

Transcript

October 21, 2024, 6:28PM

AM **Abreu, Hector M.** 1:49

OK.

Good afternoon.

Let us go ahead and get started today.

First of all, I would like to thank you for joining today's meeting to discuss V as proposed nationwide programmatic agreement for its state home construction grant program.

Sometimes called the state Veteran's home program.

National programmatic agreement nationwide programmatic agreement.

My name is Hector browse introm. I am Virginia's federal preservation officer.

And I'm joined today by various members of my staff.

Hpo Staff, Historic Preservation Office staff, including Alec Bennett and our VA liaison at the Advisory Council of Vanessa Hanby and in addition, there may be members of our Office of Tribal Government Relations Office as well.

So.

But however I am going to turn over the the MIC to Alec Bennett, who is our senior historic preservation specialist.

And he is the historic historic Preservation Office lead for this state home grants program nationwide programmatic agreement.

So without further ado, I give you Alec Bennett.

BA **Bennett, Alec (CFM)** 3:19

Thank you, hector.

So just right off the bat, this meeting is being recorded. So those who are not able to participate can still get information.

We are also taking notes.

And will retain a summary for the administrative record.

The chat feature is live.

Let me ask you, please use the chat feature if you have a specific Web page reference or question so we can record that link. Those notes will be included in the administrative record.

I am going.

To.

My breath a couple of times during the presentation.

Four questions.

I'll also be taking questions at the end.

All of that will will also go into the administrative record.

At the end of today's presentation, we will open the comment period for this proposal and ask you please provide recommendations and suggestions via e-mail.

Those comments will be collated, summarized and posted to the VA Historic Preservation Office website.

This is the third and final meeting of this year regarding the proposed state Veterans Home nationwide programmatic agreement. If you have a colleague or know of someone who could have attended today, please let them know that information from these meetings will be made available through our website.

Lastly, today's meetings is about historic properties and the National Historic Preservation Act compliance process.

Related to the state Veterans Home program.

I I note that we do have a number of representatives from state Veterans Affairs agencies on the call.

Thank you very much for participating.

This call is really gonna be laser focused on the national Stork Preservation Act compliance process for state Veterans Home grants.

If you have questions related to the to the larger program you know, please send them to your grant representative.

But but this is really gonna be specifically for the National Historic Preservation Act compliance process.

We're gonna be discussing a proposal.

We.

Certainly. Welcome any.

Feedback on this proposal, but we are going to try to really focus the the conversation.

On preservation compliance, that kind of B3 step within the state veteran's home a project checklist.

There is additional information in the chat feature.

About the benefits of living in a state home.

Stop. Next slide. Excuse me.

Today's meeting is largely informational in nature.

We are going to focus on the state Veterans Home Grant program.

And why VA has proposed a nationwide programmatic agreement on an MPA?

We have, as I mentioned, reserved some time for discussion and questions at the end.

Va has included a copy of its consultation plan for this proposal with the meeting invitation. We also have a copy of the Council action plan.

For this proposal available on our website.

It contains a wealth of information about the proposed MPA and also links to VA web pages and news stories.

Naxal.

So most people are familiar with V as mission to provide healthcare to veterans and their dependents, and our home loan and education benefit programs. The state Veterans Home Construction Grant program is kind of a a key part of V as commitment to serve veterans throughout their lives.

Next slide please.

So at the moment there are 170 active state veterans homes in the United States. Stay home construction grant program or state state veteran's home program is a partnership between VA and state applicants to construct, renovate or rehabilitate state owned and operated nursing homes, domicil areas or adult day healthcare facilities.

These facilities are generally referred to as.

State veterans homes.

Va typically works directly with state level Veterans Affairs agencies for the construction grant program.

In the state level, VA executes the actual construction project.

In certain states.

Va works with the state level department of General Services, which executes the actual construction project on behalf of the state VA.

