

Transcript

October 15, 2024, 6:27PM

KW **Kelly Sellers Wittie** 0:14

Good afternoon and thank you for joining everybody.

AM **Abreu, Hector M.** 3:04

OK.

Let's go ahead and get started.

Thank you all for joining us this afternoon for today's meeting.

We're here to discuss V as proposed nationwide programmatic agreement for its state home construction grant program, or as sometimes as we call it, the state veteran's home.

Nationwide programmatic agreement.

My name is Hector Abreu centrone.

And I am V as federal preservation officer.

Being joined today by various members of my staff, including Alec Bennett, who will be speaking to you today, Angela McArdle.

Sophia Latz, as well as our VA liaison, Vanessa Hanby and hopefully members as well of our office of Tribal and Government relations.

I see there's a lot of people calling in today, so I'm I'm hopefully they're on the line as well.

With that.

I am going to turn the MIC over to Alec Bennett, who is our senior historic preservation specialist and the within the historic praise of within our historic Preservation Office as well as the historic Preservation Office lead for the state home grants program.

So with no further ado, I press it onto Alec Bennett. Thank you.

BA **Bennett, Alec (CFM)** 4:33

Thanks, hector. And I'd also just like to welcome.

The staff of V as state Veterans Home program, including the Chief Lauren crops.

So VA welcomes everyone joining today's call.

But just for awareness, today's call is specific to.

Status or preservation offices and their unique role in the section 106 process. If you are the leader, cultural Officer, Tippo or other representative of a tribe or Native Hawaiian organization, please consider joining tomorrow's call, which is tailored to be specific for travel and NHL interests. You can also reach out directly to our office.

Through our e-mail address.

It is historicpreservation@va.gov to arrange a government to government consultation and we will have that e-mail made available later on in the presentation. This meeting is being recorded, so those who not who are not able to participate can still get information.

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

The chat feature on this teams meeting is live.

If you have a specific document or Web page reference, if you wouldn't mind to, please use the chat feature so we can record the link correctly.

We will include notes in the administrative record.

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

These notes will also be included in the administrative record.

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

The PA and ask you provide recommendations and suggestions via e-mail.

These comments will be collated, summarized and posted on the VA Historic Preservation Office website.

This is meeting number one in V as opening round of meetings about proposed state home NPA.

As mentioned, our meeting tomorrow, specific to travel and NHL interests in the proposed agreement, we also have a third meeting scheduled for next Monday, October 21st, that is intended to be more general.

If you have a colleague, or if you know of someone who could not attend today, please let them know that these meetings are available.

They can register by sending an e-mail to store.preservation@va.gov or visiting the VA Historic Preservation Office website.

So today's meeting is really going to focus on historic properties in the National Historic Preservation Act and compliance related to the state home program.

We are not going to focus on how to apply for a grant or how to secure funding for a state home.

We do have.

Links posted in the chat to to address those interests there is.

Also, information in the chat feature, if you were just looking for general information about benefits or living in a state home.

Next slide please.

Today's meeting is largely informational, focusing on the state home construction grant program.

And why VA has proposed a nationwide PA and NPA, as I mentioned earlier, we have reserved a little bit of time for discussion and questions.

Va has included a copy of its consultation plan for this proposal with the invitation to participate in consultation.

This plan contains a wealth of information about the proposed MPA, but also includes several other related links to VA web pages and news stories.

The consultation plan is also available on our website if you need it.

Next slide please.

So most people are familiar in general with P as mission to provide healthcare to veterans and to and are also our our home loan and education benefit programs.

And you know, within this context, the state home construction grant program really is an important initiative that has a big impact on V as commitment to serve veterans throughout their lives.

Next slide please.

So at present there are 170 active state veterans homes in the United States.

The stay at home construction Grant program.

Is sometimes shortened to stay at home program. Is a partnership between VA and state applicants to construct, renovate, rehabilitate, state owned and operating nursing homes domiciliary.

For adult day healthcare facilities.

These all these types of facilities are kind of generally referred to as state veterans homes.

It is a partnership between VA and states.

Va typically works directly with state level Veterans Affairs agencies for the construction grant program, and then the state level VA will actually execute the construction project.

There are certain states where VA will work with the state level, department of General Services.

