

**Section 106 Consultation for the Integrated National
Environmental Policy Act and National Historic
Preservation Act Process**

**Proposed Reconfiguration of VA Black Hills Health Care
System**

**Summary of Consulting Parties Workshop
VA Medical Center, Hot Springs, South Dakota
February 12, 2015**

**U.S. Department of Veterans Affairs
VA Black Hills Health Care System**

April 2, 2015

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LIST OF ACRONYMS

- | | |
|------------------------------------------|----------------------------------------------------|
| APE: Area of potential effects | NHL: National Historic Landmark |
| BHHCS: Black Hills Health Care System | NRHP: National Register of Historic Places |
| CBOC: Community Based Outpatient Clinic | RRTP: Residential Rehabilitation Treatment Program |
| CFR: Code of Federal Regulations | SCIP: Strategic Capital Investment Plan |
| EIS: Environmental Impact Statement | SHPO: State Historic Preservation Office |
| MSOC: Multi Specialty Outpatient Clinic | VA: Veterans Affairs |
| NEPA: National Environmental Policy Act | VISN: Veterans Integrated Service Network |
| NHPA: National Historic Preservation Act | |

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1.0 INTRODUCTION

The Department of Veterans Affairs (VA) Black Hills Health Care System (VA BHHCS) has proposed to reconfigure health care services within the VA BHHCS service area, which VA has determined to be a federal undertaking under Section 106 of the National Historic Preservation Act (NHPA) and a federal action subject to the National Environmental Policy Act (NEPA). VA has chosen to integrate Section 106 consultation within the overall NEPA framework, following the substitution process of 36 Code of Federal Regulations (CFR) 800.8(c). VA is preparing an environmental impact statement (EIS) that will meet the standards for compliance with Section 106.

Three alternatives for the undertaking propose relocating services from the Hot Springs VA Medical Center campus to other Hot Springs and Rapid City locations, and three alternatives propose renovations to existing buildings on the campus instead of relocating services within the area. The proposed undertaking (federal action) would affect the campus, which is a National Historic Landmark (NHL) and a contributing element to the Hot Springs Historic District as listed on the National Register of Historic Places (NRHP).

1.1 Consulting Parties Involvement

Consulting parties, as defined in Section 106 of the NHPA, fall into five categories per 36 CFR 800.2(c): (1) the state historic preservation officer; (2) Indian tribes; (3) representatives of local governments; (4) applicants for federal assistance, permits, licenses and other approvals; and (5) additional consulting parties. This last category is defined as “Certain individuals and organizations with a demonstrated interest in the undertaking [who] may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking’s effects on historic properties.”

On February 12, 2015, VA hosted a second Section 106 workshop for the consulting parties at the VA Medical Center in Hot Springs, South Dakota. The workshop was a follow-on session to the November 2014 workshop. Table 1 lists the identified consulting parties who were invited to participate in the workshop and whether or not they attended. Other consulting parties may still be added as the integrated Section 106 consultation and NEPA EIS process continues.

1.2 Purpose of this Summary

The purposes of this summary are to document the discussions and input received during the February 2015 workshop, and to present the next steps for further consultation. This summary and the summary from the November 2014 workshop are available for review by the public at <http://www.blackhills.va.gov/vablackhillsfuture>.

Table 1. Workshop Invitations and Attendance

Organization*	Attended Workshop
Advisory Council on Historic Preservation	Yes
AFGE Hot Springs Local	Yes
American Legion	Yes
City of Hot Springs	Yes
Department of the Interior, National Park Service	Yes
Fall River County Commission Office	No
Fall River County Historical Society	Yes
Fort Peck Tribes of Assiniboine and Sioux	No
Hot Springs Certified Local Government–Historic Preservation Commission	Yes
Kiowa Tribe of Oklahoma	No
National Trust for Historic Preservation	Yes
Northern Arapaho Tribe	No
Oglala Sioux Tribe of the Pine Ridge Reservation	No
Save the VA	Yes
South Dakota State Historic Preservation Office	Yes
Yankton Sioux Tribe	No
* Includes all consulting parties identified as of the workshop date of February 12, 2015.	

2.0 WORKSHOP DISCUSSION

The Section 106 workshop participants included consulting party representatives (see Appendix A), VA staff, and the EIS contractor (Labat Environmental and SWCA Environmental Consultants). The workshop was open to public observation and members of the public attended. The handout with the agenda for the workshop is included in Appendix B.

The following sections summarize the discussion of each agenda topic. Responses and explanations, as appropriate for clarification, are included for some of the questions and issues raised during the discussions.

2.1 Omnibus Bill and Status of VA BHHCS Reconfiguration and EIS

The Consolidated and Further Continuing Appropriations Act, 2015, House Resolution 83, Public Law No. 113-235 – referred to as the Omnibus Bill – contained language pertaining to VA medical services and facilities in Veterans Integrated Service Network (VISN) 23. The application of that language to the proposed VA BHHCS reconfiguration and EIS is being reviewed by Veterans Health Administration Central Office. Until further direction is provided, VA BHHCS is proceeding with the EIS process that was initiated during fiscal year 2014.

Consulting parties also noted that line items in the President’s budget for fiscal year 2016 and beyond appear to support certain alternatives for the proposed reconfiguration. None of the line items related to the reconfiguration proposal are requested in the fiscal year 2016 budget; instead

they are described in the Strategic Capital Investment Plan (SCIP) as “potential future year projects”. They represent place holders to inform planning of potential future appropriations needs. Only one place holder can be realistically applied, not options for all alternatives. That one place holder was based on the originally proposed action for reconfiguration. All alternatives for reconfiguration will be assessed equally in the EIS.

2.2 NEPA/NHPA Substitution Process

Using the NEPA process for NHPA compliance is referred to as “substitution” and is guided by 36 CFR 800.8(c). The subsections of 800.8(c) were reviewed along with what VA has completed and will complete to ensure compliance with Section 106 consultation. Consulting parties were provided a copy of the Checklist for Substitution, which is Attachment C to the Handbook for Integrating NEPA and Section 106. The checklist and the review of 800.8(c) are included in Appendix C to this summary.

Consulting parties expressed concern regarding continued involvement of the public with Section 106. As noted during the review of 800.8(c), the public is involved in accordance with VA’s NEPA procedures, which to date has included notices, news releases, 10 public scoping meetings, and an extended public scoping period (90 days) for the public to provide comments on environmental and historic preservation issues. Additional opportunities for public involvement will be during the review period for the Draft EIS and at six public comment meetings to be scheduled during the summer months of 2015. Consulting parties also noted their own constituencies, which encompass members of the public, such as the City of Hot Springs, Fall River County, State of South Dakota, Veterans’ organizations, and groups and individuals interested in historic preservation.

