

Transcript

October 7, 2024, 7:00PM

AM **Abreu, Hector M.** 0:18

Good afternoon.

I hope everyone can hear me.

Today's meeting is with regards to V as proposed.

National programmatic agreement for its leasing program.

I am waiting on.

Call to see if anybody calls in.

We do have members of the staff on the call, but for the moment I do not see any outside parties on the call, so I will give it until five after three to see if anybody calls in and then I'll determine if we should continue with the meeting.

Or not.

So please stay on hold until 5 after.

Thank you.

For those on the call or who it just came on, we were waiting until a little bit later 5 after to give those who can get on to give them opportunity.

There was no one on the call at 3:00, so I'll start at 5 after minute. Thank you.

Oh, it's five after. So let us start and if anyone calls in during, we'll of course continue with the presentation.

First of all, I hope everybody can hear me and I again.

I'd like to next slide, please.

I would like to thank you for joining us today in the call. Before we start, VA would like to acknowledge that of course, consultation is A2 way nation to nation exchange. With tribes, and if there's any tribal member on the call, the VAHPO staff will meet with any tribal or native Hawaiian organization.

Or their section 106 contacts and if they request a private one-on-one meeting.

We can discuss that, of course, and I'm open to that on any issues related to the nationwide programmatic agreements that we're proposing today.

So again, if there are any tribal members on the call, we already did have our tribal meeting last week, but of course they could call into this meeting if they wish.

Please e-mail me at historicpreservationtogetherhistoricpreservation@va.gov.

And we can arrange a one-on-one meeting if that is required.

So today's call hovers intended for the general audience.

But we do, welcome, as I said, any tribal Native Hawaiian organization, or shippo who may be calling in today.

We did have our shippo meeting last week as well as our tribal and nho meeting.

Today's meeting is focused mostly on those of the general public who might have interests on what we're proposing today.

Please ask if you have any questions about how the proposed programmatic alternative.

Alley to you and your roles specifically. Next slide.

So again, thank you for joining today's meeting to discuss V as proposed nationwide programmatic agreement for its major leasing program.

My name is Hector Abreu Cintron and I am V as federal preservation officer as well as the historic preservation offices team lead and I will be also leading this effort for the leasing nationwide programmatic agreement for leasing.

I am joined by various members of the staff today.

Alec Bennett.

Angela McArdle and Vanessa Hanby, who is our VA liaison at the Advisory Council on Historic Preservation.

This meeting is being recorded, so those who were not able to participate can still get the information.

Va also is taking notes and will retain a summary for the administrative record.

The chat features live.

You can ask questions or post comments in the chat. We ask that you please use the chat feature.

If you have a specific document or Web page reference so that we can record the link correctly.

These notes will be included in the administrative record as well.

We will pause the presentation at various points for questions and take questions at the end as well.

Please use the hand raised function if you would like to ask a question or provide a comment.

These notes will also be included in the administrative record.

After today's presentation, we will open the comment period.

Provide recommendations and suggestions via the e-mail I just mentioned.

Historicpreservation@va.gov.

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

This is the final webinar in V as opening round of meetings about the proposed leasing nationwide programmatic agreement. If you have a colleague or know someone who could not attend today, please ask him to visit the VAHPO website for copies of the presentation the.

Address was listed in the consultation plan and will be posted later in this presentation.

Finally, today's meeting is about V as Leasing Program, historic properties and the National Historic Preservation Act.

You have, if perchance you have stumbled onto the wrong meeting and this is not any of the topics that you are interested in, or you are for example a developer or a contractor looking for upcoming solicitations, or if you are a veteran who is seeking. Any information with regards to benefits?

There is links that have been posted in the chat for you to go to, but I stayed again. This meeting is not.

In reference to any of those topics, next slide.

Oh, final things. Before we understand again, today's meeting is largely an informational session about V as leasing program and YVE has proposed a nationwide programmatic agreement.

As I said, we've reserved time for questions at the end. We know that many are working on consultations with regards to program alternatives for other agencies and the Advisory Council, historic preservation as well.

And there's a lot on everybody's plate right now. So we do appreciate you taking time to join us in this call.

As I mentioned, a copy of the consultation plan for this proposal was included in the invitation for those who are, for those to participate in this meeting, the plan also contains a lot of information about the proposed nationwide programmatic agreements and also provide several links to VA webs.

And news stories.

So it is also available on our website or if you need a copy you can also e-mail us at that e-mail address.

I talked about historicpreservation@va.gov.

OK.

So let's get into why we're here today.

In 1923, Virginia changed its mission statement from President Lincoln's well known quote about our commitment to fulfill President Lincoln's promise to care for those for those men who have served in our nation's military. It was changed in 2023 to be. More encompassing?

And now it basically states that.

