

Transcript

October 2, 2024, 6:27PM

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

AM **Abreu, Hector M.** 0:35

To those on, we'll be starting in about two minutes. I hope you can hear me if you can confirm that, that'd be great.

Thank you very much.

Be on in 2 minutes.

RB **Roxanne Beasley** 0:57

OK.

Alright, we'll have to fix it later.

I don't know how to fix it.

AM **Abreu, Hector M.** 2:35

OK.

So it is 2:30. So let us start first of all, I would like to welcome you all today this afternoon.

Let me briefly put on my camera.

So you all can see me.

I'll be your speaker today.

And.

First of all, I'd like to welcome you all today for the meeting. And I first of all would like to know that today's meeting is specifically geared towards tribes, Tippos and Native Hawaiian organizations as our ongoing consultation with various consulting parties.

We had a meeting yesterday with Shippo's and today we're focusing on.

Tribal input as well as Native Hawaiian organizations, and he shows.

And recognizing their unique role in the Section 106 process.

Therefore you're not.

Tribal Member or an NHL, we will have another meeting on October 7th for the general public though.

You're welcome to stay on, participate in this meeting if you wish, but that one will be more geared towards the general consulting parties around the country.

Today again, it's just mostly focused on tribes.

Va acknowledges.

That consultation is A2 way nation to nation exchange with our Native American partners as well as NH OS.

If you prefer, however, to meet with our staff at the Historic Preservation Office, we are more than willing to meet with you on a one-on-one basis, to any tribes or NHL leaders or their section 106 contacts where they may be, and you can request.

That, of course.

And we can, you know, coordinate a private one-on-one meeting.

To discuss any concerns we have about these nationwide, these proposed nationwide programmatic agreements that were VA will be developing in the next couple of months.

Please e-mail at the e-mail you see there in front of you historicpreservation@va.gov if you would like to arrange that one-on-one meeting with your tribal nation or if or NHL. Again, we're more than willing to coordinate that meeting if that.

Is your preference. Next slide.

So as I said again before, thank you again for joining today's meeting.

We will be discussing V as proposed nationwide programmatic agreement in this case for its major leasing program.

My name is Hector Braille centrone.

I'm the V as federal preservation officer as well as the team lead for our historic Preservation Office, which is in VA and I'll be the lead for this particular nation.

My programmatic agreement proposal.

We're working on another proposal for state homes, a veteran state home grant program.

That'll be occurring in the next couple of weeks as well.

You may have seen invitation for those meetings, and they'll be separate discussions on those at at those meetings. I'm joined by some of my staff here as well, Alex Bennett, senior store Preservation Officer, Angela McArdle, also senior historic preservation specialist.

And Sophia Latz, who is also our senior historic preservation specialist.

And Members looking at the the invitation, but they might be as well members of

our office, of Tribal government relations office here at VA or as we call it oggr. So there is an office in VA office of Tribal Government relations who are also invited to this meeting.

Nick oh, sorry, not next slide.

We're still on this one, so this meeting is being recorded.

So those who are not able to participate can still get the information.

We'll be taking notes and we'll be retaining a summary for the administrative record.

The chat feature that you're on currently is live, so 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 a web page you're referencing so that we can record it in the link provided.

Please use your hands raised feature if you would like to ask a question or provide.

Any you know any quotes or sites you might wanna talk about?

There will be a pause during various points during the session, so you can ask questions if need be or will also be taking questions at the end of the presentation.

So so please if you wanna ask a question, immediately raise your hand and we'll we'll answer that as soon as we can.

If not, we'll have time at the end of the presentation to also answer questions.

After today's presentation, we will open the comment period officially and ask you to provide recommendations and any suggestions via e-mail at that e-mail I showed you before historic preservation, one word at va.gov.

These comments will be collated, summarized and posted in the V as Historic Preservation Office website, which I'll show you that one as well.

Locate the URL for that website.

This is meeting #1.

NBA's opening round of meetings about the proposed leasing national programmatic agreement.

The meeting we're having today is specific to tribes.

Actually, this is our second meeting.

Our first meeting was yesterday.

I'm sorry. With the ship House, today is our second meeting that we're having related to the proposed leases.

Next Monday, we will have our third meeting, which is October 7th, and that'll be for the general public.

To participate. But of course, if you know of anyone.

Who may not have been able to make today's meeting.

They're more than welcome to participate in our Monday meeting Tribeship anybody who would be interested, we they will have that third opportunity to listen to this presentation next Monday.

You can register via the e-mail.

I just mentioned or you can visit. As I said, our historic Preservation Office website and you can register there as well for the for that Monday meeting.

Finally, today's meeting is about V as Leasing program, historic preservation, and the National Historic Preservation Act compliance efforts.

If by any chance you're on, you are in this meeting and it is not the meeting you're thinking about.

The topic is not related to this. If you're property developer or contractor looking for upcoming solicitation.

Or if you are a veteran, potentially seeking information about your benefits.