In 2020, Congress passed the Isaacsson and Roe Veterans Health Care and Benefits Improvement Act, which amended the statutory authority of the state home program to include Indian tribes in the definition of state and state home.

Va received its first application for a grant project on tribal land earlier this year.

Now it is important to note in the context of this presentation that state veterans

homes are not federal properties and are not owned by the Department of Veterans Affairs. Our section 106 obligations or Section 106 connection to state veterans homes, therefore, are limited to.

Those construction and improvement projects.

Through grants, VA.

Does not have authority over operations of the state Veterans Home.

The day-to-day maintenance and renovations of state homes.

In that responsibility lies with the states.

Next slide please.

So this slide includes a map of state Veterans Home locations nationwide.

Some states do have more state veterans homes than others.

The decision to construct and operate a veteran's home.

That decision making really lies at the state level, not with VA.

Stay at home buildings typically.

Are three stories or less with private and semi private rooms.

Va is currently promulgating a small house design guide which encourages, you know, small house settings with bedrooms organized into pods or clusters with shared common areas.

Many state homes do include amenities like libraries or Barber shops.

Next slide please.

Under the state home program, the Department of Veterans Affairs may reimburse applicants up to 65% of the cost of a construction project.

That is based upon the statutory authority for the program that was cited in a couple of slides earlier.

Many state home projects are renovations of existing facilities.

Roof replacements, HVAC system improvements, nurse call system installations.

Or other interior projects.

Within the state home program.

Projects related to health and safety are prioritized. Those types of projects can include, for instance.

HVAC upgrades.

The the Department of Veterans Affairs.

Also provides grants to states to construct.

New facilities or to expand existing ones?

Running for the state home program.

Can really go up, go up and down year to year.

It is very.

It is variable.

There are, in addition to that, multiple factors that contribute to which projects are funded.

So as as mentioned earlier, life safety projects are given priority.

Moreover, States must have matching funds for projects.

The 65% that I mentioned earlier must be matched by 35% project cost from from states.

Moreover, every state has a established number of beds for that state.

You know, and so that that bed limit is set from from state to state.

Projects that that are submitted to VA.

If not funded in a particular fiscal year, can roll over to the to the next fiscal year.

And where they may try again for funding.

As as many of the participants on this call are aware, VA released the the priority list.

For state veterans, home grants for the FY24 last month.

The list includes over 100 projects.

Next slide please.

So that is, you know, just kind of in a nutshell, a very brief, very condensed summary of the the state Veterans Home Grant program.

Before I move on, I'd like to catch my breath and see if if there are any questions.

OK, hearing none, I'm going to press on.

So the next couple of slides are going to go into a little bit of detail about why VA is proposing a nationwide programmatic agreement, why we're proposing an MPA in some of the details.

So during the COVID-19 pandemic, nursing homes were.

Greatly impacted as we all know.

Through the CARES act.

The American Rescue Plan act.

Congress provided funds to VA specifically to help state veterans homes with infection control measures and other projects to help stop the spread of infectious disease.

Some projects included, you know, interior materials replacements.

For for infection control measures.

Other projects included.

You know replacement of HVAC systems.

You know creating.

Storage spaces.

For PPE.

And and there were projects that facilitated the construction of individual style living spaces within state homes.

So moving away from.

Rooms with.

You know, multiple residents towards individual style living spaces in state homes.

During the the COVID-19 pandemic, you know, VA did have to put each of these grants into compliance with the National Historic Preservation Act.

And there is a provision within the National Historic Preservation Act that that allows for the.

For consultation under emergency procedures.

That is found at 36 CFR 800.12.

Federal agencies like VA can utilize emergency procedures under International Storm Preservation Act when there is a declared national emergency.

We use these procedures.

You know, over and over again.

You know, initiating with the state historic preservation offices and and other consulting parties.

This did, you know, really strained staff time of VA and and status or preservation offices and our partners.

In response to these.