Our mission here at VA is to fulfill President Lincoln's promise.

Care for those who have served in our nation's military and for their families, caregivers and survivors.

So the new mission statement is more inclusive of all those who have served in the military, including those who have not served in combat as well as their families and caregivers.

So we now have a more expansive mission statement at VA.

Va itself is divided into 3 administrations.

There's the National Cemetery administration.

Or what we call NCA, where we administer the cemeteries for, of course, the final resting place for our veterans, the Veterans Benefits Administration, which manages veterans benefits such as loans and grants and education grants.

And the Veterans Health Administration.

I work in the VA office of Construction and Facilities Management, or CFM. As we call it out of headquarters where we are responsible for the planning, design and construction.

Of major construction projects.

Generally, we serve the Veterans Health Administration and most of our projects serve VHA and involve the maintenance and improvement of existing healthcare facilities as well as the construction of new ones.

So we do mostly with the construction of all the healthcare facilities that VA utilizes and needs.

Increasingly, however, VA has been using leasing as a mechanism.

To meet V as healthcare needs beyond the construction. Next slide.

So VE operates over 150 medical centers nationwide.

To be clear, with this nationwide program accurate, we do not intend to replace these 150 hospitals with lease space.

We're not proposing that this NPA will be used as some sort of back door to, for example, you may know of the BRAC program many years ago DoD instituted to. Dispose of.

Close down military facilities around the country.

This is not this at all.

We're not proposing anything like that.

Nearly all of these VA leases that we are proposing will be in service of our health care mission.

Some leases will be for parking your office space, but the majority will serve as some form of medical or clinical space.

So that's what our leasing program will be addressing.

Next slide.

Now the office of Real Property or as we call it, ORP, is responsible for VA's leasing program.

G.

A GSA General Services Administration has delegated this authority to VA.

But we follow GS as rules which are included in FMR 102-75.

I'm sorry. 102 dash 83.75.

VA therefore gives first.

Consideration to locating in historic buildings and central business districts. As long as the space meets our design and safety criteria.

So FMR 102 basically says again, GSA creates the rules that when federal agencies locate new construction or new projects, they should first look at.

Trying to locate those in historic buildings and central business districts to generate economic benefits to these areas.

And therefore, as we need to comply with the FMR, we also look at that as well.

So our authorities delegate from GSA as I mentioned.

And again, it's not our intention to subvert or otherwise affect this consideration of historic properties, which is in the executive order.

We understand this and what we're proposing will in no way.

Change that obligation of first looking at historic buildings.

Business issues when we're looking at these lease properties.

To be upfront, our design and safety criteria are fairly exacting.

And we've had a hard time finding facilities that meet our medical needs within downtown's historic downtown and historic buildings.

So for example, some of these criteria that our requirement for us to locate historic, I'm sorry.

Medical and health clinical space.

Include.

That parking, for example, should be within a certain distance from the entrance due to our patients needing accessibility.

We typically have a preference for first floor space, again due to having to comply with accessibility requirements.

The space cannot be located within a female 100 year floodplain.

We that's not acceptable for our needs, our criteria.

The space has to be zoned for medical use.

Which is a huge requirement on our end. Of course, as we are proposing medical clinic space.

The space cannot be in a close proximity to a liquor store, prisons or railroad tracks. Again, this is part of our criteria.

And finally, the space cannot be offered in a building where there are apartments or other living quarters within the space.

So the historic building has space that is dedicated to apartments or living quarters.

We we cannot based on our criteria, moved to that space.

So as you can see, it's a challenge trying to find space within a historic downtown or a downtown.

It's been developed or historic building that meets that, that meet this criteria.

So we do try, but I'll be very honest, it's been very, very, very difficult to find the scenario where we can't fit these lease spaces within existing historic buildings, so.

That's brought us to where we are now. Next slide.

Now our office of Real property tracks leases by annual rent, but we in the historic Preservation Office track it by what type of lease action we're dealing with. And there are basically three types of lease actions that HPO deals with.

The first one are called move in ready.

And these are lease actions that are what we call turnkey.

Basically we just move in the furniture, hang up our signs.

And start to work.

There's no ground disturbance and there's no potential to affect historic properties in these type of move in ready cases.

Typically it's a recent construction 1990s nineteen 2000 building.

We just, you know, move in, put the furniture, the carpets there, the electricity, all the utilities are there and we just move the furniture and and basically put up our signs and that's it.

We're there.

So those are moving ready.

Then we have what are called build out leases.

These are lease actions where we renovate an existing building for our use.

So it's a little bit more involved in the move in more and more we are seeking VA clinics, for example, to be located in shopping centers. And I will show you an example later on of an example of that.

We basically move in, we knock out some of the interior walls and we create a dedicated space for care.

Within these existing buildings, carpeting walls paint the whole 9 yards.