Unfortunately, this meeting is not does not cover those topics. We have posted links in the chat. If those are issues that you're interested in and we we ask you to refer to those if those are the topics you're interested in and are not related to nhpa or section.

106 compliance.

Excuse me. Today's meeting is largely informational session about V as leasing program and why VA has proposed a nationwide programmatic agreement.

But we have reserved time for questions and recommendations.

We know that there are many program alternatives on everyone's plates right now, and we do appreciate you taking time to join us on this call.

The timing of this, unfortunately for VA, we've been working on this for over a year and we all know that recently there have been a lot of program alternatives being proposed either by the Council or other federal agencies, and it does seem that there's a lot on every.

'S plate.

Related to program alternatives being proposed, so we appreciate all you know you all dedicating the time to to come to this meeting.

We've included a copy of the consultation plan for this proposal with your original invitation that was sent out so you can again, you can refer to that.

The plan contains a lot of information about the proposed national nationwide programmatic agreement.

But also contains several links to V as websites and news stories.

And the plan is also available on our website if you need to attain another copy of that. Or again, just e-mail us if you want us to send you a additional copies of the consultation plan.

So next slide please. Thank you.

So what is the purpose of the meeting and why we're here and what I hope we all get out of? This is I would like to go over, you know, first an overview of V as leasing program.

What exactly is involved in V as leasing program and why do we do leases and then I want to talk a little bit about why we feel we need a nationwide programmatic agreement to address the issues. I'm going to talk about.

With regards to our leasing program and the changes that have occurred to the program in the last couple of years, what we hope to the goals of the proposed NPA will be and then we can get into any open discussion or any questions you might have and then?

I'll finalize by talking about what our next steps are in the development of the NP. As in the upcoming months.

Umm.

Some of you may or may not know.

Virginia's mission statement came originally from a statement. A quote from President Lincoln Post Civil War. Seeing the issues, of course.

The amazing amount of veterans that came out of the conflict of the Civil War, he felt that there needed to be a commitment of the United States to care for these veterans that had come out of the the horrific events during the Civil War. And his original quote.

Was.

This organization, which would help our veterans, was to fulfill his promise to care for those for those men who served in our nation's military.

In 2023, the secretary decided to update and amend that mission statement to make it more broader to really how VA acts today.

And he added.

Still, the statement says to fulfill President Lincoln's promise to care for those who have served in our nation's military.

And their families, caregivers and survivors.

So it includes not just our veterans, it includes their families, those who care for the

veterans and survivors as well.

So it expanded the statement to include our commitment to all these.

People.

This mission statement is inclusive of all those who served in the military, including those who did not serve in combat as well as their families and caregivers.

So it also includes veterans who may not have gone directly to conflicts but served in the military and and and did their due duty.

Va is actually divided into 3 separate administrations.

There's the National Cemetery administration.

Or as we call it, NCA, and this is the administration that manages our national cemeteries that you all might know across the country where our veterans are, are there filing terminus, the Veterans Benefits Administration or VBA, which handles all the veteran benefits typically that are given to veter.

And the Veterans Health Administration, which is the branch of the VA that manages all the health care facilities around the country.

I work in V as office of construction and Facilities management or CFM, and our office, the Historic Preservation Office.

Hpo is under the construction and Facilities Management office and we're responsible for the planning, design and construction of major construction projects generally, which serve veterans, the Veterans Health Administration. So most of our projects serve the VHA.

And involve maintenance and improving of existing healthcare facilities and the construction.

Of new ones and what you will be seeing in a few minutes. I'll show you some slides.

Is that V as increasingly using the leasing model as the mechanism to meet those healthcare needs for veterans? In the past, there was a strong focus on our construction of hospitals and medical centers and clinics that you all know of.

Now we're looking more and more towards leasing as a way of providing more efficiently, quicker and cheaper.

Health care to our veterans around the country, and you'll see in a few minutes why that that model has changed with very recently actually next slide.

So VHA operates about 152 medical centers around the country.

To be clear, we don't intend to replace these with lease space.

We're not proposing that this NPA or is some sort of a back door.

Similar to may have not heard of BRAC that the DoD used to close down some

facilities that they considered not necessary anymore.

This is in no way that sort of a intervention.

We're not looking at closing.

Yeah. Our medical centers via this proposed leasing program.

Nearly all Virginia leases in actuality, are in service of our healthcare mission.

So we do lease some areas for parking and office space and for administrative services. But the large majority of these leases that we're gonna be discussing today are for medical healthcare, providing medical and healthcare to veterans.

So as of 2023, we operated at least 1990 leases, which total about 156,000,000 gross square feet.

Of these 1700 approximately of these leases were for office space, storage, parking and medical space.

Staff, staff, VBA and NCA, those two other administrations I talked about are almost exclusively.

In office space or storage space.

So they don't provide the medical care that VHA does.

Next slide.

So the office of Real Property, or ORP, is the responsible program within VA that manages our leasing program.

GSA General Services Administration has delegated the authority to VA to follow GS as rules for leasing.