And then that Department of General Services will execute the construction project, you know, on behalf of the state, PA.

In 2020, Congress passed.

The president signed the Isaacson Roe Veterans Health Care Benefits Improvement Act, which amended the statutory authority of the state home program to include federally recognized Indian tribes in the definition of a state and a state whole.

So with this change.

Virginia has received one application for a state home on tribal land earlier this year. Va has.

This is the would be the first.

State home grant application to take place on tribal land.

It is important to note the state veterans homes are not federal properties, so these are not facilities that are owned or operated by VA.

You know, VA has section 106 responsibilities, you know, connected to the issuance of grant funds.

And and and these are focused on construction and improvement projects. You know that are captured in the grant application.

You know, these are state operated and run facilities.

So VA does not have any, you know?

Does not really touch.

You know, typical day-to-day operations and maintenance of these facilities.

That's really done at the state level.

Slide please.

It was mentioned earlier on in the presentation.

There are 170 state veterans homes nationwide.

Stay at home buildings are typically yet less than three storeys in height, with both private and semi private rooms.

Currently you know a couple of years ago, VA issued a small house.

Design guide and and really has encouraged applicants to consider.

A small house setting in facilities for the bedrooms organized into kind of pods or clusters with shared common areas.

The VA Small House design guide, you know, really does encourage this and. And you know, that's led to better outcomes for veterans.

Many state homes include amenities such as libraries, Barber shops, chapels.

As you can see on the.

On the map on screen.

Stumb states have more state veterans homes than others.

And.

The decision to construct a state veteran's home really lies with the state.

The state will itself make decisions about, you know, where to locate a new veteran's home. For instance, VA does not select locations.

For state veterans homes.

Next slide please.

So under the regulations that govern the state that state Veterans Home program VMA reimburse applicants up to 65% of the cost of a grant project. So that 65% grant. That's the hook for the section 106. That's the trigger for.

National Stork Preservation Act compliance.

Many state home projects are renovations of.

Existing facilities including roof replacements, HVAC system replacements.

Installation of nurse call systems or or wander guards.

The state Veterans Home program, the VA.

Does also.

Provide grants.

To states to construct new facilities.

Or to to expand existing facilities.

You know.

It is, I think, important to note that.

Funding for the state home program.

Can be extreme variable.

We have seen funding levels for the program.

You know, really kind of go up and down.

Especially depending on external circumstances which which I'll get to in a minute.

There are many factors that contribute to.

Which projects are funded?

Life safety projects are always prioritized, are always given priority within the, you know, larger grant funding list and so.

You know, life safety projects can can include HVAC system improvements for instance.

In addition, you know, as it is a partnership between VA and state.

States must have matching funds for the grant to be awarded and for the the project

to move forward.

Each state is allotted a established number of beds.

States you know, can secure funding for projects as long as they don't go over the number of beds that are allotted to them.

And then you know, as part of the grant funding cycle, you know if state.

Apply for a grant.

And they are not funded within a particular fiscal year.

They they roll over until the next year and and they can.

Continue to roll over until they're they're funded.

You know the the state Veterans Home program.

You know.

You know when states make applications for grant, I mean, those grants, you know, will be awarded.

As long you know, at some point, as long as they're matching funds and all the the requirements are met.

And there is a priority list as I mentioned, that's issued every year. The latest one was issued at the end of September and includes over over 100 projects.

Next slide please.

So before I continue into the.

Details of the proposed MPA.

I did just want to catch my breath and see, you know, on the call if there were any questions about the the details of the state home grant program.

OK.

Well, well, hearing none, I'll continue.

And when we, you know, come to the end of the.

When we come to the end of the meeting, you know, be happy to answer any questions if there are any on the kind of nuts and bolts of the program itself.

So nationwide, you know, both NBA and you know, just everywhere outside of Virginia, you know, throughout the country, I mean nursing homes.

Were of course just really hard hit by the COVID-19 pandemic.

Va through the Cares Act and the rest and American Rescue Plan act through pieces of legislation that were.

Signed.

One Congress really provided a significant.

Amount of funds to VA specifically to help.

State homes implement.

Infection control measures.

There were certain projects that were, you know, just, you know, specific to interiors for, you know, infection resistant materials.