We don't change the utilities, so we utilize existing electricity and gas hookups and water and sewer, everything like that.

The build out actions tend to have a very limited potential to affect historic properties.

They tend to be again more recent buildings, those located within shopping centers and places like that, or structures that are.

Or not historic and or not within historic district.

So these have been basically a very, very limited have demonstrated very limited potential affect any historic properties.

The final one are built to suit leases and these are more common and this is usually where we develop an existing green space or an empty lot into a clinic.

These arrangements have the potential to affect at historic properties, but typically we look to minimize that potential through a strategic selection process and through our design requirements.

So very early on, we look at potential sites around the country for the proposed construction.

We tend to look at issues related to historic properties nearby.

For example, you know we typically would not select a lot next to a semetory.

Or there is a 19th century historic home either on or near the site. We tend to screen those out during the initial market survey process.

Or we mandate that exterior materials, exterior materials with if that building site is located, there are historic buildings around the site.

We do look at ways of minimizing adverse effects due to selection of exterior.

Treatments of the of the new construction.

The other issue is these leases would require utility installation and construction.

Therefore, of course, there would be the potential for archaeological issues as well. For the installation of sewer lines and and such. So so build 2 suits are are the ones that might have the most potential to affect historic properties.

Next slide.

So while most of our discussions are going to focus on the built suit leases, because these have the greatest potential to affect historic properties, I just want to give you know few examples of of of these different lease types of the first one, the move in ready ones.

One example and which is quite appropriate for us is our headquarters building.

This is the VA headquarters.

It's located 810 Vermont Ave. Northwest in Washington, DC.

It's right across Lafayette Square and we lease this building from GSA.

We've been here since 1918, since the beginnings of the veteran.

It wasn't called the Veterans Administration back then. Since the beginning of the Veterans organization, the we basically just moved in, put our furniture, put up our shines that say Veterans Affairs and it's our building.

We could equally move one day out of this building.

We would just take our stuff and move out and GSA would find another use for it.

It's a beautiful building.

And as I said, our offices are here, but 106 and issues related to this building are pretty much under the the the auspices of GSA.

It's their building. It's not our building.

Next slide.

Now a good example of our build out leases is, which has been pretty innovative this one.

Is more extreme than most of our bailout, but it's a pretty interesting project.

In 2020, Virginia elected to lease a closed, vacant Toys-R-Us building. This was in a mall in Iowa.

We then spent the next two years renovating the building and now is a very active outpatient clinic.

We didn't change any of the utilities.

We just re clad the exterior and reconfigured the open interior for our needs.

It was a big open space. You know, most of you who know been to your Toys-R-Us is when they were around, they were just big open kind of warehouse structure.

So it was very fit our needs perfectly. We could just do whatever we we could for the

interior.

And it's a great example of reusing a, you know, vacant commercial building.

Personally, I love this idea.

I hope we would do more of these V as looking at that, the great thing about these projects is the quick turn around as you saw in only two years from start to finish, we got a facility open.

And as you can imagine, consultation was very quick, not historic building.

No adverse effects, no historic properties affected no excavation there for no tribal issues with regards to potentially archaeological issues.

So it's a great one for us for 106 purposes. So and we are looking at a few of these now.

Again so, but these are these are very attractive I think for us as well.

Now for a move on. And are there any questions so far what I presented?

OK.

Thank you.

Let's go on to the next slide.

Wait a minute.

I think I did seeing something come up.

Nope. I'm sorry. That means yes.

GR **Gledhill-earley, Renee** 24:53

Yeah, yeah, this is renekul.

AM **Abreu, Hector M.** 24:55

OK.

Yes, there there is a hand up I thought so.

GR **Gledhill-earley, Renee** 24:56

Yeah, there is a hand up.

AM **Abreu, Hector M.** 24:57

Thank you. OK.

GR **Gledhill-earley, Renee** 24:59

Hi Renee Gledhill early.

I'm with the North Carolina State Historic Preservation Office and hi, we've had a we've had a really good working relationship with the VA for years, given that we have several VA hospitals and cemeteries in North Carolina.

AM **Abreu, Hector M.** 25:05

Oh, hi. Ready.

GR **Gledhill-earley, Renee** 25:20

But I I'm I'm a little concerned about.

The build out.

I understand your picture and I understand that being in a shopping center really does provide for parking.

But when we're talking about this, you also are thinking your earlier slide said that this was a really good opportunity for adaptive reuse of a building.

And I guess my question is, well, we have we have lots of historic.

AM **Abreu, Hector M.** 25:43

Mm hmm.

GR **Gledhill-earley, Renee** 25:49

Buildings that are not necessarily right downtown that are absolutely have parking.

So I am.

I can see in a lot of ways why the modern, more modern and newer facilities might be there.

