

July 4, 2009

Bobbie Hurley  
AECOM  
1555 Poydras St., Suite 1860  
New Orleans, LA 70112

Re: Supplemental Comments on Draft Site-Specific Environmental Assessment for  
Proposed Demolition of Building #2, VA Medical Center, New Orleans

Dear Ms. Hurley:

In addition to the comments submitted on June 29, the National Trust submits the following supplemental comments on the Draft Site-Specific Environmental Assessment (SSEA) for the proposed demolition of Building #2 at the existing VA Medical Center in New Orleans. The reason for dividing our comments into two separate letters is that we did not receive adequate notice of the availability of the SSEA for comment, as described in detail in our June 29 letter. In order to submit comments by the deadline of 2 PM on June 29, we chose to submit incomplete comments and to supplement those comments with a later letter (i.e., this one).

**The VA Improperly Excluded Known Consulting Parties When Initiating Section 106 Consultation.**

The information in the SSEA outlining the chronology of Section 106 consultation came as quite a surprise to the consulting parties. SSEA at p. 3-33. We learned for the first time that the VA had actually initiated Section 106 consultation with the ACHP and SHPO a full *four months* before first notifying the other consulting parties about this proposed undertaking on May 11, 2009. By that time, the VA had already completed the steps of defining the Area of Potential Effects and assessing the effects of the undertaking -- without any input from the public or consulting parties other than the ACHP and SHPO. Given the level of controversy regarding the VA's plans in New Orleans, and the relationship between the November 2008 Programmatic Agreement and this proposed undertaking, we cannot imagine a defensible rationale for excluding the known and extensive list of consulting parties from the early steps of the Section 106 review for this project.

**The Environmental Impacts Could be Avoided and Minimized by the Unevaluated Alternative of Locating the Trailers on a Vacant Lot.**

The SSEA acknowledges a wide variety of adverse effects resulting from the proposed demolition, including destruction of a National Register-eligible historic property, vibration damage to the Sister Stanislaus Memorial Building, Indirect and cumulative impacts resulting from ground vibration, construction traffic, and noise; and cumulative adverse impacts due to the site selection for the new VA Medical Center and LSU Academic Medical Center. SSEA at p. 2-6 (Table 2-1). All of these impacts would be avoided and minimized if a vacant lot were selected for the new trailers and the historic building was retained.

### **The Proposed Mitigation is Inadequate.**

The only mitigation suggested in response to the demolition of Building #2 is limited to “document and destroy.” SSEA at pp. 3-36 and 5-1. Recordation and public interpretation is not adequate mitigation to compensate for the utterly unnecessary destruction of a historic building.

### **The Draft SSEA Does Not Adequately Address the Potential for Vibration Damage to the Historic Sister Stanislaus Memorial Building.**

The Draft SSEA acknowledges that the historic Sister Stanislaus Memorial Building, which is individually listed on the National Register of Historic Places, and is immediately adjacent to Building #2, could potentially be subject to vibration damage as a result of the proposed demolition. SSEA at p. 2-6 (Table 2-1), and p. 3-36. However, the SSEA then attempts to dismiss this concern based on the assertion that “VA demolition standards have been established to prevent such an occurrence.” SSEA at p. 2-26 (Table 2-1). See *also* SSEA at p. 3-36 (VA would “ensure that the contract for demolition of Building # 2 would include provisions to avoid damage to neighboring buildings”).

Much more detailed information is needed in order to provide meaningful protection for the Sister Stanislaus Memorial Building, and others that potentially may be damaged by vibration from the proposed demolition of Building #2. Although the VA has determined that demolition by “implosion . . . is not a viable option” because of the vibration risk to nearby historic structures, SSEA at p. 3-31, the statement in the SSEA that a wrecking ball or high reach demolition excavator “*should* cause minimal vibration impacts” is not very reassuring. The SSEA provides a table summarizing the effects of vibration generally (p. 3-30 (Table 3-4)), but does not include any specific estimates of vibration levels for this project, and does not propose any safeguards or limits on vibration. The specific details of the VA’s “demolition standards” are not disclosed.

The standards developed by the former U.S. Bureau of Mines call for a vibration limit of 0.2 inches per second for “fragile buildings” and 0.12 inches per second for “extremely fragile historic buildings.” (These standards also call for a limit of 0.5 inches per second for “normal” buildings.) In our view, the most conservative vibration standards should be applied here, in order to avoid and minimize the risk of any vibration damage. More detailed information needs to be disclosed and evaluated regarding the specific vibration levels that could be generated here based on the type of demolition proposed, and specific safeguards need to be developed to protect adjacent historic buildings from damage.

### **Demolition Would Not “Reactivate” the Historic VA Medical Center or the Surrounding Area.**

The SSEA states that the proposed demolition, and the placement of trailers on the vacant lot for several years, would “reactivate a portion of the site, changing the current ‘use’ from derelict to operative. This could increase the attractiveness of parcels surrounding the site, potentially contributing to a revitalization of the immediate area, a beneficial indirect impact.” SSEA at p. 2-5 (Table 2-1), and p. 3-12.

We disagree. The VA has already “reactivated” the site to some extent by using a portion of the existing VA hospital, clinics, and parking garage to provide services.<sup>1</sup> The VA would do more to “reactivate” the CBD if it took an existing derelict lot within the CBD and converted it to a medical support use by locating the new trailers on the vacant lot, rather than demolishing a historic building.

In any event, the public knowledge that the trailers would be removed after several years and the site would return to a vacant lot makes it unlikely that the trailers would generate any long-term economic investment in revitalization of the surrounding area.

### **The Direct and Cumulative Effects of the Proposed Demolition and the Installation of Trailers Would be Adverse.**

We appreciate the candor of the SSEA in acknowledging that the proposed demolition of Building #2 would be an adverse effect, and that the trailers proposed on the site would be “unappealing,” “unharmonious,” “aesthetically disagreeable,” and that “[t]hey could considerably affect the overall historic character of the immediate vicinity,” SSEA at p. 3-16. However, the SSEA goes on to state that the National Register eligibility of the New Orleans Medical Historic District “has already been compromised by the closure of the VAMC and Charity Hospital and the decision to rebuild these facilities in the Tulane/Gravier area.” SSEA at p. 4-9. As a result, the cumulative adverse impact of the proposed demolition and trailer installation could potentially place the entire historic district at risk. The Historic District contains only 15 contributing buildings, SSEA at p. 3-34, and in our view, losing one of them *is* significant.

In addition, the SSEA fails to evaluate the cumulative impacts of the demolition with the demolition of the State Office Building and the former State Supreme Court building, especially in light of the new information that the state will not be building a new office building on that site.

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<sup>1</sup> The SSEA erroneously states that the VAMC hospital is “not occupied.” SSEA at p. 3-23. In fact, a portion of the hospital is open.

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In conclusion, we urge the VA to fully evaluate the obvious but unexplored alternative of locating the new trailers on a vacant lot. The VA simply has not made the case that a historic building needs to be demolished in order to park a few trailers on a vacant lot for five years. The City of New Orleans, including the CBD, has plenty of already-vacant lots that could be used for the purpose of relocating these functions that are currently located in Baton Rouge. The alternative of leasing an already-vacant site should be evaluated both in the context of Section 106 review, and in a revised NEPA document. Until this alternative has been thoroughly evaluated, the VA should not move forward to a final decision on this proposed project.

Sincerely,



Elizabeth S. Merritt  
Deputy General Counsel

cc: Kathleen Schamel, Federal Preservation Officer, VA  
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