And these are in FMR 102.

Dash 83.75 S The FMR requires compliance with executive order.

13006.

So, since we are obligated to follow GSAS FM R rules for our leasing within those rules, there is a requirement that all federal agencies look at compliance with executive order 13006, which gives federal agencies to look at look at prioritizing Loc.

Federal facilities and historic buildings and in central business districts.

This was created to generate interest in historic districts and historic buildings.

Hopefully the federal government peak.

You know, activate economic, turn around in these areas and and and be the you know, the key to hopefully making these properties and these districts historic district revitalized our involvement in them.

So we comply with that as well.

However.

It is not our intention. Excuse me.

To subvert or otherwise, you know ignore this requirement.

We will still be looking at historic buildings and sites and districts for locating our facilities if possible.

So this the the NPA will not eliminate that compliance with executive order 13006.

However, I will be upfront our design and safety considerations and criteria for creating medical space.

Are pretty exacting and we have had a very difficult time finding facilities that meet our medical needs in downtown historic districts, so.

While we are required to look at them, unfortunately a lot of our requirements for our medical facilities just don't fit the the, the model or the criteria. For example, one of our criteria is that we require parking to be at a certain distance entrances so that our pat.

Who have difficulty and accessibility, can you know?

Enter the building quickly.

Not have to go through various, you know, streets and curbs across.

Or go across the street to get to the facility. Parking needs to be very close to to the building itself.

We have preferences for first floor spaces. Typically because of these issues with accessibility.

The space can't be located within a FEMA 100 year floodplain.

We we that's a requirement of ours and of course the main one is that the space has to be zoned for medical use. So we have to be in an area that has zoning for this type of medical use.

So that's a requirement as well.

We can't have spaces that are close to liquor stores.

Or railroad tracks.

That's just not.

That's within our our our standards. And finally the space can't be one where the building has either apartments or living quarters that are not related to our V8 function.

So it's an apartment building where there's people living in it.

We can't.

We cannot utilize that space if there are others living in the building, so you can see

the challenge of trying to find a space in a you know.

A developed historic downtown that would meet these specifications for for for new facilities, so.

It it does become a little difficult.

Next slide.

So basically there are three types of lease actions that we do in VA.

Move in Ready, build out and build to suit, and I'll explain these very briefly.

The VSA.

I'm sorry, va.

The ORP office tracks the leases by annual rent.

But we at HPO track them by the type of leases they are.

So Orp again.

They manage the leasing program.

They track them based on the annual rent that you know, they need to pay for the spaces. We focus mostly on these three lease types moving ready.

Build out and build suit, so build it, move it.

Ready our lease actions that are what we would call turnkey.

We move into.

We just move in our furniture.

We hang up our signs and we start work.

There's typically an existing building, and all we do is come in, set up our offices, bring in our furniture and we have no typical renovations or rehabilitation that's needed.

Or any sort of construction.

The existing utilities water lines, we just use the ones that exist there currently and it's just move it very quick.

These have typically have no potential to affect historic properties at all, because as I said, based on our requirements, spatial needs.

We have little to know that I know of, cases where we've moved into a historic building on one of these leases, it's mostly been buildings like from the mid 80s, nineties that 2000s that kind of a thing, so.

Very low to nonexistent, potential to impact any affect, any historic properties, and move it ready.

The next type are called build outs.

These lease actions, we do renovate the building for our use.

More and more of these type of build outs we're seeing in commercial centers and I'm going to show you an example of one that we did that we typically you know knockout, some interior walls, drywalls and sheetrock type walls and create our spaces as we need them.

We don't change the utilities in these at all, so that the existing electricity, water, gas hookups are the ones we use.

So we don't create any new utilities hookups for these type of buildings.

Build outs and we've in our experience of seeing they have limited potential to affect historic properties.

We tend to again, not.

Pick properties that are historic or eligible.

So we've seen these two also result in consultations that are no not adverse to any historic properties at all.

The final one I call built the seats now built to suit leases or actions, usually where we construct a new facility on a green space or an empty lot in a commercial center.

And we turn those, we construct the clinic space basically in there.

These arrangements are the ones that have the potential to affect us.

But we typically look to minimize that potential through, you know, a strategic selection of the location and the design requirements of the new building.

For example, we all our staff, we do what are called market surveys where we initially are ORP coordinates for us to look at potential sites. So we could look at five or six potential locations for a new facility.

They tend to be open spaces.

Maybe previously farmland.

Just a location or a lot location within a commercial development that which is under lease with you know very developed within a commercial development and we do the surveys, we go out and we tend to notice if there's something that could be potential problem.

So if there's a cemetery next to the lot, if there's an obviously 19th century historic home or church, or it's right next to a historic district.

You know, we we we take that into consideration when our office prepares a report.

And we report back to ORP and say, you know, here's this location we went to.

You might have a problem with it.

I mean there could be issues. We would have to do consultation.

There's a burial ground. There's historic building, indirect effects, direct effects.