But when we talk about reuse, we also have a lot of.

Mid century schools that provide lots of parking and facilities that can easily be.

AM **Abreu, Hector M.** 26:12

Hmm.

GR **Gledhill-earley, Renee** 26:18

Renovated into into a healthcare facility or even office buildings for the VA.

I guess one of my things is is I sorta get feel like you gave a little bit of short shrift to the build out and I'd like to know a little bit more about that and it may be that you're getting to it, but that's the one that.

Really gives us the greatest amount of heartburn when we're thinking about how to deal with it.

AM **Abreu, Hector M.** 26:46

OK.

Yeah, and you're right.

We will talk a bit more about how we plan to address the build outs, but.

The way when we look at build outs and as I said, you know.

Va has been slowly kind of embracing those. And honestly, when I first started VA, it's been no 7-8 years now.

There was very few of these done, in fact that one you saw in Toys-R-Us was one of the few that were done and a lot of it's based on O RP looks at you know.

Whatever the community they're moving to, they they look at what's in the market.

So, you know, they look at everything from open land to if these kind of facilities exist where they could probably move in and they also look at, you know how we could fit within our. Like I mentioned before, our code requirements for the medical facility, we have some.

Very specific VA spatial requirements.

You know ceiling heights, all those you know, so.

If they do fit into that criteria, yeah, there's nothing that.

Avoids us looking into potentially doing this within a eligible or historic mid century.

Maybe school or something, if that's possible.

So you know it is an ongoing discussion that we HBO we're having with ORP and being a little bit more thinking out-of-the-box and in these kind of facilities and how we're going to you know address those. I mean what we've done of course since as. We keep doing is now is we just go through the normal 106 process. If that were to happen.

Which we did for the Toys-R-Us one, and that one came up, you know, concurrence of no adverse effect.

So it was not historic. But yeah, I mean we we plan with the nationwide PA to discuss how we're going to address those, but we're not going to deviate from hopefully, as I said, my slide. I personally I like these because when they're not historic, they do tend.

To be very quick.

You know, 106 consultations, but I would.

Yeah, I I've advocated many times saying I would love to see more.
Of using, even if they are eligible or potentially sort facilities that if they fit our code requirements and our design guidelines that we could put that medical use in there, sure, why not?

GR **Gledhill-earley, Renee** 29:08

And I think you have done you.
You did an abandoned building and a shopping.
You've done 2 abandoned buildings and shopping malls in North Carolina.
So we have seen that it's it's it when you talk about reuse.

AM **Abreu, Hector M.** 29:17

Yeah, yeah, yeah.

GR **Gledhill-earley, Renee** 29:21

We'd like to see maybe more thought given to a few. They meet your code, reuse of historic buildings.

AM **Abreu, Hector M.** 29:30

I think the the winning argument's going to be, at least from my perspective, from my speak to the powers, be above me is turn around and VA is very and you'll see in a few minutes I'll talk about that, that we're looking at projects that we have.
Quick turn around because the the model of construction tended to.
I mean, literally there were cases where it was 10 years from start to finish for a new construction, for a medical facility.
We really need to make that quicker and Congress has been telling us, you know, we need quicker turn around VA to create these new.
New medical facilities in a quick turn around and leasing is one option for doing that.
So that's why we're looking more towards leasing instead of construction because we can get a facility from like you saw from the Toys R Us in two years from start to finish. We have a facility that were Ava constructing that facility from ground up it it would easily.
Take seven, maybe eight years or more.

GR

Gledhill-earley, Renee 30:26

Thank you very much.

AM

Abreu, Hector M. 30:28

Sure. Thank you, Renee.

Yay, let's.

Wait. Oh, here we go.

So the timing of this proposal to develop a program alternative is, is not coincidental. Coincidental. Sorry.

Va has seen a nearly 50% increase in enrollments between 2020 and 2024.

Most of that jump can be attributed to the 2022 PACT Act.

Back to act, or more formally known as the Sergeant First Class Heath Robinson promised to address comprehensive Toxics Pact Act of 2022.

Expanded the the healthcare enrollment eligibility for veterans.

In March 2024, VA announced that there was actually because of the passage of the PACT Act, a 20% increase in enrollment.

For eligible veterans for VA services and benefits.

Then there were in 2023.

The expansion of the VA healthcare was, of course to address those issues. You do see the slide there that we're not address before veterans who are exposed to toxic substances, such as radiation Agent Orange.

Gulf War toxins and burn pit exposures that we all remember seeing during the desert storm conflict.

These more recent veterans who were exposed to these toxins were now eligible for veteran care and services and benefits.

We've also seen a nearly 50% increase in enrollments since the pandemic levels of 2020.

So leasing is one way.

We're hoping that we can address.

This increase of veteran population that we're seeing.

And be able to provide the support to veterans.