Documents pertaining to Section 106 consultation are available for public review at www.blackhills.va.gov/vablackhillsfuture. Consulting parties are welcome to post information pertaining to the Section 106 consultation process on their respective websites as a means to further inform the public.

Consulting parties asked how historic properties, as compared to cultural resources in general, will be addressed in the EIS. The affected environment section (generally Chapter 3) of the EIS will provide the current and background contexts for all cultural resources, including historic properties, and explain what constitutes a significant cultural resource and historic property in relation to the NEPA definition and NRHP eligibility, plus properties of traditional religious or cultural importance to American Indian tribes (per 36 CFR 800). The impact analysis section (generally Chapter 4) of the EIS will describe the basis for an effect on a resource, including historic properties typically subject to effects as defined in Section 106 regulations. Other cultural resources that do not qualify as significant or as historic properties are considered under other appropriate regulations and executive orders.

2.3 Additional Detail on Alternatives

Additional details on the types of facilities and accommodations for a community-based outpatient clinic (CBOC), multi-specialty outpatient clinic (MSOC), and residential rehabilitation treatment program (RRTP) that are being considered under each alternative were provided, including basic space requirements for each building type and renovation requirements for existing buildings to

meet current “recovery model of care” standards. Example photos of similar buildings at other VA locations were shown.

It was emphasized that primary care will continue in Hot Springs under all alternatives. VA requests the consulting parties’ assistance in correcting misconceptions to this component of the alternatives in the press, social media, or other sources whenever they occur.

2.4 Area of Potential Effects Revision

VA adjusted the APE after review and consideration of input received from consulting parties during the November 2014 workshop and written letters submitted by consulting parties subsequent to that workshop. The adjusted APE was provided to the State Historic Preservation Officer (SHPO) and copied to all other consulting parties on January 20, 2015. VA’s letter with a figure showing the adjusted APE is available at www.blackhills.va.gov/vablackhillsfuture. Consulting parties expressed concern that Fort Meade and the State Veterans Home were not included within the adjusted APE, and again asked how VA would address unknown locations for possible acquisition for construction or renovation within Hot Springs and Rapid City under Alternatives A, B, and D.

As discussed during the November workshop and included in the written summary, VA would initiate the phased process for identification and evaluation of historic properties following 36 CFR 800.4(b)(2), and would determine other APEs should the selected reconfiguration alternative include new construction or renovation at locations that would be identified at a future time. Until then, VA will include the entire municipal boundaries of the cities of Hot Springs and Rapid City in the defined boundary of the APE, as shown on the figures included in Appendix D.

As explained in VA’s adjusted APE letter dated January 20, 2015, construction at Fort Meade needed for ongoing operation of the hospital was independent (not connected) of the need for the proposed reconfiguration of health care services. Connected actions are those that could not or would not proceed unless another action proceeds previously or simultaneously (40 CFR 1508.25(a)(1)(ii)). VA continues to consider the entire VA BHHCS service area as the EIS study area for cultural resources; however, no connected actions have been identified at other locations within the service area where effects from the proposed reconfiguration (undertaking) would extend, and thus, no expansion is made to the APE beyond the cities of Hot Spring and Rapid City.

2.5 Identification of Historic Properties

The principal historic properties that have been identified that would be affected by the undertaking remain the Battle Mountain Sanitarium NHL and the Hot Springs Historic District. The springhouse located near Fall River and currently used to supply water to the VA Medical Center campus has since been found to be historic and connected directly with the historic use of the Battle Mountain Sanitarium. The Battle Mountain landform has also been identified as a historic property related to the history of American Indian activity in the area and the importance of the hot springs. Unknown locations for potential new or renovated facility development in the cities of Hot Springs or Rapid City could affect other archaeological or above-ground historic properties.

In addition to considering the Battle Mountain landform as a sacred place to tribes, consulting parties also recommended that Battle Mountain Sanitarium be considered a traditional cultural property to Veterans. Traditional cultural properties are defined and considered under National Register Bulletin 38 (Parker and King 1998); VA will use this bulletin for further review of the Sanitarium as such.

2.6 Potential Effects

The approach to identifying potential effects, and then assessing and resolving adverse effects was presented. The approach separates on-campus from off-campus actions and effects. The on-campus actions focus on renovation or relocation, and off-campus actions focus on location of either Hot Springs or Rapid City. The alternatives are assigned by action (renovation or relocation) and location (Hot Springs or Rapid City).

Many of the potential effects are similar across the alternatives due to the similar components of the alternatives. For example, renovation of buildings or facilitation of their reuse would potentially affect the Battle Mountain Sanitarium NHL and historic properties within its views in the Hot Springs Historic District and the Hot Springs/Battle Mountain traditional area. Construction or renovation of other facilities at unknown locations in the Hot Springs or Rapid City areas could potentially affect archaeological sites or historic buildings at these locations or in view of the locations.

The identification of potential effects considered the following issues:

- Potential for archaeological resources discovery.
- Integrity aspects of feeling and association, as intangible historic qualities, may be affected through reuse of properties.
- Risk of building deterioration or removal with changes in use.
- Risk in historic building deterioration/neglect with short-term vacancy should a gap in occupancy occur to the NHL.
- Some areas on campus, specifically the sweat lodge, the east wing addition to Building 12, and the inner circle of the Domiciliary, have been formally blessed by Native American spiritual leaders.

Concerns for resources and effects identified during the November 2014 workshop were reviewed against examples of adverse effects listed in 36 CFR 800.5(a)(2). The list of these concerns by alternative was part of the workshop handout (included in Appendix B) and reorganized by the approach described above for identifying potential effects. The list will be further refined and will be the focus of the next consultation workshop with consulting parties.

Overall, allotted meeting time ran short by the time this agenda topic was reached, which limited productive discussion.

2.7 Avoiding, Minimizing, or Mitigating Adverse Effects

Commitments to historic preservation, conditions of approval, and stipulations and measures for treatment of historic properties would be specified in the Record of Decision for the EIS. The Secretary of the Interior's Standards for the Treatment of Historic Properties will guide the identification of measures to avoid, minimize, or mitigate adverse effects to historic properties. Preservation and rehabilitation are applicable treatments defined under those standards. Preservation seeks to maintain the significant historic aspects of a property, while rehabilitation does the same with allowances for mechanical, access, and life safety alterations or additions to properties; both recommend appropriate reuse of historic properties.