There might be a building on the site that we're thinking about historic building and if we have to demolish that, that's an issue.

So we all look at that in the beginning and nine times out of 10.

Based on our input or pieces, well, you know what? We'll kick that one off the list.

We'll we'll move on to another more.

Hopefully you know not as difficult site for for our proposed project.

This also includes initial assessments of archaeological potential for the sites as well.

So we'll talk about that in a few minutes. 'cause we know that's a particular of interest to tribes.

These these leases do require utility installation and construction. So as I said, we have to take into consideration definitely archaeological issues because there will be utilities and.

Other installations that could impact archaeological resources so that that's a major issue as well for the bill to suits.

Next slide.

I should caveat you all.

There is a major storm in my town, so hopefully my electricity will still work.

But if hopefully my Internet won't leave me and things will be OK.

Worst case, if it does, I'll be able to hook up on a separate line and hopefully it won't that issue, but.

Let's move on, hopefully.

I know a lot of parts of the country have gone through similar issues, but here where I am it's just beginning.

So anyway.

So let's start with the moving ready lease action.

And here's just an example.

1.

Most of our discussion will actually be about the bill to suit lease actions.

But which are the ones like I said, do have the greatest potential to impact and affect historic properties?

But here's the you know, some examples of the first two leases that we've had here in the office.

An example of a move in Ready Lease action is this one, our headquarters, which is actually not our building.

It's GSA owns the building.

We lease it from GSA.

We've been occupants of this building.

Since 1918, actually it's on Lafayette Square in DC.

It's historic building, obviously, and it's also a contributing resource to the Lafayette Historic District, which is an NHL.

So this is where the secretary's house and other head offices and GSA is responsible for all the 106 for this particular building.

So this is a building that we moved in, brought our furniture, brought our stuff.

And GSA owns it.

Next slide.

Here's an example of our build out lease actions and this was a very interesting project.

Particularly, I'm particularly very proud of this one.

This was in Des Moines, IA.

This was.

One, it was a Toys-R-Us, as you know, Toys-R-Us went, you know, Chapter 11 and here was this empty building vacant and a.

VA determined that it would make a good.

Clinic so in 2020, we elected to close a lease on this building that was vacant. As I said, it was a mall in Iowa. We spent the next two years renovating the building and now it's an active outpatient clinic.

We did not change any of the utilities.

We just reclass the exterior and reconfigure the open space in the interior. As you know, these stores were typically very open walls or anything, so it was perfect for our needs.

And as you see in the photo in in the bottom, that's how it looks today and it opened in 2022 and it's a outpatient clinic for VA in Des Moines, IA.

Very successful project.

Personally, I love this type of idea because it's a way of reutilizing these empty, vacant buildings. They tend to be as I as you can see.

Of course, not eligible or historic, so the consultations are extremely easy.

There's no impacts due to utilities or excavations, so of course there's.

Limited to no issues related to tribes, since we're not doing any sort of new installations and they we get a quick turn around and the renovations tend to be done very quickly as you see.

In construction began in 2021 and a year later it was open. So from start to finish it took just a year to get this up and going.

So this is these are very very popular.

So we've not done many we're, but we're looking more and more into this. Orp is.

Because they are very successful and we get this quick turn around.

So before I get into the built suit leases, are there any questions so far about these type of lease actions?

OK.

Great. Thank you.

Let's move on to the next slide.

So why are we proposing at this point?

To draft and hopefully execute a nationwide program for our leasing program.

The timing of V as proposal to develop a program alternative is not coincidental.

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

Most of that jump can be attributed to the passage.

Of the pact act in 2022, as some of you may know, the PACT Act, which is the official title, is the Sergeant First Class, 1st Class Heath Robinson promised to address comprehensive toxics.

Pact act of 2022.

The Pact act expanded the eligibility for healthcare for veterans of the Vietnam Gulf War Post 911 era.

Combat veterans as much as well as other benefits to them.

These were veterans who were exposed to various type of.

Of of toxins that prior to these more modern era conflicts were not very well known, for example.

Agent Orange toxins from the Gulf War and burn pits exposure to the burn pits during the desert Storm and other conflicts that are more recent.

So veterans who are exposed to these toxins are now eligible for enrolling in getting health care benefits.

So.

In March of 2024, Virginia announced that there was, after the passage of the Pact Act, that they had seen a 30% increase in enrollment to for eligible veterans pursuant to the PACT Act.

It's also seen nearly 50% increase in enrollment over the pandemic as well in 2020.

And we, of course are very honored and serving these veterans and their needs. But

as you can imagine.

This has created a strain on the existing infrastructure that we have and we're looking at ways how to handle that and leasing has become.

The.

Prominent way of us trying to handle and looking at addressing these needs of increased veterans. Next slide.

So one of the causal agents is, as I said, you know, the passage of the pack deck and the increase in Roman of veterans that we're seeing.

The other agent, the other causal agent of why we're looking more and more towards leasing, is that, as I said, our enrollment is rising.