Of course, we're honored to do and are obligated pursuant, as I said in the beginning, to our mission statement.

Next slide please.

Now, while our enrollment is rising, our research shows that the veteran population is also shifting.

So here's another this is another factor.

So one of them is veteran population increasing.

The other is veteran population is shifting.

They're moving.

We've seen this in the past decade.

Va is is monitoring this so it's not unknown to us that this is occurring.

Like many Americans, veterans are leaving certain parts of the country, for example.

California, New England, the Mid-Atlantic States, New York, PA and even parts of lower Florida.

They're moving to places like the Carolinas, Texas.

Colorado, Denver, Las Vegas, NV, Arizona, Phoenix so that there's a shift of the population as they retire, they get to certain ages and they're and they're moving from what was traditionally.

Veteran core populations, New York.

Boston, Chicago. So we see this shift of of of veterans, for example, here on the map, you can see those areas that are in green and dark green or where veterans are leaving and the blue and the dark Blues are where they're going towards.

So you see from the Northeast it they're lowering the populations and they're increasing in areas, of course you see in blue there, Texas.

Arizona, Nevada.

Parts of the northwest.

In parts of the southeast that you see there very interesting seeing populations of veterans leaving Southern Florida for Northern Florida.

So that that's kind of an interesting shift. The Miami area, they're moving further up.

Many causes of this could be economics, but we're just looking for a difference.

So even within the same climate, we see shifts so.

So we this creates a situation where we have to offer care where the veterans are.

That's our mission.

It's no use of us having care in Miami if the population is leaving for, you know, Jacksonville.

So we need to offer that Karen Jacksonville. So we need to move where they live to offer the care. We do not want veterans to travel more than a certain amount of distance and time to get that care.

They shouldn't have to travel four or five hours to get medical assistance, so we have to shift our perspective to where they're moving to.

Umm. And at the same time, another factor is the American military population and veteran population is not the same as it was in years back.

Other conflicts, for example.

For example, we currently serve more than 600,000 women veterans, which of course didn't exist prior to certain conflicts.

We also have LGBTQ veterans that we need to address as well, and of course we now you know.

Need to address different veterans in terms of their race, their background, religious beliefs, how identities so this these unique characteristics you know, require different kinds of medical care, of course.

So shifting population.

Different composition of that population and increase of that population or what we're hoping.

Through the leasing program and with this nationwide programmatic agreement, what we're proposing will meet ways of addressing these factors that are affecting. Our veteran population and will continue to affect them in the in the upcoming decades.

We as a population continues to increase in age.

Next slide.

So the following are our goals for this nationwide programmatic agreement. And again, we appreciate any feedback you can provide.

Either now or during the comment period, we welcome any feedback from your part. Once we start developing this nationwide programmatic agreement.

Next slide.

So first of all I wanna clarify this nationwide NPA would not apply to all proposed leases.

Virginia would follow the standard section 106 process under certain criteria.

I should also mention this is a VA lease proposal.

This is not impact. Any leases from any other agency.

Obviously we do not. GSA and DoD have lease projects.

This they have their own prop programs and procedures. This will not.

Have any sort of impact on leases from any other agency?

This is only VA specific.

So in general.

Va would follow the standard section 106 process if the proposed facility is over 225,000 gross square feet.

This is an internal number that we've are proposing because based on our standards of of facility construction, buildings of larger size than this tend to be gearing towards more than.

Mini Hospital or hospital level?

Size projects, which we feel would require the standard one.

06 process we would not try to deviate from that for those big large hospital projects or Medical Center projects. So it would not be applicable to those type of projects over the square footage.

Smaller than this tend to be these local medical facilities or what we call.

C box CBOC community based outpatient clinics, or CLC.

Community living centers, small clinics in rural areas or near a veteran populations that address you know, ambulatory care not long term care, where they would go get their check up, get some treatments and then go back home as opposed to a large hospital where they would get.

Care and stay for extended periods of time.

In a bed, these would be smaller facilities which would be for more ambulatory or at the most maybe overnight one type thing.

Care and then leave the next day.

So very, very short term care.

So smaller than 225,000 gross square feet.

If the VA was looking at a site.

Sites that are larger than 25 acres. This would not apply.

This would be for smaller acreage sites less than 25 acres.

And of course it would not apply if the selected site was either in or near a National Historic Landmark, so this would not be applicable for any NHL.

Sites or projects within a National Historic Landmark District. For example, if the proposed construction was in an NHL district, we would not apply this NPA.

Va would not assume that the NPA could be used.

If the location of the proposed lease was was in a designated tribal land.

In that case, we would consult with the tribe to see if they would wish to use the NPA as a preferred process. So it would be completely up to them. We would reach out to that particular tribe. And again, if there was a lease project within a A.