Preservation consultations.

The emergency procedures we received a response from the Advisory Council on Historic preservation on multiple occasions that that VA should develop a nationwide programmatic agreement for emergency actions when in position of a grant or of funds. So when VA was in a position, you know, of granting fund.

For construction projects such as you know, within state veteran's homes.

Program so you know looking for.

Emergency procedures as a Grand Tour of funds rather than as VA being the operator of a facility.

Next slide please.

So VA did review our procedures during COVID-19 and we concur with the Advisory

Council that a program alternative for emergency situations would be helpful.

In taking a look at the state Veterans Home Program, VA believes that there could be other benefits and processes that could be incorporated into this larger.

The competitor defined the roles and responsibilities of applicants in the Section 106 process as well as develop guidance specific to medical facilities.

Va is also determined that the nature of the state Veterans Home program, in which VA grants support kind of similar types of undertakings, similar types of projects and similar types of facilities across the country.

Would be good fit for a nationwide programmatic agreement.

You know the nationwide program, the Advisory Council on Historic Preservation does have some general guidance for when a nationwide programmatic agreement would be appropriate on the particular when there are repetitive projects on similar types of properties, similar types of facilities nationwide.

On the achp on their website, you know does say that those are the types of programs that they may be a good fit for an NPA.

So we have taken that into account.

And so.

With.

This meeting in the previous two meetings last week.

Va has been reaching out to stakeholders, reaching out to our partners for input.

We would like your input on this proposal.

We would like your input on this proposed initiative.

Next slide please.

On the next few slides, I'm going to touch upon our goals for the NPA.

Next time please.

So first of all, big picture, this is a proposal that is.

Solely focused on the state Veterans Home Grant program, we in in this consultation on this call and you know with this outreach we are not looking at any other VA program.

We are only looking at the state Veterans Home Grant program for this proposal.

The.

State home program as mentioned earlier.

You know, we do believe would be a good fit for anpa. We have looked at the inventory of state veterans homes and.

Approximately 65% of Allstate veterans homes active in the United States.

Were constructed after 1990.

So what that means in the big picture is that we have.

A large number of state veterans homes that are, you know, less than 45 years of age.

So we're talking about a large number of properties that have been constructed, you know over the last few decades and.

Are, you know not particularly close to that kind of generalized 50 year?

You know eligibility.

Threshold for eligibility to the National Register of Historic Places.

The 50 year rule you know, is not hard and fast, of course.

There are, you know, properties that are less than 50 years old that are eligible for the National Register. We are well aware of that. However, in general, most of the facilities, most state veterans homes are much, much less than 50 years of age.

And therefore not eligible for the National Register of Historic Places.

What this is translated to in section 106 consultations is that we have a very large percentage of consultations that that result in findings of no historic properties affected.

So we do have a a, a large majority of consultations where you know VA moves through the section 106 process.

We come to concurrence with shippo and consulting parties that there are no historic properties in the project area, that there are no properties eligible for the National Register of Historic Places in a project area.

In fact, you know, you know, looking over the last few years, we have determined that 95% of our consultations have resulted either in a finding of or determination, I should say, of no historic properties affected.

Or no adverse effect to historic properties.

So you know we are getting a number of consultations that you know kind of come up with the same findings that do not either have historic properties in the project area or do not adversely affect those historic properties. And so for this reason.

Va believes that it would be appropriate to develop a list of programmatic exemptions, essentially a list of projects.

That you know in the past have consistently led to no historic properties.

The fact that there's a fact what we are trying to do with this NPA is propose a list of these exemptions that, you know, when these projects are are proposed within the program would require.

Just an internal review for compliance.

The the second piece to this.

Is that we do believe that, you know, we have an opportunity here to establish clarity and roles and responsibilities for the agency and applicants when addressing emergencies.