But what's happening as well as our veterans are shifting in terms of demographics in terms of their age and in terms of their location.

It's a quite unique phenomenon, only unique to Virginia. Honestly, of all federal agencies.

Our clients, you know, they move around as opposed to some agencies where you know the the clients are typically stay where they are.

Ours shift, what we're seeing is veterans are moving mostly away from northeastern Mid-Atlantic states to southeast and southwest states.

Places like California, New England and even lower Florida as which as you can see in the map here, that would be the dark green to green colours.

Or where veterans are leaving or moving from and they're moving towards the more blue areas, which are areas such as the Carolinas, Texas.

Denver.

Moving to Colorado and the area of Las Vegas and Nevada, Arizona as well as Phoenix.

So you're seeing veterans shifting towards the blue areas and moving away from the green areas and what that means is the the demographics in the needs of the veterans.

Going to areas that were not traditionally areas where we had medical facilities as you all may know, you know as you were younger when I was younger to we all remember a veteran medical centers being in downtown Philadelphia, NY, Boston, Chicago and some of still they're still.

There some, but that population is moving.

They're moving more towards the South.

They're moving as veterans get older and they retire, they move towards the West.

They move towards more rural areas.

They don't live in downtown's.

So you don't have, you have less veterans in urban areas and they're more rural areas.

So what happens is there are no facilities there, so we need to figure out how to to address that. We don't typically want veterans to travel more than two hours to get care, so we have to consider facilities closer to the population. The center of the population, so.

That's an issue as well, and leasing is a way of handling that situation as well.

In addition, the veteran population itself is changing.

For example, we currently have more than 600,000 women veterans which did not exist. Of course prior to.

Probably around Second World War when you start seeing that some women but not in combat. But of course there were women in the military, but now we have about 600,000 women who are veterans.

We have LGBTQ veterans as well.

We have veterans of different races, backgrounds, religious beliefs, of course.

Many, many veterans.

Are proud members of tribes and we have to handle that population as well.

So everyone has a unique characteristic or zonal issue. So a demographic that we need to address to provide the care they deserve.

So we're proposing this.

NPA in order to help us meet these health care obligations and hopefully as the veteran population continues to expand, we can address that.

Much better.

Next slide.

So what are our goals for this MPA?

And this is where we would appreciate your feedback either now or again while during the comment period subsequent to this meeting.

But if you have any now, we greatly appreciate that feedback next line.

So first, where would this this proposed NPA apply and where would it not apply and start out there?

This proposed NPA would only apply when VA is the lead federal agency.

So this will not.

Impact any GSA leases, DoD leases, any other agencies lease program this is this is

only for our leasing program. So there won't be any impacts to any other agencies. Leasing program, GSA, DoD or any other agency like that.

So it's just for Virginia.

We've decided that the NPA should only apply to buildings that are smaller than 225,000 gross square feet.

The reason behind this is that within VA buildings that are larger than this square, gross square footage tend to be more towards the micro hospital to hospital level. So we we we do not want to apply.

This NPA to projects of that scale, if we're building a new Medical Center hospital, no 500,000 square foot, 1,000,000 square foot building, this will not apply.

That that's those are too large and those would obviously go through the normal 106 consultation route.

We would.

We would not use this NP for those type of projects, so ones that are smaller than this tend to be ones for our our community based outpatient clinics or what we call C box or CL CS community living centers or.

Clinics that are the type that we're looking at here.

In addition, it would, it would only apply if the acreage that's required to build the facility is less than 25 acres.

Again, we've seen these.

This is about the rights, you know, of the typical standard size of these smaller clinics and anything bigger 100 acres, 200 is just too large. We would obviously go for the normal 106 route for those type of acreages.

They would not apply if there are NHL located within the area's potential effect. So if the area were considering building this medical centre, there is.

Within the AP, there is identifiable National Historic landmarks, be it a building, site, district, whatever, we would not apply this NPA to that.

We would go through the normal 106 consultation route.

And of course we would require V8 to consult to determine the applicability of the NPA.

If the lease was located on tribal land, so if there are any projects that were, if there's a medical facility that we plan to build within tribal land, we would of course consult with the tribe and determine if we could apply this or not. And based on the.

The tribes input, if they say we would like you to continue with the 106 and we will do that. But if they agree that we could apply it to this particular case for whatever

reason, based on the the characteristics or what we're planning.

Won't impact anything on tribal land.

Will definitely you know, take that into consideration.

Whatever the tribe deems appropriate.

Next slide.

So as I said.

For the other two leases, this is how we're hoping to handle.

Within the NPA consultation for these type of projects for the moving ready ones, as I said, this is the one we just move in furniture and put signs up. Our determination would be a no potential to affect historic properties pursuant to 36 CFR 803.

A1.

Our recommendation that all these projects would be exempted from further 106 console and we would, you know, we would.

Explain that in the narrative of the PA, how that process would occur for these type of consultations.

Umm.

Next slide.

OK, for the build out lease actions.