It was noted that NHPA Section 110(f) states a federal agency should minimize harm "to the maximum extent possible" if an undertaking affects a NHL. However, "maximum extent possible" is not defined and VA and National Park Service were asked for examples of what is viewed as a higher standard in terms of considering effects and resolutions. Maintaining historic use and aspects of historic feeling and association were briefly discussed in the context of considerations for resolution (including avoidance) of effects.

Overall, allotted meeting time ran short by the time this agenda topic was reached, which limited productive discussion.

3.0 NEXT STEPS

Next steps, some of which overlap, include:

- Draft EIS Publication and Identification of Preferred Alternative: VA will provide a schedule update when available.
- Identification of Historic Properties: VA will list historic properties in the Draft EIS that are located within the revised/expanded APE. VA will continue to review cultural resource management data from previous projects addressing the Battle Mountain landform, and will consider traditional cultural property status for the Battle Mountain Sanitarium NHL. The results of this review will be considered in the analyses presented in the Draft EIS, and will also be part of continued consultation.
- Resolution of Adverse Effects: VA will continue to develop measures to resolve adverse effects with the consulting parties and through the EIS analysis, including assessment of minimizing harm to the NHL to "the maximum extent possible".
- Future Consultation: The list of potential effects with adverse effects criteria, and potential measures to resolve effects determined to be adverse, will be the focus of further consultation with the consulting parties via teleconference.

4.0 OTHER COMMENTS

Comments made that were not directly related to agenda topics under discussion were deferred to be addressed as time allowed in the agenda or to be addressed through another avenue, such as through assessment in the EIS. These comments were not dismissed, but were considered not pertinent to the topic of historic properties and potential effects to them. Those comments and responses are as follows:

- Record future Section 106 consultation discussions and provide transcripts for review by consulting parties and the public. Response: It is not standard practice for VA to transcribe 106 consultation meetings for the record; however, VA will consider the request.
- Hold a public meeting focusing on the Section 106 process to inform the public and receive further public comments. Response: VA conducted 10 public scoping meetings to explain the integrated NEPA/NHPA process and to receive public comments on the undertaking (federal action), historic properties and preservation, and other related concerns. Consulting parties are welcome to post information pertaining to the Section 106 consultation process on their respective websites as a means to further inform the public.
- Provide more information regarding the clinical standards that are in place that VA follows as part of their mission to provide care to Veterans to better understand Alternative F-No Action. Response: VA's mission to provide health care and the standards by which that care is provided will be described briefly in the Draft EIS to the extent it is related to the purpose of and need for action or to differentiate among the alternatives. VA offers information on health care issues and benefits topics online at <http://www.va.gov/health/>.

5.0 REFERENCES

Parker, Patricia L., and Thomas F. King

- 1998 Guidelines for Evaluating and Documenting Traditional Cultural Properties. National Park Bulletin No. 38. Available at:
<http://www.nps.gov/nr/publications/bulletins/pdfs/nrb38.pdf>.

APPENDIX A
Consulting Party Workshop Attendee List

Organization	Representative(s)
Advisory Council on Historic Preservation	Chris Daniel
AFGE Hot Springs Local	Pat Russell
American Legion	Ken Orrock
City of Hot Springs	Cindy Donnell
Department of the Interior, National Park Service	Dena Sanford
Fall River County Historical Society	Peggy Sanders
Hot Springs Certified Local Government–Historic Preservation Commission	Pat Lyke
National Trust for Historic Preservation	Jenny Buddenborg
	Amy Cole
Save the VA	Bob Nelson
	Amanda Campbell
South Dakota State Historic Preservation Office	Paige Olson
	Ted Spencer

APPENDIX B

Consulting Party Workshop Agenda and Handout

RECONFIGURATION OF BLACK HILLS HEALTH CARE SYSTEM

National Historic Preservation Act, Section 106 Consulting Parties Workshop

AGENDA

9:00 a.m. – 4:00 p.m.

1. Welcome and introductions
2. Omnibus Bill and status of BHHCS Reconfiguration and EIS
3. Objectives for workshop and brief recap from November workshop
4. NHPA/NEPA substitution process
5. Additional detail on reconfiguration alternatives
6. Area of Potential Effects as revised
7. Discussion of identified historic properties
8. Discussion of preliminary consideration on potential effects on identified historic properties
9. Discussion of preliminary considerations for avoiding, minimizing, or mitigating adverse effects
10. Next steps

Lunch Break 12:00 – 1:00 p.m.

TERMS AND DEFINITIONS

Criteria of adverse effect: An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative (Section 106, 36 CFR § 800.5 Assessment of Adverse Effects).

Examples of adverse effects (the “Criteria of Adverse Effect”)

Adverse effects on historic properties include, but are not limited to:

1. physical destruction of or damage to all or part of the property;
2. alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines;
3. removal of the property from its historic location;
4. change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

5. introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
6. neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to a Native American tribe or Native Hawaiian organization; and
7. transfer, lease, or sale of property out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

Area of potential effects (APE): the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

Historic property: any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior.

Undertaking: a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency, including those conducted by or on behalf of a federal agency; those conducted with federal financial assistance; and those requiring a federal permit, license, or approval.

REFERENCES

A Citizen's Guide to Section 106 Review: www.achp.gov/docs/CitizenGuide.pdf

Useful Resources on the Web: www.achp.gov/106course-resources.html

Section 106 for Users: www.achp.gov/usersguide.html

NEPA/NHPA Handbook for Integrating NEPA and Section 106:
www.achp.gov/docs/NEPA_NHPA_Section_106_Handbook_Mar2013.pdf

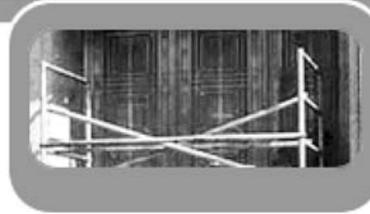
Secretary of the Interior's Standards for the Treatment of Historic Properties:
<http://www.nps.gov/tps/standards/four-treatments/treatment-guidelines.pdf>

National Park Service Preservation Brief No. 31 – Mothballing Historic Buildings
<http://www.nps.gov/tps/how-to-preserve/preservedocs/preservation-briefs/31Preserve-Brief-Mothballing.pdf>



introduction

Choosing an Appropriate Treatment
for the Historic Building



The Standards are neither technical nor prescriptive, but are intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources. For example, they cannot, in and of themselves, be used to make essential decisions about which features of the historic building should be saved and which can be changed. But once a treatment is selected, the Standards provide philosophical consistency to the work.

The four treatment approaches are Preservation, Rehabilitation, Restoration, and Reconstruction, outlined below in hierarchical order and explained:

The first treatment, **Preservation**, places a high premium on the retention of all historic fabric through conservation, maintenance and repair. It reflects a building's continuum over time, through successive occupancies, and the respectful changes and alterations that are made.