You know, natural disasters and and and, you know, kind of making a establishing a difference between, you know, procedures for that type of situation and for, you know, long term pandemics, you know, kind of drawing distinction between.

You know when there is an immediate, you know, natural disaster emergency versus a long term pandemic.

One other thing that that is important to note, as mentioned on this slide.

You know, we are going to, you know, proposals of exemptions, but we would not.

Use this program.

Alternative.

Not use this proposal when there is a national store landmark within.

A project area APE stands for area potential effect and we would not use this when there's a National Stork landmark within a project area.

The to my knowledge, no state Veterans Home properties are listed as National Historic Landmarks.

So this is to some degree.

You know, would not apply to any actual state Veterans Home.

Properties.

As as long as the project is focused on the project area, sometimes project areas can. Include properties that have that are close to a project that that have visual effects to a project, and if there would be a a National Historic Landmark that would be visually affected by a project.

Then this proposal would not apply.

Next, next slide please.

So this slide kind of touches on a proposed exemption for renovations.

This would be the proposal for non-emergency projects for non-emergency reviews.

You know, First off right off the bat.

Va has already authorized state Veterans Affairs agencies to initiate Section 106 on our behalf.

Under our authority in 36 CFR 800.2 so so this would not change.

Virginia would still, you know, ask State Veterans Affairs agencies to initiate

consultation on our behalf.

For for most projects and for the State V as that are on the call, you know you should have a copy of that authorization letter.

It has been posted to the confluence state state home site.

This authorizes your office to initiate consultation with shippo for your projects.

The VA, through this NPA through this proposal.

Is, you know, proposing an exemption for certain projects for certain renovations.

You know, if a building is.

40 years of age or less, or has been determined.

Not historic. Through a previous consultation.

And the undertaking is limited to the interior.

Or if it's an exterior project but there are no historic properties within the project area within the area, potential effects.

Then you know that that would project would be exempted from further review, so that would be, you know, essentially an eternal review.

The VA would do if you know a project would meet these criteria.

You know, then then the historic Preservation Office, my office.

You know.

Would.

You know.

Match that project you know, with the proposed language, and then come to a determination that the project was in compliance with the National Storm Preservation Act.

So essentially do that review internally.

This exemption.

You know.

Would not be included if states are constructing an entirely new facility.

So if we're talking about, you know, a bed replacement project, building a new state home, you would not be able to apply this exemption.

So you know, just wanna, you know, kinda make that.

Distinction on the slide.

Make that clear.

You know what we're looking for is essentially an exemption for renovation projects on non historic buildings.

Next slide please.

So earlier in the presentation, I did talk a little bit about emergency situations.

You know, as mentioned, VA would like to make a distinction between.

You know.

Natural disasters, you know, emergencies.

And.

Long term pandemic type public health issues.

So you know for the for the previous slide, you know in emergency situations there would be no change for those exempted actions.

So all of those exempted actions that I that we proposed on the previous slide, you know they would also apply in the case of an emergency.

The.

Emergency procedures at that are codified at 36 CFR 800.12.

Include a list of reviewers and specific consultation procedures. Those reviewers include the Advisory Council tribes.

Native Hawaiian organizations.

State historic preservation offices.

Travel historic preservation offices and.

Other stakeholders.

In the event of a ongoing pandemic, similar to the COVID-19 pandemic of VA would request to retain the seven day review afforded by 800.12 for rehabilitation and renovation undertakings.

However, we could make accord, make.

Provide.

Provide a 30 day review for for larger projects involving the construction of new facilities.

In kind of larger, larger projects. So for an ongoing pandemic, we propose, you know, a longer review for larger, more significant projects.

Or, you know, disaster recovery situations for emergency situations like natural disasters.

Such as hurricane recoveries?

Va is requesting to expand that 30 day designation by 90 days.

You know the reason for that is the, you know, kind of grant or grantee relationship and so.

You know for the.

You know, emergency situations.

