



DEPARTMENT OF THE ARMY
CAMP STANLEY STORAGE ACTIVITY, RRAD
25800 RALPH FAIR ROAD, BOERNE, TX 78015-4800

February 9, 2005

U-217-05

Mr. David E. Berwick
Army Affairs Coordinator, Office of Planning and Review
Advisory Council on Historical Preservation
The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

SUBJECT: Demolition of a Contributing Building, Building 43, to the
National Register-Eligible Camp Stanley Storage Activity
Historic District, Camp Stanley Storage Activity, Boerne,
Texas

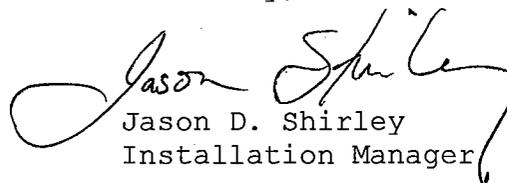
Dear Mr. Berwick:

The Camp Stanley Storage Activity (CSSA), Red River Army Depot, Tank-Automotive and Armaments Command, Army Material Command, U.S. Army, proposed to demolish one contributing building to the National Register-eligible CSSA Historical District. The Demolition of Building 43 has been determined to be a federal undertaking and is subject to compliance with Section 106 of the National Historic Preservation Act, and its implementing regulations, 36 CFR Part 800. In consultation with the Texas Historical Commission (SHPO), who has concurred with a finding of an adverse effect, a memorandum of agreement (MOA) was executed to mitigate this effect.

CSSA prepared HABS Level III documentation for Building 43 and provided them to the SHPO. This documentation has also been submitted to the Bexar County Historical Commission. As requested by the SHPO and as required by Section 106 regulations (36 CFR 800.6(b)(1)(iv)), I would like to present a copy of their concurrence of the project and signed MOA for your records.

Thank you for your time. Should you have any questions, please do not hesitate to contact me at (210) 295-7416.

Sincerely,


Jason D. Shirley
Installation Manager

Attachment

cc: Mr. Rod Hudson
U.S. Army, Army Medical Command Fort Sam Houston, Staff Judge
Advocate
Ms. Julie Burdey
Parsons



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

August 13, 2004

Jason D. Shirley, Installation Manager
Department of the Army
Camp Stanley Storage Activity, RRAD
25800 Ralph Fair Road
Boerne, TX 78015-4800

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966
Proposed demolition of Building 43 at Camp Stanley Storage Activity, Boerne, Kendall County
(Army/106)*

Dear Mr. Shirley:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Bradford Patterson, has completed its review of the project documentation provided. **We concur that the project as proposed would have an adverse effect on this contributing element of the National Register-eligible Camp Stanley Storage Activity Historic District.** Our records indicate that there has not yet been a Memorandum of Agreement (MOA) as required to resolve this adverse effect. Please submit a proposed MOA for our review.

It is our understanding that the soil must be removed from below and around the structure due to contamination. Although the report states that the contamination was found in the upper 12 inches of soil it is not clear if the lower soil is also contaminated. Because of its small size, it appears that it might be possible to stabilize the main portion of the structure while excavating the soil from underneath and the vicinity. However, the furnace portion appears to have significant structural cracks that would make this stabilization difficult. Given the somewhat isolated location, secondary nature of this structure and measures within Camp Stanley and the environmental issue, we will agree to the development of an MOA to permit the demolition. The recently submitted documentation may suffice although a copy may need to go to the appropriate local or military archive.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Bradford Patterson at 512/463-6167.**

Yours truly,

A handwritten signature in cursive script, appearing to read "Bradford Patterson", written in black ink.

for: F. Lawrence Oaks, State Historic Preservation Officer

cc: Richard H. Magers, Kendall County Historical Commission

**MEMORANDUM OF AGREEMENT
BETWEEN
U.S. DEPARTMENT OF THE ARMY
CAMP STANLEY STORAGE ACTIVITY
AND THE
TEXAS HISTORICAL COMMISSION**

WHEREAS, the United States Department of the Army, Camp Stanley Storage Activity (CSSA), proposes to demolish Building 43 on the CSSA in Boerne, Texas; and

WHEREAS, the demolition of Building 43 is the subject of this Memorandum of Agreement (MOA) and is described in the document dated January 13, 2004, and titled "Building 43 Assessment of Effect" prepared by Parsons for the U.S. Army and submitted to the Texas Historical Commission; and

WHEREAS, the U.S. Army has determined that the demolition of Building 43 will have an adverse effect on this contributing building to the National Register-eligible CSSA Historic District (36 CFR § 800.5(2)(i)); and

WHEREAS, the U.S. Army has consulted with the Texas Historical Commission in accordance with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470 (NHPA), and its implementing regulations (36 CFR Part 800) to mitigate the adverse effect of the demolition of Building 43; and

NOW, THEREFORE, the U.S. Army and the Texas Historical Commission agree that, upon implementation of this MOA, and upon the U.S. Army's decision to proceed with the demolition of Building 43, the U.S. Army shall ensure that the following stipulations are implemented in order to mitigate the adverse effect of the demolition of Building 43.

Stipulations

The U.S. Army shall ensure that the following stipulations are implemented:

- I. HABS Level III documentation for Building 43. This documentation was submitted to THC on June 30, 2004, and it included:
 - A. A dimensioned site plan showing the building;
 - B. Dimensioned sketch floor plan of the building;
 - C. Exterior photographs of each exterior side of the building, representative interior views and views of significant details. The negative size was 35mm; photographs provided for documentation were 5 x7 inches archival black and white prints.
 - D. In addition, a summary architectural description and history of Building 43 accompanied the drawings and photographs of the building.