Rehabilitation, the second treatment, emphasizes the retention and repair of historic materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work. (Both Preservation and Rehabilitation standards focus attention on the preservation of those materials, features, finishes, spaces, and spatial relationships that, together, give a property its historic character.)

Restoration, the third treatment, focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods.

Reconstruction, the fourth treatment, establishes limited opportunities to re-create a non-surviving site, landscape, building, structure, or object in all new materials.

Choosing the most appropriate treatment for a building requires careful decision-making about a building's historical significance, as well taking into account a number of other considerations:

Relative importance in history. Is the building a nationally significant resource--a rare survivor or the work of a master architect or craftsman? Did an important event take place in it? National Historic Landmarks, designated for their "exceptional significance in American history," or many buildings individually listed in the National Register often warrant Preservation or Restoration. Buildings that contribute to the significance of a historic district but are not individually listed in the National Register more frequently undergo Rehabilitation for a compatible new use.

Physical condition. What is the existing condition--or degree of material integrity--of the building prior to work? Has the original form survived largely intact or has it been altered over time? Are the alterations an important part of the building's history? Preservation may be appropriate if distinctive materials, features, and spaces are essentially intact and convey the building's historical significance. If the building requires more extensive repair and replacement, or if alterations or additions are necessary for a new use, then Rehabilitation is probably the most appropriate treatment. These key questions play major roles in determining what treatment is selected.

Proposed use. An essential, practical question to ask is: Will the building be used as it was historically or will it be given a new use? Many historic buildings can be adapted for new uses without seriously damaging their historic character; special-use properties such as grain

-INTRODUCTION-

Choosing Treatment

Using the Standards + Guidelines

-Historical Overview-

Exterior Materials

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Site

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silos, forts, ice houses, or windmills may be extremely difficult to adapt to new uses without major intervention and a resulting loss of historic character and even integrity.

Mandated code requirements. Regardless of the treatment, code requirements will need to be taken into consideration. But if hastily or poorly designed, a series of code-required actions may jeopardize a building's materials as well as its historic character. Thus, if a building needs to be seismically upgraded, modifications to the historic appearance should be minimal. Abatement of lead paint and asbestos within historic buildings requires particular care if important historic finishes are not to be adversely affected. Finally, alterations and new construction needed to meet accessibility requirements under the Americans with Disabilities Act of 1990 should be designed to minimize material loss and visual change to a historic building.

historical overview - [PRESERVING](#) - [REHABILITATING](#) - [RESTORING](#) - [RECONSTRUCTING](#)

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www.nps.gov/tps/standards/four-treatments/standguide/overview/choose_treat.htm



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Some of the web versions of the Preservation Briefs differ somewhat from the printed versions. Many illustrations are new and in color; Captions are simplified and some complex charts are omitted. To order hard copies of the Briefs, see [Printed Publications](#).

PRESERVATION BRIEFS

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Mothballing Historic Buildings

Sharon C. Park, AIA

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[Stabilization](#)

[Mothballing](#)

[Mothballing Checklist](#)

[Maintenance Chart](#)

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[Reading List](#)

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Appropriately mothballed historic building. Photo: NPS files.

When all means of finding a productive use for a historic building have been exhausted or when funds are not currently available to put a deteriorating structure into a useable condition, it may be necessary to close up the building temporarily to protect it from the weather as well as to secure it from vandalism. This process, known as mothballing, can be a necessary and effective means of protecting the building while planning the property's future, or raising money for a preservation, rehabilitation or restoration project. If a vacant property has been declared unsafe by building officials, stabilization and mothballing may be the only way to protect it from demolition.



This Preservation Brief focuses on the steps needed to "de-activate" a property for an extended period of time. The project team will usually consist of an architect, historian, preservation specialist, sometimes a structural engineer, and a contractor. Mothballing should not be done without careful planning to ensure that needed physical repairs are made prior to securing the building. The steps discussed in this Brief can protect buildings for periods of up to ten years; long-term success

This building has been successfully mothballed for 10 years because the roof and walls were repaired and structurally stabilized, ventilation louvers added, and the property maintained. Photo: NPS files.

will also depend on continued, although somewhat limited, monitoring and maintenance. For all but the simplest projects, hiring a team of preservation specialists is recommended to assess the specific needs of the structure and to develop an effective mothballing program.

A vacant historic building cannot survive indefinitely in a boarded-up condition, and so even marginal interim uses where there is regular activity and monitoring, such as a caretaker residence or non-flammable storage, are generally preferable to mothballing. In a few limited cases when the vacant building is in good condition and in a location where it can be watched and checked regularly, closing and locking the door, setting heat levels at just above freezing, and securing the windows may provide sufficient protection for a period of a few years.

But if long-term mothballing is the only remaining option, it must be done properly. This will require stabilization of the exterior, properly designed security protection, generally some form of interior ventilation—either through mechanical or natural air exchange systems—and continued maintenance and surveillance monitoring.

Comprehensive mothballing programs are generally expensive and may cost 10% or more of a modest rehabilitation budget. However, the money spent on well-planned protective measures will seem small when amortized over the life of the resource. Regardless of the location and condition of the property or the funding available, the following 9 steps are involved in properly mothballing a building:



Boarding up without adequate ventilation and maintenance has accelerated deterioration of this property. Photo: NPS files.

Documentation

1. Document the architectural and historical significance of the building.
2. Prepare a condition assessment of the building.

Stabilization

3. Structurally stabilize the building, based on a professional condition assessment.
4. Exterminate or control pests, including termites and rodents.
5. Protect the exterior from moisture penetration.

Mothballing

6. Secure the building and its component features to reduce vandalism or break-ins.
7. Provide adequate ventilation to the interior.
8. Secure or modify utilities and mechanical systems.
9. Develop and implement a maintenance and monitoring plan for protection.

These steps will be discussed in sequence below. Documentation and stabilization are critical components of the process and should not be skipped over. Mothballing measures should not result in permanent damage, and so each treatment should be weighed in terms of its reversibility and its overall benefit.