There were a number of HVAC upgrades, you know, as I mentioned, you know there are in the past there are state homes that you know have private rooms and there are others that had semi private rooms and some of the.

Projects that were funded by these pieces of legislation.

Facilitated the construction of individual rooms in Saint Holmes.

You know, all of this was intended to help stop the spread of COVID-19.

During this time and due to the to the you know declaration of emergency is issued by the President.

VA utilized the National Stockpile Act. Emergency procedures found at 36 CFR 800.12.

On a repeated basis.

So you know, time after time.

VA initiated.

Under the emergency procedures.

You know really to, you know, be able to provide, you know.

To to be able to facilitate compliance, you know, for these grants, you know, as as soon as we can, could you know, due to the ongoing pandemic.

You know importance and and we.

You know, did realize that this, you know, not only strained our resources, but also strained the staff time of our partners and stakeholders.

You know these, on these initiations, you know, we initiated with you know.

State of store preservation offices in the Advisory Council on historic Preservation.

And.

The Advisory Council, you know repeatedly on multiple occasions recommended that.

VA, you know develop.

You know its own set of emergency procedures.

When in the position of a, a grant or of funds?

So in this, you know situation for this program where you know VA is not the operator of the facility.

What provides grant funds?

To facility operators.

So this was a pretty consistent response that we received from the Advisory Council on.

You know multiple initiations. Next slide please.

So we have taken the Advisory Council's recommendations to heart, reviewing our own procedures and we agreed that the.

Advisory Council we recruit the Advisory Council and we believe that a nationwide PA that could address emergency situations would be helpful.

In reviewing the program.

At large, you know, we VA also believes that there are other benefits and processes that could be incorporated into the nationwide PA that can better define the roles and responsibilities of grant applicants within the larger nhpa process as well as develop develop.

Specific guidance.

We have.

You know, taking a look at the the state home program, you know, kind of on a macro level and we believe that you know the nature of the program in which you know, VA grants support the similar types of undertakings and similar types of facilities across the country.

Nationwide would be a good fit for an MPA.

And so, you know, we we have initiated consultation.

Holding this meeting really to get the input of our preservation partners in this proposal.

Next slide please.

So I am going to touch a little bit on.

You know what our what? Our goals would be for the NPA.

You know what what we're hoping.

What we're hoping for and and as mentioned certainly would appreciate.

A feedback in in in your feedback and input.

So.

Thank you, Kelly.

So first you know to be just kind of perfectly clear.

You know we are.

This is only a proposal for the state home grant program, so we're, you know, on this meeting and in this consultation, he is only focused on the state, the state Veterans

Home program.

This was address in the in in the consultation plan, but we do think it's important to emphasize that.

A large majority of state homes are active in the United States.

Working constructed in the in the 1990s or or or later, So what?

We're what we're dealing with is.

A large number of.

Properties that were constructed in the last couple of decades.

So what?

What has happened?

You know, through our consultation efforts is that, you know, a large number of our section 106 consultations.

Result in findings of of no historic properties affected because there are no historic properties in the project area.

There are, you know, a a handful that have resulted in no adverse no adverse effect.

But to put everything in perspective, you know when you know we were doing our analysis of whether.

This program would be suitable for an NPA. We found that.

90 percent, 95% of our consultations over the last couple of years.

Have resulted in either.

No sort properties affected or no adverse effect.

And so and so for this reason, VA believes it would be appropriate to.

Develop a list of programmatic exceptions.

Next on the list is it is a. It is.

Excuse me, it is critical.

For VA to to be able to kind of define roles and responsibilities for agency and applicants.

When in the context of a disaster.

Man made.

Such procedures are are are not the same as processes for long term pandemics.

So. So we did delineate between those emergency situations.

We also.

Would like to.

Emphasize that the proposed MPA.

Umm.

Would not apply when National Historic landmarks are within a projects area of potential effects.

Va is not tracking that any state Veterans Home facilities are National Historic landmarks.

So so would would like to make that point.

Next slide please.

So this slide addresses the proposal for.

Non-emergency reviews.

One thing that we would like to to make clear and kind of keep in mind is that some years ago, VA authorized state Veterans Affairs agencies.

To initiate section 106 consultation on behalf of VA.