These are the ones again that the Toys-R-Us one for example that I talked about. If the building is listed or eligible for the National Register, we will and VA intends to meet the Secretary of Standards for that building. For example, if it is a eligible or listed building and our purposes to the.

Apply this Soi standard for rehabbing.

Our recommendation would be consultation to determine conformance.

So we would basically reach out to the shippo's drives and say this building is listed, it's eligible, we're going to use Soi standards, we feel consultation.

Would not be required and we would look for that determination from from the parties.

Next slide.

And this is in more detail how that would work based on the situation.

So if we make the determination that there are no potential to affect historic properties due to no ground disturbance, again this is for build out leases, interior modifications with exterior modifications limited to signage, the building is less than 40 years old and has been determined not eligible for.

Listing in the National Register.

Our recommendation for that particular case, we would have an exemption.

So for example, the toy's R Us example, you know.

There's no ground disturbance.

We just modified the interior.

We're gonna put up some new signs.

The building was less than 40 years old.

We had to go through 106 for that, the normal route, all the process, but in in.

In that case, we could do a an exemption pursuant to the NPA. We could have done, you know, if we'd have this exact this NPA in effect that would have been one that would have been a good candidate for an exemption.

And we would exempt that one from 1:06.

However, if we have a project where there's no ground disturbance.

And interior and exterior modifications are required.

And it's still less than 40 years.

And has been determined not eligible for listing, we might.

We would recommend a notification and how that notification will be created, what sort of format we're looking into that we would, you know, spell that out in the NPA, what sort of notification that would be?

Would it be a form letter?

Would it be an e-mail?

Would it be some sort of communication that?

Says we've have this property.

There's no.

There's no ground disturbance.

The interior and exterior modifications are required in the building, but it's less than 40 years of age and it's determined not eligible.

We would notify.

We feel this might be a little, you know, this might be a little more because we would also look at the potential for indirect effects if there's a district nearby or not. But if there's not, again, we would just notify for this type of consultation.

For the next type, if there's the building is not historic.

But there are historic buildings located within the ape, but the exterior modifications would not impair existing view sheds or associations.

There's no ground disturbance and we have found no known archaeological deposits.

Or that those archaeological deposits, if they are known, wouldn't be avoided. The project would not, you know, encroach upon the existing deposit in any way we. That's their avoidance.

We would recommend notification for this one as well, not exemption.

So for build out leases this you know these would be the scenarios we hope we could document and and and make established within the NPA.

As I said, many of these do not occur within historic buildings.

We've not had many, if any, in the past.

They do tend to be the type of, you know, toys.

R Us Kmart, vacant properties and commercial centres, so we we we feel that the the first determination will probably be the most common for us for these for build out leases.

Next.

Now for Bill to suit leases, this is the, you know the one that's most most involved. And we talked about that is we feel and I should add in our history the many over more than decades of lease projects. We have been very fortunate. Knock on wood, I'm knocking on my head here that we have typically come up with no historic properties.

Affected as our final determination and we've gotten concurrence by Schippo and tribe.

And consulting parties because we've provided sufficient evidence that you know the the site, the location has no potential. There's no historic properties nearby in the ape.

There are no archaeological potentials and things like that, so it's it's been literally out of thousands of consoles we've done.

We've never had it.

Well, we've had only one site where we did through archaeology find.

An identifiable archaeological resource.

We did a phase one. Then we did a phase two study.

That proved the existence of the site, and that was enough for Orp to decide.

We're moving to another site, so we never developed the site and that typically is what happens if we do find anything.

Orp tends to, at that point decide. Let's find another site that would be less impactful or wouldn't cause an issue.

So it tends to be the procedure.

So build suit leases.

We have 3 scenarios, so if there's no stored properties affected.

Basically, there are no historic properties or buildings within the AP.

There are no tcps within the AP that have been identified to us or that we know of based on documentation research, preliminary survey has determined that previous disturbances have occurred or other limitations to the site in terms of the impacts to our existence of cultural resources or histor.

Properties.

We would recommend exemption for these type of cases.

If, however, in the for determination of no adverse effects, the historic built resources are present within the AP, but the construction and the operation will not affect the integrity, the feeling, the association and or design of these historic resources.

There are tcps present within the AP, but the construction and the operation will not affect the cultural practices of those utilizing the TCP. If that can be documented and and and consulted on.

No archaeological sites are located within the footprint of the ground. Disturbance of the new construction or the site has been, or the site has been identified, but will be avoided.

So if there is a site, well, if there's not a site within the footprint or there is a site and we prove that the ground disturbance will not impact that site, we would recommend a notification for this one.

And a saying that we're, you know, we've determined no adverse effect and we're going to move ahead and this is our notification of of what we found with this particular site.

And finally, if there is an obvious adverse effect, there is historic property.

There is atcp.

There is an archaeological site and we've determined that there's no way we can avoid.

Building our facility that would not impact adversely that.

Resource we would of course resort back to consultation in accordance with 36 CFR part 800.