Table 2. Potential Effects Identified by Alternative

Alternative	Proposed Changes in Hot Springs	Proposed Changes in Rapid City	Potential Effects or Historic Property Concerns
A	Build or lease new CBOC Vacate VA Hot Springs campus	Build or lease new MSOC and 100-bed RRTP	<ul style="list-style-type: none"> ➤ The new location may impact the historic district including viewshed, traffic, and other concerns. ➤ City infrastructure may be impacted due to a decline in rate of use and customer base. Possibility exists that the infrastructure is also historic. ➤ Potential for archaeological sites at new locations. ➤ Potential for archaeological sites on Hot Springs (Battle Mountain) campus, including a historic-era VA dump area. ➤ Battle Mountain and waters (Fall River and associated hot springs) as possible historic property concern related to Native American history. ➤ Re-Use Options. Future management of the property. VA’s Property Disposition Process [to be initiated if alternatives are chosen that vacate the Hot Springs campus]. ➤ Change of use if the campus is no longer used as a medical facility. ➤ Vacant building; damage during mothballing. ➤ Native American access to the VA sweat lodge facility may be limited. ➤ Water rights retained by the VA. ➤ Local government tax-base impacts. ➤ Removing VA from the property and the impacts to Hot Springs as the “Veterans Town.” ➤ Potential degradation of the National Historic Landmark and the Hot Springs Historic District. ➤ Museum collections and records currently stored at the campus will need to be rehoused if the campus is vacated. ➤ Consideration of cumulative effects per Section 106. ➤ Potential effect to the State Veterans Home due to changes in VA services in the area. ➤ Potential effect to the National Cemetery management, which currently relies on co-location with VA health services at the Hot Springs (Battle Mountain) campus.

Alternative	Proposed Changes in Hot Springs	Proposed Changes in Rapid City	Potential Effects or Historic Property Concerns
B (same potential effects identified as Alternative A)	Build or lease new CBOC and 100-bed RRTP Vacate VA Hot Springs campus	Build or lease new MSOC	<ul style="list-style-type: none"> ➤ The new location may impact the historic district including viewshed, traffic, and other concerns. ➤ City infrastructure may be impacted due to a decline in rate of use and customer base. Possibility exists that the infrastructure is also historic. ➤ Potential for archaeological sites at new locations. ➤ Potential for archaeological sites on Hot Springs (Battle Mountain) campus, including a historic-era VA dump area. ➤ Battle Mountain and waters (Fall River and associated hot springs) as possible historic property concern related to Native American history. ➤ Re-Use Options. Future management of the property. VA’s Property Disposition Process [to be initiated if alternatives are chosen that vacate the Hot Springs campus]. ➤ Change of use if the campus is no longer used as a medical facility. ➤ Vacant building; damage during mothballing. ➤ Native American access to the VA sweat lodge facility may be limited. ➤ Water rights retained by the VA. ➤ Local government tax-base impacts. ➤ Removing VA from the property and the impacts to Hot Springs as the “Veterans Town.” ➤ Potential degradation of the National Historic Landmark and the Hot Springs Historic District. ➤ Museum collections and records currently stored at the campus will need to be rehoused if the campus is vacated. ➤ Consideration of cumulative effects per Section 106. ➤ Potential effect to the State Veterans Home due to changes in VA services in the area. ➤ Potential effect to the National Cemetery management, which currently relies on co-location with VA health services at the Hot Springs (Battle Mountain) campus.
C	Renovate Building 12 for CBOC Renovate Domiciliary for 100-bed RRTP	Build or lease new MSOC	<ul style="list-style-type: none"> ➤ Building exteriors may be potentially altered for rehabilitation or reuse. ➤ Vacate portions of buildings or entire buildings on the campus. ➤ Change in use of some of the buildings. ➤ Potential for maintenance neglect. ➤ Renovation is a positive effect for continued use of the property. ➤ Continued VA ownership ensures compliance with historic preservation laws.

Alternative	Proposed Changes in Hot Springs	Proposed Changes in Rapid City	Potential Effects or Historic Property Concerns
<p>D (same potential effects identified as Alternatives A and B)</p>	<p>Build or lease new CBOC and 24-bed RRTP Vacate VA Hot Springs campus</p>	<p>Build or lease new MSOC and 76-bed RRTP</p>	<ul style="list-style-type: none"> ➤ The new location may impact the historic district including viewshed, traffic, and other concerns. ➤ City infrastructure may be impacted due to a decline in rate of use and customer base. Possibility exists that the infrastructure is also historic. ➤ Potential for archaeological sites at new locations. ➤ Potential for archaeological sites on Hot Springs (Battle Mountain) campus, including a historic-era VA dump area. ➤ Battle Mountain and waters (Fall River and associated hot springs) as possible historic property concern related to Native American history. ➤ Re-Use Options. Future management of the property. VA’s Property Disposition Process [to be initiated if alternatives are chosen that vacate the Hot Springs campus]. ➤ Change of use if the campus is no longer used as a medical facility. ➤ Vacant building; damage during mothballing. ➤ Native American access to the VA sweat lodge facility may be limited. ➤ Water rights retained by the VA. ➤ Local government tax-base impacts. ➤ Removing VA from the property and the impacts to Hot Springs as the “Veterans Town.” ➤ Potential degradation of the National Historic Landmark and the Hot Springs Historic District. ➤ Museum collections and records currently stored at the campus will need to be rehoused if the campus is vacated. ➤ Consideration of cumulative effects per Section 106. ➤ Potential effect to the State Veterans Home due to changes in VA services in the area. ➤ Potential effect to the National Cemetery management, which currently relies on co-location with VA health services at the Hot Springs (Battle Mountain) campus.

Alternative	Proposed Changes in Hot Springs	Proposed Changes in Rapid City	Potential Effects or Historic Property Concerns
E (Save the VA)	Renovate domiciliary for 200-bed RRTP Renovate Building 12 for inpatient care Other upgrades/renovations to buildings/new construction New programs and services at Hot Springs campus	No change	<ul style="list-style-type: none"> ➤ Will restore/renew services to the campus (see “Save the VA” White Paper) ensuring continued use of all the historic buildings. ➤ Facility continues to be maintained. ➤ Disabled access alterations on building exteriors including ramps and sidewalk upgrades. ➤ Upgrades and renovations may have a potential effect on the historic property. ➤ Potential for archaeological sites on Hot Springs (Battle Mountain) campus where new construction would occur. ➤ Location of new construction may impact the historic landmark including viewshed, traffic, and other concerns.
F (No Action)	Continue health care services at VA Hot Springs campus	No change	<ul style="list-style-type: none"> ➤ Facility continues to be maintained. ➤ Retains historic use.