Tribal land designated tribal land. We would, of course, reach out to the tribe.

Say would you?

Do you wish to utilize this NPA for the console and if they don't, of course.

It is there, you know, depending on their preference, the typo or the any applicable.

Travel Rep.

If that were to occur.

Next slide.

So, and as Renee had asked before, given the parameters of the move in ready leases.

We are looking to exempt these actions from further review.

Again, these actions do not include ground disturbance, which is one of the reasons.

So.

Again, this would be for cases where we've determined that the property is not eligible or historic. We would of course look at language to address what you were talking about, Renee, if there was a case, well, this one would be less so.

This is one where the building is very we're not doing any sort of actions or not doing any sort of alterations.

It's just moving in with furniture and signage, so.

Again, for this type, we really, really feel that.

There's absolutely no potential to affect historic properties by doing this.

So we would recommend an exemption for this one.

Excellent.

Now for the build out laces and again I get this one I think.

Rena, you were referring to. This is the, you know, Toys-R-Us example.

If the building is on the register or we determine it's eligible for the register, we would.

Our intention is to meet the Secretary of tear standards for rehabilitation.

On all projects that were determined, eligible or listed.

Our recommendation then would be to consult to determine conformance with the MPA.

So we would consult and determine if it was applicable. We could use this build out.

I'm sorry, this nationwide programmatic agreement or not?

Next slide.

So here's more or less the process we're proposing for the moment.

So for the built for the build out leases hold on excuse me, let me go back to my

notes here.

Thank you so.

If we determine that there's no potential to affect historic properties, ergo there's no ground disturbance.

Interior modifications with exterior modifications are limited to signage, so interior would be there being tamont feasers, but the exterior would just be signage.

The building is less than 40 years of age or has been determined not eligible for listing on the National Register.

We're recommending an exemption in the case like this.

So again, no ground disturbance.

Tier modifications.

No exterior modifications, with probably the limited to just putting up a sign. The building is less than 40 years old of age and determined not eligible officially this one we recommend exemption for cases like this.

If we determined that there will be no historic properties affected.

And there's no ground disturbance. The interior and the exterior modifications are required.

So there is not just signage, there's some exterior modifications that would be required, but the building is less than 40 years old.

And or has been determined not eligible for listing, we would consider a notification process now.

We're still discussing how that notification would occur.

We've had other cases where notification has been through a form type of notification letter.

Or some other way we we we'd figure out where we're still discussing how that sort of notification would occur.

We currently have a program.

Comment you may know of that are we do an annual report as well as an annual meeting where we discussed with the SHIPPO'S and the National Trust in Nashville. Where we've implemented the agreement in the past year and what projects we've implemented it on and it is our notification process to them and how we've implemented the the Program Act. In that case, the program common throughout the past year.

So it isn't.

There's one format that we might be looking at, so that's that's still up for discussion.

What would be the best way to do this notification?

And finally, there is a no adverse effect termination in the case where the building is not historic.

However, there are historic buildings located within the area of potential effect, but we've determined that the exterior modifications would not impair existing view sheds or associations related to the historic buildings within that area potential effect.

There's no archaeological, I'm sorry.

There's no ground disturbance or we've determined that.

Deposits would be avoided if there are any due to the location of the the new construction of the build at least.

We would recommend as well a notification process for this.

Next slide.

Kelly, next slide.

Thank you.

Now for the bill to suit leases.

These are the ones that you know.

Playing ground, brand new construction, no retrofit.

When we've made the determination that no, no historic properties will be affected by this construction effort and that would be the case where we've made, we've determined that there are no historic properties within the area potential effect.

There are no traditional cultural properties within the API, no tcps.

We discussed this with the tribes on how to make this.

Call and we'll work on that and making that determination, if it may involve early consultation, informally with tribes within the county or within that area that have associated history related to that particular area and assisting us on determining if there's a possibility there's any tcps within this.

Area of potential affect for this new construction.

Preliminary surveys have determined that previous disturbances have exist or other limitations.

Related to the area, if it's for example within a commercial center or development or you know that there's pretty good documentation that there's been a high level of disturbance within the soil because of an existing construction there or you know it's within a commercial development or AM.

Or something like that.

That would be a case as well.

We would make a recommendation of exemption for this type of.

Determination.

As a caveat, I will say.

As we've done 106 and all our consults for leases up and we will continue as long as this national Wide Program Act alternative is not implemented.

Many of our cases have been this way.

Our consults have.

Almost 99% have been the site has been found, have no historic buildings within the AP.

We've had no identifiable tcps we've based on either documentation or.

Doing a phase One archaeological survey just to make sure nothing has come up, we've reached out to tribes.

They've all, based upon our determination of no adverse effects and no historic properties affected. We've gotten 100% concurrence up to the fingers crossed. I'm knocking on wood here.