Pursuant to 36 CFR 800.2 this, this authorization would not change.

And so, you know, with this authorization, you know, it allows state Veterans Affairs agencies, you know, to initiate consultation with state historic preservation offices.

That that would not change.

Va is not seeking exemptions.

Related to the construction of a new state Veterans Home.

I do want to make that clear.

There are a number of projects that relate to new state veterans homes on grants, I should say for new States, veterans homes and and we are not seeking an exemption in that case.

However, we do have many state home grants that are limited to interior improvements.

Such a safety systems or you know material replacements I mentioned earlier in the call, the grants related to infection control measures for instance.

These projects have minimal, if any, potential to lead to adverse effects to historic properties.

In large part.

You know, because so many of the state veterans homes are 40 years of age or less.

And and in addition, as many state veterans, pumm have been determined, you know, through consultation.

To be.

Not historic.

For renovations, VA is seeking to exempt reviews.

If the home was lost in 40 years of age or has been determined, not historic.

If exterior modifications would be necessary.

You know V as proposing an exemption if no historic properties were present in the area of potential effect, and this would include the helm itself.

So you know, in cases where you know state Veterans Home was.

You know.

Close to or.

Within the viewshed of a historic district in the you know Historic District would be a historic property, you know would be included within the area potential effect.

This this exemption would not apply.

Next slide please.

In the case of emergency situations, VA would like to distinguish between.

A kind of a emergency, a, you know, kind of disaster, natural disaster.

Or or something more like what we all experienced with.

COVID-19 and kind of ongoing pandemic.

So.

Va would roll over the the exemptions.

Promote proposed for for non-emergency situations.

You know, for an ongoing for a long term pandemic.

Va would would you know, request, you know, retaining the seven day review period afforded by 36 CFR 800.12.

For rehabilitation and renovation undertakings.

Provide a longer review. A 30 day review.

For larger projects involving the construction of new facilities, for instance.

For emergencies and disaster recovery, you know, like such as in the aftermath of a hurricane, for example.

Va is.

Asking to expand the 30 day schedule to to 90.

The reason for this request would be you know as VA as the you know, grantor of funds but not necessarily the facility operator.

You know, it just takes.

A longer time to coordinate with facilities and so extending that schedule could could be helpful to ensure compliance.

Next slide please.

So you know with that I.

Would like just to you know again, you know, open things up for questions.

I will try to.

Answer The the best I can. We do have you know specific questions related to.

You know the mechanics of grant program itself.

I'm I, you know, we'll try to answer that, but.

But may have to ask Lauren and her staff.

For for additional support, if we kind of get into, you know, the tactical nuts and bolts.

Joe from history, Colorado, go ahead.

J **Joseph Saldibar - History Colorado (Guest)** 37:53

Hey Ron, I figured I would jump in if.

Some free time.

Thanks for again for for putting this together, giving us a chance to to to talk about this.

I think when we were looking at this draft comment, the biggest thing that jumped out to us and again this is probably not a major issue, but it's a procedural legal issue is something that the VA may want to consider is section 110K, where if a.

Even if it's a private actor or somebody who is acting on their own using their own money, if they do something to a.

Affect a historic property prior to federal involvement with the specific intent of greasing the wheels for section 106.

Review then.

That could actually grind because the law specifically says the federal agency can't move forward. If that's the case.

And so there's a question of, well, if someone accuses that private property owners, this is especially true since these are all gonna be private property owners that you're dealing with.

We would recommend that that maybe you think about maybe some safety guardrails built into this agreement to make sure whether those are visible to us as the signatories are just your own internal guidelines to make sure that these these landlords essentially understand.

That they can't if if they're trying to to land Ava property and they have an existing building that they can't just do like a gut, take a building and gut it to the studs and then be like, hey, va, come on in.

You don't look at anything that's that was, I think our major concern.

Again, that's probably not gonna happen a lot, but this is something we're probably information just guidance to potential property owners is probably key to make sure that they don't unintentionally trigger A110K issue.

BA Bennett, Alec (CFM) 39:34

For that, Joe and.

You know, I may rely on, you know, Lauren or staff to make sure that I'm not off base here, but I do want to, you know, kind of make clear that it is my understanding that VA funds cannot be used for actual property acquisition.

I think my understanding is that State V as would have to.

