Index to Photographs."

II. Measures to Minimize the Adverse Effect

- a. Scale and Location of New Control Room Addition
 - i. Alexandria VAHCS will ensure the proposed addition is properly scaled to Building 14, and will locate the proposed addition at the back of Building 14 as proposed in Alexandria VAHCS' designs submitted to the LA SHPO on January 24, 2020 and as acknowledged as appropriate in correspondence from the LA SHPO dated February 6, 2020.
- b. Roof Replacement
 - i. Alexandria VAHCS will ensure that Building 14's terra cotta roof tiles, which must be replaced with a metal material that is essential to the boiler room function, will be replaced with a new metal roof that will match the color of the original terra cotta roof tiles.
- c. Window Removal
 - i. The Alexandria VAHCS will ensure that the steel hopper windows on the rear of

Building 14, which will be removed to accommodate the new addition, will be retained in storage for four (4) years for possible future installation elsewhere at Alexandria VAHCS. If the Alexandria VAHCS cannot use them, they will be provided to another VA or Government Agency in the area who can use them. In the event the windows cannot be used by a Government Agency, they will be listed on GSA Auctions.

d. Window Replacement

- i. Alexandria VAHCS will ensure that the steel hopper windows on the sides of Building 14 will not be removed and replaced with aluminum clad windows, as originally proposed. The windows will be repaired as needed by a skilled glazier and will remain operable or will be fixed in place.
- ii. Alexandria VAHCS will ensure that three large steel hopper windows on the façade of Building 14, which must be removed to accommodate replacement of the boilers, will be removed by a skilled carpenter, repaired as needed by a carpenter or glazier and reinstalled in the original location.
- iii. If it is determined reinstallation of existing windows is infeasible, the VA's contingency plan is to revert to the initial design. Large hopper windows on the front of Building 14 will be replaced with roll-up doors. Smaller windows will be infilled to match exterior façade, replaced with louvers, or replaced with new windows. Window frames and mullions not reinstalled will be placed in storage for four (4) years for possible future installation elsewhere at Alexandria VAHCS. After four years the windows will be offered to other VA's or Government Agencies through the VA Logistics process for excessing equipment. In the event the windows cannot be used by a Government Agency, they will be listed on GSA Auctions.

III. Measures to Mitigate the Adverse Effect

- a. Within two (2) years of execution of this MOA, Alexandria VAHCS will develop a Programmatic Agreement (PA) pursuant to 36 CFR 800.14(b) to govern routine management activities undertaken at Alexandria VAHCS. Alexandria VAHCS will consult with the LA SHPO in its development and will notify the ACHP and invite the ACHP to participate in the consultation pursuant to 36 CFR 800.6(a)(1)(i)(C).
- b. Within one (1) year of execution of this MOA, Alexandria VAHCS will ensure that all employees who engage in or supervise others in conducting routine management activities, which may include construction, planning, and engineering staff, will complete the historic preservation training available through VA's internal Talent Management System (TMS).

IV. POST-REVIEW DISCOVERIES

If historic properties are discovered or unanticipated effects on historic properties occur during execution of the undertaking, Alexandria VAHCS will notify the LA SHPO and make efforts to avoid, minimize or mitigate adverse effects to such resources. Alexandria VAHCS and the LA SHPO will be guided by steps established in 36 CFR Section 800.13(b).

V. DURATION

This MOA will expire if its terms are not carried out within three (3) years from the date of its execution. Prior to such time, Alexandria VAHCS may consult with the LA SHPO to reconsider the terms of the MOA and amend it in accordance with Stipulation VI below.

VI. DISPUTE RESOLUTION

Should a signatory to this MOA object at any time to the manner in which the terms of this MOA are implemented, Alexandria VAHCS will consult with the objector to resolve the objection. If Alexandria VAHCS determines that such objection cannot be resolved, Alexandria VAHCS will:

- a. Forward all documentation relevant to the dispute, including Alexandria VAHCS' proposed resolution, to the ACHP. The ACHP will provide Alexandria VAHCS 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, Alexandria VAHCS will prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and the LA SHPO and provide them with a copy of this written response. Alexandria VAHCS 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 period, Alexandria VAHCS may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, Alexandria VAHCS will prepare a written response that takes into account any timely comments regarding the dispute from the LA SHPO and provide it and the ACHP with a copy of such written response.
- c. Alexandria VAHCS' responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective the date a copy signed by all signatories is filed with the ACHP.

VIII. TERMINATION

- a. If any signatory to this MOA determines that its terms will not or cannot be carried out, that party will immediately consult with the other signatories to attempt to develop an amendment per Stipulation VI, 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, Alexandria VAHCS must either (a) execute a 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. Alexandria VAHCS will notify the other signatories as to the course of action it will pursue.

IX. ANTI-DEFICIENCY ACT

Alexandria VAHCS' obligations under this MOA are subject to the availability of funds and the stipulations of this MOA are subject to the provisions of the Anti-Deficiency Act (31 USC § 1341). Alexandria VAHCS will make reasonable and good faith efforts to secure the necessary funds to implement this MOA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs its

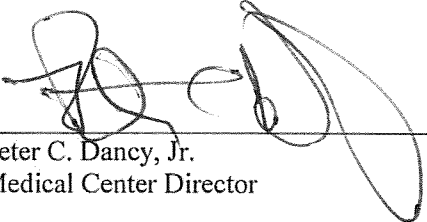
ability to implement the stipulations of this MOA, Alexandria VAHCS will consult with the other signatories in accordance with the amendment and termination procedures in Stipulations VI and VII.

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

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SIGNATORIES:


U.S. DEPARTMENT OF VETERANS AFFAIRS ALEXANDRIA VA HEALTH CARE SYSTEM



Peter C. Dancy, Jr.
Medical Center Director

4/21/2020
Date

LOUISIANA STATE HISTORIC PRESERVATION OFFICE



Kristin P. Sanders
State Historic Preservation Officer

4/20/2020
Date