We've got concurrence with most tribes and tribes that you know that the project would not have any impacts.

Thank God to any historic resources.

Caveating that of course that within all our construction projects, we have undiscovered.

Just you know, and discoveries that unexpected discoveries that if anything were found.

We, of course, would stop work and you know, notify tribes and tribes. And that that's always a part of any of our construction projects. If that were the case.

So that that that caveat is always on all our projects.

So it's understood even though we got it cleaned.

Quote UN quote Clean Bill of health. You know, if something were to happen, of course we would stop immediately any work and notify the appropriate tribes and the tribes so on and so forth.

So that's always.

Our leasing projects.

If we determine that there are no adverse effects.

Basically that the historic build resources that are present within the AP, but the construction, the operation will not affect their integrity, feeling association of

design.

So if there's a case where we do have an AP and there is a resources within that AP, but we've determined that the construction will be located in an area in a way that it won't affect the integrity, the feeling or association or design.

If there are.

PCP is present within the APA, but we've determined in consultation with the tribes that the construction of the operation will not affect that particular TCP.

And the OR if there are no archaeological sites that are located within the footprint of the ground, disturbance of the new construction or the site or the site or the sites have been identified, but will be avoided. So.

We you know, if the sites that have been identified are.

Another part of the AP, we're not going to construct anywhere near that.

A.

That archaeological site.

And we've identified ways of avoiding that. We actually did do this in a case where there was a site that were being proposed for construction.

The owner of the property, we did a phase one and we found an archaeological site way up on the north part of the site and as way of avoidance, we agreed that that particular site would not be where we would locate so.

That was kind of sectioned off from the console and we consulted on another part of the property was a very large site for 1:06 and it was fully clean and we got a concurrence from the ship out. That site was not included as part of the.

Project and I mean the owner owns it.

It's his property. So you know, we built on another part of the property, which was identified as not having archaeological.

So that sort of segregation we can do that.

In this case, we would recommend notification.

And finally, if we do determine that there is an adverse effect, we would consult pursuant to 806.

And.

Go the normal 106 route.

We would not, of course, utilize the NPA for that.

We would consult as normally as we would do it, as we always do in section 106.

That will be a standard consultation.

Next slide.

So.

I would really like to thank you again for your attention today.

We can now if there are any comments or questions, we can address those today, but I do want to reiterate today's not your only opportunity for comments and recommendations.

We understand if you would like to take, you know, this information back to your offices or colleagues and, you know, discuss it fully understand it.

So this is not your last opportunity for comments.

There'll be plenty of time for that and figure out in a few minutes I'll talk about the comment period and when that's going to last, but.

Just for the moment, is there anything in general, anything that causes potentially any heartburn or anything like that? If anyone would like to say anything, now's the time.

Renee, yes.

GR **Gledhill-earley, Renee** 53:22

Yeah, it's me again, Hector.

AM **Abreu, Hector M.** 53:24

Uh huh.

GR **Gledhill-earley, Renee** 53:24

I think there seems to be a very reasonable and a good way to approach this I guess. As you said earlier, the Devils in the details and I you have on multiple on on the on these you'll say when we make the determination or we do it not.

What do you see as the process for you to get to?

Those.

Boundings of effect, in other words.

What is going to be your interaction with the ship hose and their tribes when you have have a project?

Mean how do you?

How do you determine that there are gonna? There are no National Register properties within the ape? Or how do you determine that? If it's it is within a National Register Historic District that there's not going to be an effect. What? What's?

The whole idea is how do you make?

How do you determine that those actions are actually happening?

Is it going to be y'all dealing with your?

Are you gonna y'all dealing with whatever it is?

Are you gonna talk to the shippers or the tribes about it?

I mean, how would we even?

How would we know that?

You're getting to a point where you're going to make those determinations.

AM **Abreu, Hector M.** 54:47

Exactly. Yeah, that's a great question.

The way it works internally, what we've been seeing is that actually the when you get your, when you get the letter and you review, you know, if you concur don't concur.

I mean, that's your 30 days. But the point internally that VA we've been trying to find is to get to that point.

There's typically and oh, I should add, within the NPA, this all, all these reviews will be done by Soi qualified staff.

This will be.

The responsibility of an Soi qualified employee within VA, which we do now anyway.

Me, Angela, Alec. Her and Sophia. As you know, Pearl, Sy qualified to this sort of would be monitored by SY qualified staff within VA.

That'll be a caveat to this to make these calls is how we can do that at a point early in the process enough that we get that information. We know we have that information.

Either via, you know, doing documentation, research or.

You know, finding out about national registered properties, tribal issues, so that when we make that call, we can either determine, OK, this is one we need to reach out via normal 106 because the, the, the process of of you know the amount of information we have.