This documentation was prepared according to the Secretary of Interior's Standards and Guidelines for Architectural and Engineering Documentation (HABS/HAER Standards) and the Texas Historical Commission's Rules of Practice and Procedure for the Antiquities Code of Texas (Chapter 26.25).

An original set was provided to the Texas Historical Commission and to the Bexar County Historic Commission for its use and/or placement in a local archive.

II. Administrative Stipulations

- A. Review of Submittals-Upon the submittal of the HABS documentation to the Texas Historical Commission by the U.S. Army for Building 43, the Texas Historical Commission shall have fifteen (15) calendar days to conduct such review. Failure of the reviewing party to provide comments in accordance with this stipulation may be taken to indicate approval of the pertinent document by the reviewing party.
- B. Definition of Parties-For the purpose of this MOA, the term "parties of this MOA" means the U.S. Army and the Texas Historical Commission, each of which has authority under 36 CFR § 800.7 to terminate the consultation process.
- C. Monitoring Costs-The U.S. Army shall monitor the costs of carrying out the terms of this MOA, including costs estimated or billed by contractors, the costs of contract administration, and the costs of project delay.
- D. Consultation if cost may exceed \$500,000-Should the U.S. Army determine that the costs of carrying out the terms of the MOA may exceed one-half-million dollars (\$500,000), the U.S. Army shall contact the other party to this MOA and seek consultation with them to establish ways to limit costs in fulfilling the required mitigation.
- E. Professional Supervision-The U.S. Army shall ensure that the HABS documentation carried out pursuant to this MOA is carried out by or under direct supervision of a person or persons meeting at a minimum the Secretary of the Interior's Professional Qualifications Standards for Historic Architecture (48 FR 44739). However, nothing in this stipulation may be interpreted to bar the U.S. Army or any agent or contractor of the U.S. Army from utilizing the properly supervised services of employees and volunteers who do not meet the above standards.
- F. Alterations to Project Documents-The U.S. Army shall not alter any plan, scope of services, or other document that has been reviewed and commented on pursuant to this MOA, except to finalize documents commented on in draft, without first affording the party to this MOA the opportunity to review the proposed change and determine whether it shall require that this MOA be amended. If one such party determines that an amendment is needed, the parties to this MOA shall consult in accordance with 36 CFR § 800.6(c)(7) to consider such an amendment.
- G. Resolving objections-
 1. Should the SHPO object to any action carried out or proposed by the U.S. Army with respect to the demolition of Building 43, or implementation of this MOA, the U.S. Army shall consult with the SHPO to resolve the objection. If after initiating such consultation the U.S. Army determines that the objection cannot be resolved

through consultation, the U.S. Army shall forward all documentation relevant to the objection to the Advisory Council on Historic Preservation, including the U.S. Army's proposed response to the objection. Within thirty (30) days after receipt of all pertinent documentation, the ACHP shall exercise one of the following options:

a. Advise the U.S. Army that the ACHP concurs with the U.S. Army's proposed final decision, whereupon the U.S. Army will respond to the objection accordingly;

b. Provide the U.S. Army with recommendations, which the U.S. Army shall take into account in reaching a final decision regarding its response to the objection; or

c. Notify the U.S. Army that the objection will be referred for comment pursuant to 36 CFR § 800.7(b), and proceed to refer the objection and comment. The resulting comment shall be taken into account by the U.S. Army in accordance with 36 CFR § 800.7(c)(4) and § 110(l) of NHPA.

2. Should the ACHP not exercise one of the above options within thirty (30) days after receipt of all pertinent documentation, the U.S. Army may assume the ACHP's concurrence in its proposed response to the objection.

3. The U.S. Army shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; The U.S. Army's responsibility to carry out all actions under this MOA that are not the subjects of the objection shall remain unchanged.

H. Amendments- The SHPO may propose to the U.S. Army that the MOA be amended, whereupon the U.S. Army shall consider such an amendment. 36 CFR § 800.6(c) shall govern the execution of any such amendment.

I. Termination-

1. If The U.S. Army determines that it cannot implement the terms of this MOA, or if the Texas Historical Commission determines that the MOA is not being properly implemented, the U.S. Army or the Texas Historical Commission may propose that the MOA be terminated.

2. The party proposing to terminate this MOA shall explain the reasons for termination and consult within thirty (30) days to seek alternatives to termination.

3. Should such consultation fail, the U.S. Army or the Texas Historical Commission may terminate the MOA. Should the MOA be terminated, the U.S. Army shall either:

a. Consult in accordance with 36 CFR § 800.6(c)(8) to develop a new MOA; or

b. Request the comments of the ACHP pursuant to 36 CFR § 800.7(a).

Execution of this MOA by the U.S. Army and the Texas Historical Commission and implementation of its terms, verifies that the U.S. Army has taken into account the effects of the proposed undertaking on Building 43.

UNITED STATES DEPARTMENT OF THE ARMY
CAMP STANLEY STORAGE ACTIVITY, INSTALLATION MANAGER

By: Jason Spitzer Date: 21 Sep 04

TEXAS HISTORICAL COMMISSION, STATE HISTORIC PRESERVATION OFFICER

By: [Signature] Date: 10-28-04