Which is the normal standard consultation process.

And we would, we would initiate consultation with tribes, Shippo's NHL, whatever the case may be.

So we would not deviate from the the standard 106 process if if we determine that

there are cultural resource.

But again, knock on wood, we've been very lucky that we've not had a case like that where we have continued on with construction of a lease project on a site that has. Would have obvious adverse effects. Like I said, we had that one case where there was no way that would have been feasible.

And Orp decided to just build another facility somewhere else.

Which actually was done in another site that was given a clean bill of health, concurred on by the ship on tribes and the facility actually is was inaugurated a few months ago and it was built.

Next slide.

So seems like a lot of information and I thank you all for listening in on everything so far.

Thank you for your attention as well.

And now I would just basically like to open it up to any comments or any recommendations or is there anything that gives you heartburn?

About what we're planning here, if you have any, you know, if you fully understand what we're trying to do.

We understand if you'd like to take some time to review the information and back it to your offices and or talk to your colleagues about it, we.

Sure. You guys heard that.

For your considerations and to discuss it so that we fully aware that.

So if you don't have any comments today, I fully understand, but we would appreciate any comments you might have.

So with that, let me open it up. If is there any preliminary comments or?

Recommendations that anyone has.

Rollin, yes.

Yes. What would notification entail?

That is an excellent question.

We've got that also also from the ship House.

We're still trying to determine what that would be once we develop the draft of the NP as we're looking at various options of how that notification would be.

I mean, in other cases, we've had not for leases, but in other projects we've developed a form.

The ship has concurred on that form and that kind of summarizes what the project is and we notify them and say this is a project we're working on.

This is our determination and that served as as a.

So the traditional section 106 letters and the attachments that it's a more simplified form that provides a notification to the to the shippo's and the parties of that particular project.

But again, that was not a lease product.

That's a different site, and they've approved that, that kind of notification.

In addition, we do have annual meetings and we do an annual report on some of our P as where that provides a list of projects we've worked on during the year and how we've applied the the you know the PA during the past year.

And and then we have an annual meeting where we meet with all the parties and say, OK, this is what we've done in the past year where we've applied the program, the programmatic alternative and on the cases.

And so it's Full disclosure, you know, on the cases we've applied the programmatic agreement to so that all the parties know that, OK.

Great, great, great. That kind of a thing.

But yeah, we're very open discussions on how that notification.

Effort can be can be done.

We're we're open to any sort of possibility.

Any other questions, anything.

KW Kelly Sellers Wittie 54:06

Sir, I think that someone is writing in the chat.

AM Abreu, Hector M. 54:09

Let me check that.

Thank you, Kelly. Let's see.

OK.

I got the one from Berlin about notifications. I don't see anything else.

Wait. But while I'm waiting, I should say.

One concern or issue.

We did hear a bit about, of course, with dealing with tribes. Is this issue of traditional cultural properties and the identification effort. We're also very open to figure out how to do that very early in the process.

One option is when we're out doing our market surveys, we're more than willing to meet with tribes to a face, to face to to initially kind of discuss.

Talk about here these sites we're looking at.

Nothing is finalized.

Do any of these possible sites have any associated tcps that you all you might know of the tribe might know of?

Are there any of these sites you feel very uncomfortable about once you, so we could also how that sort of initial outreach to tribes NH OS as well could be coordinated in a way that?

Is an early so that when we're looking at these sites.

We have all the information we need so that we can make a determination and not, unfortunately, that would occur.

Under the normal 6 processes, when we do finally select the site, we initiate consultation with the tribe and they might come back to say, oh, that's a terrible site. You should never have looked at that site. So that kind of a thing, you know, hopefully can be address.

Very early in the in the consultation process through the through this NPA.

Who would be the main signatories to the NPA?

Are there other highlights from the shipment you can share with us now?

Yes, Kyle, we've reached out to Nick Shipo Nathpo NH OS and friendly recognized tribes as well as Alaska tribes. So.

The we understand, of course, that not every tribe has a T.

HPO so representations that a tribe might have might not be within NAFTA because they're they don't have a th po and they don't have. They're not members. So that that's fine.

We understand that it's my understanding that.

The once we have a, you know, a draft and we have the comments and we have feedback from all of you and we've addressed hopefully all your edits, your comments, your your concerns that.

Is brought up to a vote at the Advisory Council and they are the ones who approve it and take a vote with the the members of the Council, which is nafpo, and Nick Shipo, and there are other members of the Council and they would be the ones to.

To give the final approval.

And and that would be kind of in a way that not the signature, but they would give the approval of it?

So it is understood.

That, of course, the chippo nathpo you know, they do represent within their

organizations a group of tribes.

That.

Concession or that you know that understanding that.

An up or down vote by NAFTA indicates that the majority, hopefully or most of the members of that group approve of the NH PO.

But oh, sorry, someone's writing me a quick note.

Any NPS are voted on by the Council.

They're signed.

Thank you very much, Angela.

That's right, they're signed.

