

**5th AMENDMENT TO
PROGRAMMATIC AGREEMENT
AMONG
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE LOUISIANA STATE HISTORIC PRESERVATION OFFICER
AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE FUNDING TO REPAIR OR REPLACE THE HEALTHCARE FACILITY
COMPRISING
THE VA MEDICAL CENTER
AND
THE MEDICAL CENTER OF LOUISIANA AT NEW ORLEANS**

WHEREAS, the Programmatic Agreement Regarding the Repair or Replacement of the Healthcare Facility comprising the VA Medical Center and the University Medical Center, aka Medical Center of Louisiana at New Orleans, (PA), was executed on November 21, 2008; and

WHEREAS, the 1st Amendment to the PA was executed on November 20, 2013, the 2nd Amendment was executed on November 19, 2015, the 3rd Amendment was executed on November 20, 2017, and the 4th Amendment was executed on November 12, 2019. These amendments provided additional time to the Federal Emergency Management Agency (FEMA), the US Department of Veterans Affairs (VA), and the City of New Orleans (CNO) to complete the stipulations/Mitigation set out in Attachment 1 of the 1st Amendment under the terms of the PA; and

WHEREAS, the parties to the PA continue to agree that the terms of the PA are appropriate and will be used to administer the activities that remain to be completed; and

WHEREAS, the status of all stipulations/Mitigation, including those measures that have been completed, is updated in the Semi-Annual Interim Progress Reports. These reports were previously posted to dedicated website, <http://www.consult106.org> until its decommissioning on December 31, 2018. Currently, this information is shared with interested parties via email. Attachment 1 to this 5th Amendment summarizes the information provided in the reports; and **WHEREAS**, the purpose for this 5th Amendment is to allow FEMA until August 29, 2023 to complete the stipulations/Mitigation set out in Attachment 1 of this 5th Amendment; and

WHEREAS, the 4th Amendment documented that VA has completed its role in the PA. The 3rd Amendment documented that CNO completed its role in the PA; and

NOW THEREFORE, in accordance with Stipulations XI.B and XII of the PA, FEMA; the Louisiana State Historic Preservation Officer; the Advisory Council on Historic Preservation

(ACHP); and the State of Louisiana, Division of Administration agree to amend the PA as follows:

1. Extension of the Duration of the PA (Stipulation XI.B):

This PA will remain in effect until August 29, 2023 unless extended by a written agreement signed by all Signatories.

2. Applicability of the PA through August 29, 2023:

This PA will apply only to stipulations/Mitigation (in part or whole) still outstanding as of November 19, 2021 (Attachment 1).

EXECUTION AND IMPLEMENTATION of the this 5th Amendment to the PA changes no other terms of the PA and evidences that FEMA has afforded ACHP a reasonable opportunity to comment on the Undertaking and its effects on historic properties; taken into account the effects of the Undertaking on historic properties; and have satisfied their responsibilities under Section 106 of the National Historic Preservation Act and applicable implementing regulations.

SIGNATORY:

FEDERAL EMERGENCY MANAGEMENT AGENCY

Eddie Williams
PA Program Lead for Louisiana
Louisiana Integration and Recovery Office (LIRO)

Date: _____

Jeramé Cramer
EHP Program Lead for Louisiana
Louisiana Integration and Recovery Office (LIRO)

Date: _____

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SIGNATORY:

ADVISORY COUNCIL ON HISTORIC PRESERVATION



Reid Nelson
Executive Director, Acting

Date: 11/16/2021

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SIGNATORY:

LOUISIANA STATE HISTORIC PRESERVATION OFFICER



Kristin Sanders
State Historic Preservation Officer

Date: November 10, 2021

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SIGNATORY:

STATE OF LOUISIANA, DIVISION OF ADMINISTRATION

Jason Sooter, Director
Facility Planning and Control

Date: _____

ATTACHMENT 1

This Attachment outlines the stipulations/Mitigation which are completed, in progress, or yet to begin (in part or Whole) as of November 19, 2021:

Status of VA/MCLNO PA Stipulations for UMC Part of Project

ARCHAEOLOGY- UMC

Stipulation	Deliverable	Status
VII.B.1	Background Research and Sensitivity Modeling	Completed
VII.B.2	Disturbance Study	Completed
VII.B.3	Archaeology Probability Model	Completed
VII.B.5	Phase I Weekly Field Reports	Completed
VII.B.6	Phase I Management Summaries	Completed
VII.C.4	Phase II Weekly Field Report	Completed
VII.C.5	Phase II Management Summaries	Completed
VII.D.1.a	Data Recovery Plans	Stipulation no longer relevant
VII.D.1.b	Oral Histories	Optional – determined not to be appropriate
VI.C.4.d and VII.D.1.c	Public Interpretation/Outreach	In progress
VII.5	Comprehensive Report	In progress
VII.6	Curation	In progress

BUILT ENVIRONMENT – UMC

Stipulation	Deliverable	Status
VI.B.2.a and b	Secure and Ventilate 9 Historic Properties	Completed
VI.B.2.b.iii	FP&C provide report of stabilization measures for comments/posting on website	Completed
VI.B.3.a	Vibration Monitoring	Completed
VI.B.3.b.	Design of Repair/Renovation	Completed
VI.B.4.a	Recordation of Charity Hospital/Post on Website	Completed
VI.C.2.a and b	Secure and Ventilate 9 Historic Properties/Post Reports	Completed
VI.C.2.c	Determine if historic properties can be retained	Completed
VI.C.2.c.v	FP&C will assist Deutches Haus with relocation	Completed
VI.C.2.d	Design of New Construction	Completed
VI.C.2.d.iv	FP&C will convene 2 design sessions	Completed
VI.C.3.a	Vibration Monitoring	Completed
VI.C.3.b	Phased demolition and construction	Completed
VI.C.3.b.iii	FP&C will notify ACHP regarding funding and business plan	Completed
VI.C.4.a	FP&C participation in SHPO Mid-City HP Mitigation Program	Completed
VI.C.4.b.i	Recordation of HP in footprint that will be demolished	Completed
VI.C.4.b.ii - iv	Record Charity Hospital and post on website	Completed
VI.C.4.c	Architectural Salvage from HP in Mid-City NRHD	Completed
VI.C.4.d	Public Interpretation	In progress
VI.C.4.e	Mid-City Local Historic District Designation	Completed
VI.C.4.f	Reuse/Disposition of 9 MCLNO historic properties	Completed
VI.C.4.f.iv	Prepare and Post Marketing Study for Charity Hospital	Completed
VI.C.4.f.iv.c	FP&C will explore preservation easement for Charity Hospital	No Legislative approval
VI.C.4.f.iv	FP&C will contract for NRHP nomination for Charity Hospital	Completed