You know, if they want to, you know, purchase a piece of property with the attention of developing a a a new state veteran's home that that property acquisition would have to be done with with state funds.

Lauren is is. Is that right?

C Crotts, Lauren F., Chief, State Veterans Homes 40:25

That's correct.

BA Bennett, Alec (CFM) 40:27

So you know, Joe, your issue of course.

Your question remains valid because you know if a state is going to purchase.

A excuse me? Property. You know, using state funds, you know? But then.

You know, with the anticipation of submitting a grant for a.

State veterans, home to be constructed on that parcel, you know then then that all is connected.

Of course you know.

So certainly.

You know, totally understand.

Your your comment but but I did want just to, you know, make clear that, you know, VA cannot just issue a grant for for property acquisition.

You know that that is done at the state level and and as kind of mentioned in the.

In the presentation, you know VA big VA, you know, can't really, you know, tell a state where to put one of these facilities.

You know, that decision is made at the state level.

And and and we are, you know kind of you know, the grant funder.

So you know in that sense, we have to.

Essentially kind of, you know, let let the state you know make that make that acquisition.

But but Joe, I mean your your point is very well taken.

You know.

You know.

We have not, since I've been supporting the program over the last five years.

You know, had a example of anticipatory demolition that that I'm aware of through this program.

So, so but but that would be, you know, connected to the larger 106 review.

Yes.

J **Joseph Saldibar - History Colorado (Guest)** 42:46

Just a quick follow up.

You're you're right.

It's it's pretty rare.

Even we were just talking with the HUD about this, that with HUD we've only had one and in that one it was literally they just admitted, just straightforward mustache twirling that they had done it to HUD in a call. They said, yeah, we tore down all those build.

To get rid of the problem.

So that was their first ever section 110K violation.

Because the person was boasting of it.

So I don't think it's a major issue.

The concern mostly comes from if, if there's anybody who wants to be an agitator or to gum up the works 110K sometimes is a club that they can use, even if it's unfounded, so it's just.

Again, I think we can.

You could probably just cover this with guidance to the States and guidance to landlords of just a remind a gentle reminder to be mindful that this is a thing.

And so if they are going to proceed, they should probably document what they're doing or what they've done in advance so that they don't drag you into a a local mess that they've made. And I think that should be enough to cover any of our concerns regarding the.

Program comet.

BA **Bennett, Alec (CFM)** 43:47

And and that's something that we would be, I mean so.

I work with, you know, other, you know, VA employees, you know, on the, you know, environmental side, you know, doing environmental review and then design and construction review.

And and you know, we meet with state Veterans Affairs agencies, you know, on a regular basis, we actually have a a town hall there this month. And then we also have a.

You know, list the guidance that you know we promulgate to state state applicants, you know, and this is something that can certainly be included, you know in the guidance just just for clarity.

Are there any other?

Are there any other questions?

OK.

Next slide please colleague.

So you know after.

After you know working to support the program for five years and really get to know, you know, folks that that work in the program.

You know, I'm happy to discuss any more questions that you may have.

Either you know through e-mail.

Really do believe that the state Veterans Home program is one of the best.

Programs that VA has to really provide support to.

To veterans and and State V as the the comment period, you know for the proposed MPA will be open for another month.

Will be open through November 15th.

If you could, you know, please send.

Any questions?

To that historicpreservation@va.gov e-mail address.

You know, we will use those comments.

In when we develop the the proposed MPA language.

There was a draft outline in the consultation plan that was sent out.

You know, we certainly would appreciate your comments.

And and and we do intend.

To host another round of meetings, which will likely take place in early 2025.

Oh, bath from Maryland. Thank you.

Thank you, miss Cole.

Really, really appreciate your support.

You know, thank you for your comment and for your participation in this call.

Next slide please.

So there are many opportunities for.

Participation today is not the only opportunity.

You know, happy to, you know, respond to.

Emails that that you may have. We've also included the.

Link to our website.

So.

You know, with that, if there are no other questions.

You know, we certainly appreciate everyone's participation and and and we'll be in touch on this initiative.

Thank you everyone, appreciate your input.

C **Crotts, Lauren F., Chief, State Veterans Homes** 48:16

Thank you.

Have a great afternoon.

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