Our proposal would be to stretch out that that schedule to for nhpa compliance for to 90 days.

Next slide please.

So you know just.

Brief summary I mean this entire.

Webinar this entire presentation has been on a proposed alternative method for section 106 compliance for national Store Preservation Act compliance.

That's what we're focused on with this call with this presentation.

You know, we believe that.

This proposal.

Nationwide programmatic agreement.

Could could lead to real efficiencies within the Section 106 review process.

For state veterans homes, you know, we think that this could.

Certainly benefit.

You know, all parties involved, you know, State V as you know, as as as grant recipients.

Va as as the grantor.

And you know, status or preservation offices.

Try travel store preservation offices and all other consulting parties.

As reviewers, we really do think that there is a opportunity here.

For all of us to, you know, review this agreement, take a look at it.

You know, and and and come together to to execute this agreement which.

You know, in a lot of ways, kind of codifies these kind of similar projects that have been happening over and over again. You know, just in different facilities nationwide.

So with that I I do want to.

You know, open up.

Open it up to to discussion.

I'm happy to answer any questions related to this proposal.

 **Speaker 1** 37:25

So Alex, I guess I'll start Rob, light from Kansas here.

And so I'm kind of new to this. So I'm trying to figure out the. So what and how this impacts me, right?

I see this as a good thing.

I don't really see any impact to us here in the state of Kansas.

It seems like a good thing. It seems like the higher headquarters is doing a good thing by helping the state here, who doesn't have as much resources as you know, you guys and trying to reduce the timeline.

And make this whole process more efficient, working with our state.

Folks who, when we did our stuff for our new home, pretty much said they follow the same checklist and what not that you guys follow.

So maybe this is making things a little more efficient.

So am I missing something and all this stuff that you just described is that pretty much the gist of everything you just said in the last, you know, hour or so?

BA **Bennett, Alec (CFM)** 38:20

Yes, absolutely.

I mean, this is not going to, you know, for the state VAS on the call.

This is not going to lead to any new requirements on your part.

You know, this is not going to mean that you have to do anything else for section 106 compliance.

□ **Speaker 1** 38:34

Awesome.

BA **Bennett, Alec (CFM)** 38:41

You know, basically, you know, you will not have to do anything else. What this does mean is that.

You know, as projects are submitted to the state Veterans Home program and and make it on the priority list.

You know, I will.

You know, or someone in my office will essentially review those projects and.

If they, you know, meet the certain criteria which I've outlined, then we would, you know, if this proposal.

Accepted.

We would be able to essentially, you know, look at your project and say.

OK, this project meets the requirements of this nationwide programmatic or meets, you know the definition of. You know, what's covered in this nationwide

programmatic agreement. And so you know, we will be able to do an internal review and then I'll just be able to issue that B3.

Nhpa approval memo to confluence.

You know internally saying, hey, I've reviewed this project, you know, this project meets the terms of the NPA. For that reason, you know Nhpa compliance has been met. And so for instance, I'm looking at.

So you have a project, a roof replacement project in Mount Vernon, MO. Is is. Is that correct?

 **Speaker 1** 40:19

I'm in Kansas. No.

 **Bennett, Alec (CFM)** 40:20

Oh, I'm sorry. Oh, I'm sorry.

So I I thought that you were in Missouri.

I think I saw the KC and I thought of Kansas City.

But you know, take just using that as an example, if you had.

A.

A.

A roof replacement project for a state home in Kansas. That was.

You know, 30 years old.

And.

And I was able to, you know, review that project, I could say, hey, this roof replacement is on a non historic building meets the terms of this NPA and I'd be able to write you that approval memo.

So.

And then Nhpa compliance would be met.

So it'd be kind of.

 **Speaker 1** 41:13

Got it.

 **Bennett, Alec (CFM)** 41:16

Internal review process.

We think that really would be a benefit for you.

 **Speaker 1** 41:22

OK.

Thank you, Sir.