Alternative	Proposed Changes in Hot Springs	Proposed Changes in Rapid City	Potential Effects or Historic Property Concerns
G	Future re-use of all or part of VA Hot Springs campus	No change	<ul style="list-style-type: none"> ➤ Re-Use Options. Future management of the property. VA’s Property Disposition Process [to be initiated if alternatives are chosen that vacate the Hot Springs campus]. ➤ Change of use if the campus is no longer used as a medical facility. ➤ Removing VA from the property and the impacts to Hot Springs as the “Veterans Town.” ➤ Potential degradation of the National Historic Landmark and the Hot Springs Historic District. ➤ Museum collections and records currently displayed and stored at the campus will need to be rehoused if the campus is vacated. ➤ City infrastructure may be impacted due to a change in rate of use and customer base. Possibility exists that the infrastructure is also historic. ➤ Potential for archaeological sites on Battle Mountain Campus, including a historic-era VA dump area. ➤ Battle Mountain and Waters (Fall River, and associated hot springs) as possible historic property concern related to Native American history. ➤ VA would no longer offer a Native American sweat lodge facility at the Battle Mountain Campus location. ➤ Consideration of cumulative effects per Section 106. ➤ Potential effect to the State Veterans Home due to changes in VA services in the area. ➤ Potential effect to the National Cemetery management, which currently relies on co-location with VA health services.

CBOC = Community Based Outpatient Clinic
 MSOC = Multi Specialty Outpatient Clinic
 RRTP = Residential Rehabilitation Treatment Program

APPENDIX C
NEPA/NHPA Substitution Process

NEPA / NHPA Substitution

<p>36 CFR 800.8(c) Use of the NEPA Process for Section 106 Purposes Refer to the Checklist for Substitution (Attachment C to NEPA and NHPA Handbook for Integrating NEPA and Section 106) for process.</p>	
<p>800.8(c): Agency may use NEPA process and documentation to comply with Section 106 if SHPO and ACHP have been notified in advance.</p>	<ul style="list-style-type: none"> • VA notified SHPO and ACHP by letter dated May 13, 2014, of intent to integrate Section 106 into the NEPA process following “substitution”.
<p>800.8(c)(1) Standards for developing environmental documents to comply with Section 106</p>	
<p>(i): Identify consulting parties through NEPA scoping process with results consistent with 800.3(f).</p>	<ul style="list-style-type: none"> • Consulting parties include SHPO, Indian tribes, and representatives of local government. • Identified, invited, and accepted requests from others to be consulting parties. • Informed interested parties during scoping meetings to submit written requests to be considered a consulting party. • Continue to consider requests for consulting party status as 106 process moves forward.

NEPA / NHPA Substitution

800.8(c)(1) *Standards for developing environmental documents to comply with Section 106*

(ii): Identify historic properties and assess effects of the undertaking consistent with 800.4 and 800.5

- **Determined area of potential effects with consulting parties.**
- **Sought information about historic properties from public and consulting parties (including Native American tribes) during scoping; continue to seek information from consulting parties.**
- **Identifying historic properties with consulting parties.**
- **Identifying effects with consulting parties.**
- **Applying criteria of adverse effect.**

(iii): Consult with consulting parties regarding the effects of the undertaking during scoping, environmental analysis, and preparation of EIS.

- **Presenting preliminary assessment of adverse effects to consulting parties.**
- **Full analysis will be documented in Draft EIS.**

NEPA / NHPA Substitution

800.8(c)(1) *Standards for developing environmental documents to comply with Section 106*

(iv): Involve the public in accordance with agency's published NEPA procedures.

- Notice of Intent to prepare an EIS integrated with Section 106 was published in Federal Register on May 16, 2014.
- News releases and public notices announced the public scoping period.
- 90-day public scoping comment period.
- 10 public scoping meetings throughout BHHCS service area.

(v): In consultation with consulting parties, develop alternatives and proposed measures that might avoid, minimize, or mitigate adverse effects and describe them in the Draft EIS.

- Identifying and discussing with consulting parties possible resolutions to avoid, minimize, or mitigate adverse effects.
- Full consideration, descriptions, analysis, and resolutions will be documented in Draft EIS.

NEPA / NHPA Substitution

800.8(c)(2) <i>Review of environmental documents</i>	
(i): Submit Draft EIS to consulting parties when making the document available for public comment.	<ul style="list-style-type: none"> • Notice of Availability, news releases, and public notices will announce the availability of the Draft EIS. • Consulting parties will be notified by email. • Minimum 45-day public comment period.
(ii): Prior to or within Draft EIS public comment period, consulting parties may object to agency official that preparation of the Draft EIS has not met standards of (c)(1), or substantive resolution of effects proposed in Draft EIS is inadequate.	<ul style="list-style-type: none"> • Follow Checklist for Substitution (Attachment C to NEPA and NHPA <i>Handbook for Integrating NEPA and Section 106</i>). • Comments on impact analysis and resolutions of adverse effects presented in Draft EIS will be discussed and consulted on with consulting parties. • Consideration of comments and additional analysis, as appropriate, will be presented in the Final EIS.
800.8(c)(4) <i>Approval of the undertaking</i>	
(i): Binding commitment in EIS Record of Decision to proposed measures to resolve adverse effects.	<ul style="list-style-type: none"> • Record of Decision will document measures to avoid, minimize, or mitigate adverse effects.