So they're signed. So it is something that we do get signatures from from the Advisory Council, but it's brought up to vote and they and they, you know, it's brought up for discussion and approval. So I'm not clear.

And I can find that out in terms of exactly, you know, if a trial is not a member of Nasspo how do we go about getting their approval or if they need to sign? I'm not sure.

So I can find that out for you. I'll look into that.

The Bay complex in Talihina, Oklahoma, recently closed.

Does VA have thoughts of returning and reusing it since the veterans in that area are expanding according to the map you showed?

Very good question.

I am not completely aware of why they did close that facility down.

I can find out for you and look into if there that is a possibility of a facility that might be readdressed through.

See Bach or limited facility, but let's see, Alec might have some input into that. Let's see.

BA **Bennett, Alec (CFM)** 59:15

Hector.

AM **Abreu, Hector M.** 59:16

Yes, please, Alec.

BA **Bennett, Alec (CFM)** 59:20

I I think that that is a a state veteran's home.

AM **Abreu, Hector M.** 59:24

Oh, interesting. OK.

So if it is a state veteran's home, as Alec works in that program out of our office. Va itself would not be the causal entity for wide closed down state homes are basically run by the state with support from VA monetarily for their establishment. We provide grant funds for those, but if the state determines their closure, that's really something that is.

Within their hands.

State has a VA home program office, so Oklahoma would have a state veterans program office within the state of Oklahoma and they would probably know best of why they determined that facility had to close down.

Any other questions?

Thank you. Yes, that's true. If ever needed, there's a vacant facility we could use.

Thank you very much. Yes.

Alright, here's a rather big question.

OK, Vanessa hanby.

I should tell you I forgot to mention. Vanessa Hanby works for the advisor council. She is our VA liaison at the Advisory Council and works on VA cases for us, and I think she provided a good explanation of how.

These programs are executed the Program Act agreement.

She'll take effect when executed by the Council.

Let me Scroll down.

The agency official and the appropriate shippo tippos when the program agreement concerns a specific region or the President of Nic Shipo, and then and went sorry. When the program agreement concerns a specific region or the President of Mexico, when Nick Shipo has participated in the consultation, a programmatic agreement shall take effect on tribal lands. Only when Tippos Indian tribes are designated representative.

Of the tribe is a signatory.

If I try and Scroll down here to the agreement.

Thank you very much, Vanessa.

And that's in 36 CFR 814B2.

So if if there any if the program, the program agreement shall take effect on travelands only when the Tippo Indian tribe or a designated representative, the tribe

is a signatory to the agreement.

So if a tribe wishes the NPA to apply within tribal lands, they would, they would be of signatory to the, to the, to the agreement. And of course we would need, you know, we would hopefully have that sort of interest from the tribe if they if they do.

So wish to be a signatory to the agreement as well.

Thank you, Benz.

Any other questions?

We're nearing the hour mark here, so thank you very much.

Great questions.

And again, this is just the beginning.

Next slide please.

We.

Are accepting comments through November 4th, so if you have any other questions, please submit those to the e-mail address I mentioned historicpreservation@va.gov.

We will review all comments that you provide.

We will post those.

Comments and responses to those comments on our website.

We will be distributing the first draft of the NPA sometime in late 2024.

We will accept early comments via e-mail, of course.

We will be hosting a second round of meetings in 2025 or early 2025 S maybe February, March time period. We will have a second round of meetings.

Hopefully that'll be one where we'll be discussing the that initial draft of the NPA.

Getting comments from you all. Any issues you might have related to the the first draft when you see that.

Until and I should mention, of course obviously until the NP as executed, VA will utilize the standard section 106 process for our major lease action.

So nothing will change.

We'll continue with our consultations as we've always done in the past, utilizing the standards Section 106 process.

Until the NPA is executed next slide.

So participation for this is in various forms, of course, participation in the meetings we would like you to participate as much as you can in the meetings. However, if you cannot attend the meeting that does not meet that we would. That does not mean that we will not.

Consider your comments.

Of course we will.

So participation, participation, obligatory. We would like you to attend them, but if not, of course we will.

Receive comments on anything via e-mail.

Or via our website.

That's the our URL for our website.

So you can also submit comments through there or you can e-mail those to me and at any time.

So your participation outside the meetings is also welcomed. And as I said, particularly for tribes and Nhos and Alaska tribes, if you wish to have a one-on-one meeting, please reach out to me by the e-mail and we can coordinate something if that is something you wish.

Or if you know of any other tribe that would like to do that sort of consult, we are more than open to doing that.

I think that is it. Next slide.

That is it.

So again, thank you for your participation today and thank you for your great questions.

We appreciate your input and we will be posting on the website.

The notes of this meeting, as well as the presentation itself.

So if you're interested in that, that will be posted within the next couple of days and we'll communicate that to everybody when it's available. So you can get a copy of this presentation as well as the notes which were taken.

By the by the teams meeting.

So there will be notes on the meetings.

And that is it.

Thank you very much.

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