BA **Bennett, Alec (CFM)** 41:23

No, thank you.

I see another question.

Staff.

HS **Heckenkamp, Steph** 41:33

Yes, hello. I'm with the Illinois Department of Veterans Affairs.

BA **Bennett, Alec (CFM)** 41:34

Hi.

HS **Heckenkamp, Steph** 41:37

There's quite a few of us actually on the call from our agency.

We have the Quincy home here in Illinois, which is historically fairly significant.

So I was wondering if any aspect of this is going to be applicable to a location like Cause 4 out of five of our veterans homes are not historically significant and obviously would fall under this. But as far as Quincy goes, it seemed like maybe interior projects would.

Kind of automatically.

Pass the test or I wasn't exactly sure how it would affect his properties that are historically significant.

BA **Bennett, Alec (CFM)** 42:13

So so as I remember the Quincy home, you know, is historic, but but you're going through a pretty large project there right now, right because of the.

HS **Heckenkamp, Steph** 42:24

That is correct.

BA **Bennett, Alec (CFM)** 42:25

And and that project I believe was driven by.

Their there was.

Essentially need to demolish a large part of the campus, right?

And so you know that particular project?

You know, as I remember, I worked with your office to negotiate a memorandum of agreement with the Illinois Shippo and other consulting parties for that project.

So for those types of projects.

This this programmatic agreement would would not apply.

You would have to go through the kind of standard 106 pro consultation projects.

For that type of activity, if we if we are talking about interior renovations only.

Yes, that would.

Meet the proposed exemption.

It is important though to note that you know right now we're we're consulting, you know, not only with, you know, stakeholders through you know State V as but also. State stake preservation offices and tribal historic preservation offices.

So right now we have a proposal proposed language.

You know, right now those interior projects would meet that proposed language.

But, but we don't have anything hard and fast at the moment.

HS **Heckenkamp, Steph** 44:03

OK.

So just a quick follow up, it sounds like this is actually even going to make things a little bit easier for facilities that even are historically significant. It sounds like this might even.

Streamline that process.

BA **Bennett, Alec (CFM)** 44:20

So it is like really important to note that you know this is not gonna cover the entire program.

So if you know a state wants to demolish a historic building, you could not use this. If a state wanted to build a new facility, you could not use this, but in certain cases, yes this could be applied to.

A historic building.

If you're focused on.

You know interior spaces.

I mean in, in, in large part that's because.

Many.

Are historic.

The the state veterans homes that are listed for eligible to the National Register of Historic Places simply for their exterior significance.

It's it's very rare that there are interiors that contribute to the historic significance.

It's possible, but I'm not aware of any historically significant interiors at this moment.

HS **Heckenkamp, Steph** 45:20

Thank you.

I appreciate that.

BA **Bennett, Alec (CFM)** 45:30

Questions.

Next slide please.

So as mentioned earlier on in the presentation, you know we are going to, you know, open up a comment period.

You know that's going to be open for a month.

We are going to be soliciting comments through.

Our offices web page historicpreservation@va.gov or excuse me, our e-mail address, so if you.

Would like to send comments to.

Our our e-mail address.

Please do so.

We will use those comments from the round one meetings.

And those received through e-mail.

To draft the NPA.

There was a draft consultation plan as I mentioned.

Earlier on in the call.

That, you know, we would welcome your comments and add its on and we we do intend to to host another round of meetings in early 2025.

Side please.

Just reiterate there, there are many ways to participate in these processes.

Today is not your only opportunity.

Please visit our website or send us an e-mail for comments or recommendations.

You know, certainly if you want to discuss this with your colleagues that would be great.

And then submit submit your questions and comments.
So thank you very much for taking the time this afternoon to participate.
You know my office.
We really appreciate your input.
Thank you.



Kelly Sellers Wittie 48:48

Thank you everybody for joining.
I'm gonna go ahead and end the call.