ATTACHMENT C

CHECKLIST FOR SUBSTITUTION

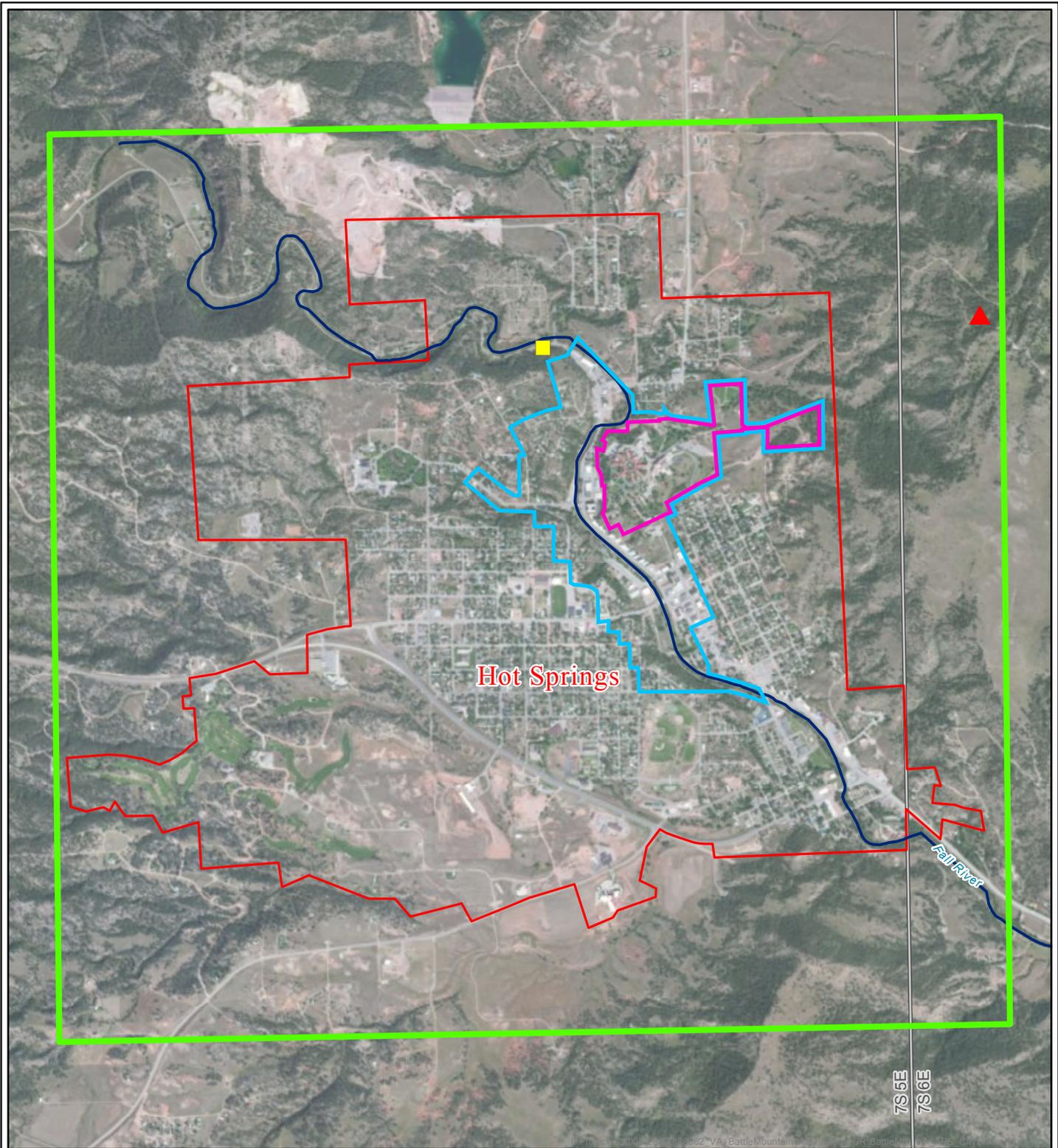
This checklist was developed by the Advisory Council on Historic Preservation (ACHP) as a guide for those preparing or reviewing a NEPA document – Environmental Impact Statement (EIS) or Environmental Assessment (EA) – used for Section 106 purposes in accordance with Section 800.8(c) of the Section 106 implementing regulations, “Protection of Historic Properties” (36 C.F.R. Part 800). The checklist is based on the standards for developing environmental documents to comply with Section 106 at 36 C.F.R. § 800.8(c)(1). Ideally, the preparer or reviewer will be able to answer “yes” to all items.

NOTIFICATION	YES	NO	COMMENTS
Did the agency notify <i>in advance</i> the SHPO/THPO and the ACHP of its intent to use the NEPA process for Section 106 purposes?			
Is the notification correspondence included in the EA/DEIS or appendices?			
IDENTIFICATION OF CONSULTING PARTIES	YES	NO	COMMENTS
Is the effort to identify consulting parties described in the EA/DEIS?			
Is a list of the consulting parties provided in the EA/DEIS?			
Are all consulting parties included? (Indian tribes, Native Hawaiian organizations, local governments, applicants, and/or other consulting parties)			
Has the agency reviewed and responded to all requests to be consulting parties? Has the agency documented the exchange in its administrative record?			
IDENTIFICATION OF HISTORIC PROPERTIES	YES	NO	COMMENTS
Is the effort to identify historic properties of all types (buildings, structures, objects, districts, and sites) described, including the Area of Potential Effects and the methodology for investigation? If no, has the agency disclosed its intent to phase the identification and assessments?			
Is the effort to identify historic properties commensurate with the assessment of other environmental factors?			
Are determinations of eligibility for the National Register of Historic Places (NRHP) clearly stated?			
Can a layman understand the characteristics of each historic property and why it is significant (eligible for the NRHP) and retains integrity?			

ASSESSMENT OF EFFECTS	YES	NO	COMMENTS
<p>Has one of the following Section 106 effect findings for the undertaking been clearly stated?</p> <ul style="list-style-type: none"> ▶ No historic properties affected ▶ No historic properties adversely affected ▶ Historic properties adversely affected 			
<p>If adverse effects may result, is the application of the criteria of adverse effect described?</p>			
<p>Was all of the above information presented during scoping meetings and/or other public and stakeholder outreach?</p>			
CONSULTATION AND PUBLIC INVOLVEMENT	YES	NO	COMMENTS
<p>Is the SHPO/THPO concurrence with eligibility determinations documented? Is the documentation included in the document and appendices?</p>			
<p>Is the SHPO/THPO concurrence with the Section 106 effect finding documented? Is the correspondence included?</p>			
<p>Has an adequate opportunity for consulting with the SHPO/THPO, Indian tribes, Native Hawaiian organizations, local governments, applicants, and/or other consulting parties been provided prior to the release of the DEIS/EA? Is all relevant documentation (subject to confidentiality) included?</p>			
<p>Do any of the consulting parties substantively disagree with the agency's determinations of eligibility or findings of effect? If so, is the process for seeking agreement on those issues disclosed?</p>			
<p>If a National Historic Landmark (NHL) may be affected by the undertaking, has the agency notified the National Park Service (pursuant to 36 C.F.R. § 800.10(c)) and invited its participation where there may be an adverse effect? Is all relevant correspondence included?</p>			
<p>Does the document cover sheet or distribution letter clearly indicate that the DEIS/EA also documents the Section 106 process?</p>			
<p>Have historic preservation concerns expressed by members of the public been addressed? If appropriate, have such commenters been invited to be consulting parties in the Section 106 review?</p>			
<p>Have the scoping notices and other public meeting notices included information about Section 106?</p>			