And I should say, even when we get to that decision within VA, it could be months before we actually.

Write you the letter.

Making that determination so we typically know that.

Pretty early on, but there's a there's just an internal period where we have to go through all these processes to get to the point where we write the letter.

So this was not writing the letter to you all and or the notification it's getting to that point and that's what we're trying to find a way of of making that decision on some

projects, which based on the information and with the understanding that the ship owes and.

Tribes.

Understand that we have the capacity to select that these particular ones.

We know if we send these to you, you're probably gonna concur.

I mean, anything's possible, but we just know based on our understanding that these particular type of projects will be no adverse, no historic properties affected 'cause.

It just fits the mold.

So we we then have to go through the process anyway and develop letters and then so if there was a way of that early decision making were you know based on understanding that internally we can make those calls.

And.

If there's a need to reach out to you all or tribes.

Early on that look informally, we could do that, maybe in a way, and we can figure that out.

We're working on this project.

Here's what's happening.

We think it's a clean bill of health.

We don't think it.

We're going to use the NPA.

Maybe there could be a way of there is an issue. We obviously would find a way maybe to reach out to Schippel's tribes and say you know before we get to the formal 106 process. So the idea is to.

How we can find a way to to make these go at least for those that we have found out to be literally 99? I think the I've only dealt with one project was in Virginia where there was an identifiable historic resource within the AP archaeological above ground.

Whole bunch of things. It was a civil War site and I total RP.

We're gonna have to do it not only a phase two here. We're probably gonna have to do a phase three here at that point. It convinced them to move to another side and we we never developed the site, but the the, the whole planning effort for that to.

Get to that point. Took months so.

So yeah, I mean, the devil's in the details.

We we we need to find a way to that.

Of course, you guys are comfortable with meeting shippo. Of course, in tribes that

when we internally make the calls on some of these like for exemption. Then notification and actual. You know we can inform you of the exemption ones like we like I said with our program common, we have an annual meeting, we do an annual report and inform you that these are the ones will be applied the the the program alternative and.

We did exemptions on and and that could be, you know, just kind of that way. And I don't want to say it's a matter of trust.

It's a matter of professional understanding that we can, you know.

We we have the capacity to make those calls internally on some of these and the other ones, yes, we will.

We'll we agree.

We need to inform or notify the ship.

Of why we decided to apply the NPA for that particular project.

None of that explains it makes it more confusing.

GR **Gledhill-earley, Renee** 59:40

You're trying.

You're you're trying hard to explain it and I'm trying to understand it.

It does seem like it does seem like there's still going to need to be exchanges. Exchange of information between the VA and the shippers and the depots before you get to making your determination.

Because I don't know how necessarily.

If you're on and it's, it's gonna be.

It's probably gonna be the build outs and the build suits where you don't really know whether or not you've got archaeological resources there or not.

And we don't share that information on.

Easily with with folks so.

OK.

Alright, well thank you.

This has been very helpful.

AM **Abreu, Hector M.** 1:00:31

Thank you.

Any other questions, anybody?

Let's go to the next slide.

So.

As I mentioned the the comment period will be open through November 7th.

We ask that you e-mail your comments to store.preservation@va.gov.

We will use the comments from all of our around one meetings and those received later.

In drafting the NPA, which is the next step?

There will be a draft outline in the consultation plan. I'm sorry, there is a draft outline.

The consultation plan you received.

Proposed NPA, please let us know what you think again.

And Renee, you can mark that up. Look at it. Think where you think it would be a good area to maybe include that sort of initial console in your opinion.

We intend to host another round of meetings in early 2025.

No date to that yet, but there will be a notification of that, and that will probably be the one where we discuss the draft NPA and all the comments we've received.

All the input and we can have that discussion where we can tweak here or add here or remove here would add that meeting.

Next slide.

So again, participation will be through. Of course these meetings, but not just these meetings.

So that's understood. If you could not attend, if you couldn't attend the meeting, that doesn't mean your participation will not be heard.

This is just one way of participating in the meetings.

Other participation, of course, includes any comments you have when we start submitting the drafts to everybody.

If you go to our website, there's the URL for the website.

There is also information there on the development of the Npas that we're looking at.

As well as if you have any questions or you know after you read the materials, you can go to e-mail us at historicpreservation@va.gov and we'll of course look at your comments that way.

So November 7th is the date for the first round of comments. So if you have any comments, November 7th will be 30 days.

But of course you know, reach out to me or that e-mail address or and go to our website as well. If you would like any further information or if you know of anyone who would also like to be participant of the consultation process.

Next slide.

So again, thank you for participating today.

Yep, right on the button here.

405 So thank you very much.

Hope to hear from you and thank you for listening in and again, if you have any comments please please reach out to us. Thank you.

□ **Abreu, Hector M.** stopped transcription