DEVELOPMENT OF ALTERNATIVES OR MEASURES TO AVOID, MINIMIZE, OR MITIGATE ADVERSE EFFECTS	YES	NO	COMMENTS
Is the development and evaluation of alternatives or modifications that could avoid or minimize adverse effects to historic properties documented?			
Where appropriate have mitigation measures been proposed?			
Is the consultation with SHPO/THPO, Indian tribes, Native Hawaiian organizations, local governments, applicants, and/or other consulting parties about avoidance, minimization, or mitigation measures documented? Is all relevant documentation (subject to confidentiality) included in the EA/DEIS or appendices?			
STEPS TO CONCLUSION	YES	NO	COMMENTS
<p>Is there a potential for the preferred alternative to adversely affect at least one historic property?</p> <p>If no, Section 106 is complete if no objections are raised by the SHPO/THPO, Indian tribes, Native Hawaiian organizations, local governments, applicants, other consulting parties, or the ACHP.</p> <p>Is the final Section 106 finding documented?</p>			
<p>If the preferred alternative could adversely affect historic properties, is one of the following strategies for completing the Section 106 process identified?</p> <ul style="list-style-type: none"> ▶ Execution of a Memorandum of Agreement or a Programmatic Agreement ▶ Incorporation of the binding commitment to mitigation measures in the Record of Decision ▶ Termination, formal ACHP comments pursuant to 36 C.F.R. § 800.7, and response by head of the agency 			
<p>If incorporating binding commitment to mitigation measures in the ROD, does the ROD include the following:</p> <ul style="list-style-type: none"> ▶ Commitments clearly identifying who will do what by when ▶ Administrative provisions including: <ul style="list-style-type: none"> ▶ Process for continued consultation during implementation (for example, regarding design review, data recovery, development of mitigation products) ▶ Deadlines/timelines for implementation ▶ Post-review discoveries ▶ Dispute resolution process ▶ Contingency for changes to the undertaking referencing 36 C.F.R. § 800.8(c)(5) 			
IMPLEMENTATION	YES	NO	COMMENTS
<p>Is the agency prepared to carry out the commitments made in:</p> <ul style="list-style-type: none"> ▶ Memorandum of Agreement or a Programmatic Agreement, ▶ Record of Decision, or ▶ Response by head of the agency to formal ACHP comments following termination? 			

APPENDIX D
Revised Areas of Potential Effects



BHHCS Proposed Reconfiguration Legend

- ▭ Area of Potential Effects (APE)
- ▲ Battle Mountain (No Defined Boundary)
- Spring House
- Fall River
- ▭ Hot Springs City Limits
- ▭ Hot Springs Historic District
- ▭ VA Medical Center Campus Boundary
- ▭ Township/Range Boundary

0 0.25 0.5 1 Miles

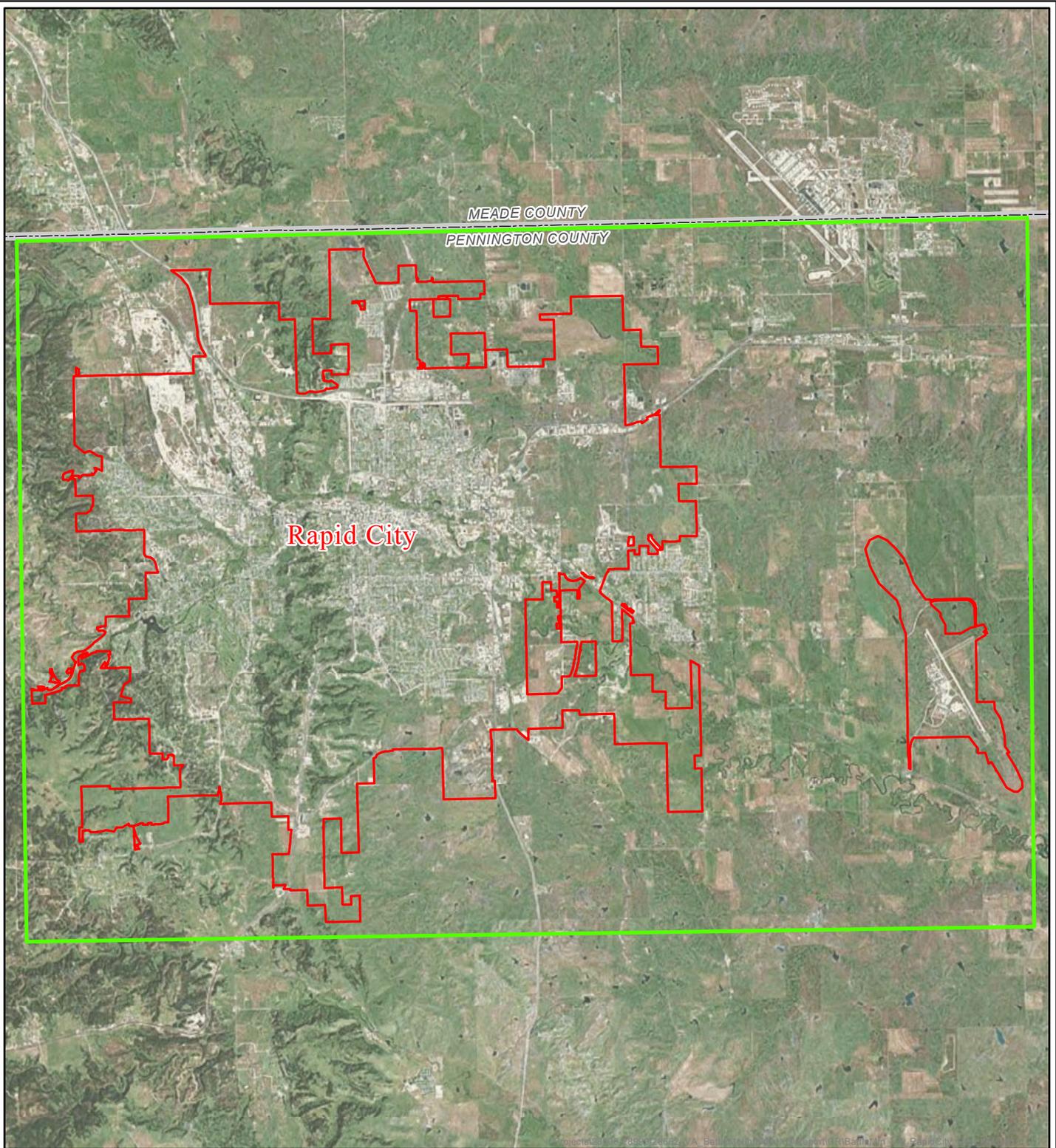
0 0.25 0.5 1 Kilometers

1:28,000

Base Map: World Imagery, Esri Online Service
 Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community
 Township 7S Range 5E, T7S R6E
 Fall River County, South Dakota

NAD 1983 UTM Zone 13N
 3/3/2015





**BHHCS Proposed Reconfiguration
Legend**

- Area of Potential Effects (APE)
- County Boundary
- Rapid City Limits



1:130,000

Base Map: World Imagery, Esri Online Service
 Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics,
 CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP,
 swisstopo, and the GIS User Community
 Meade County and Pennington County, South Dakota

NAD 1983 UTM Zone 13N
 3/3/2015

