



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
600 ARMY PENTAGON
WASHINGTON DC 20310-0600



APR 03 2003

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MEMORANDUM THRU DIRECTOR, INSTALLATION MANAGEMENT AGENCY (SFIM-Z), 2511 JEFFERSON DAVIS HIGHWAY, TAYLOR BUILDING (NC3), ARLINGTON, VA 22202-3926

FOR SEE DISTRIBUTION

SUBJECT: Armywide Capehart and Wherry-Era Housing National Historic Preservation Act Compliance—ACTION MEMO

1. This memorandum provides instructions to the Installation Management Agency (IMA) and installations regarding actions necessary to fully implement the Armywide Capehart and Wherry-Era (1949-1962) Army Family Housing Program Comment.

a. In accordance with 36 CFR 800.14(e), a Program Comment on Army Capehart and Wherry-Era family housing was issued by the Advisory Council on Historic Preservation (ACHP) on 31 May 2002. The Program Comment is a programmatic compliance mechanism that allows Federal agencies to meet National Historic Preservation Act (NHPA) compliance requirements through a one-time agency-wide action for an entire category of properties. The Capehart and Wherry Era Family Housing Program Comment applies to all Army family housing, associated structures and landscape features built between 1949 and 1962 (Capehart and Wherry "Era"), at every installation in the United States and its territories. The Program Comment is posted on the ACHP website, at www.achp.gov/Frnoticecapehartwherry.pdf.

b. The Program Comment allows Army installations to proceed without further NHPA Section 106 consultation under 36 CFR 800, for maintenance and repair; rehabilitation; layaway and mothballing; renovation; demolition; demolition and replacement; and transfer, sale or lease out of Federal control for all Capehart and Wherry-Era housing, associated structures, and landscape features. The enclosure provides important information regarding installation implementation and requirements under the Program Comment.

2. Installation action is required to complete the Army's obligations under the Program Comment. Installations must "consider" the Capehart and Wherry-Era Neighborhood Design Guidelines in planning actions that affect the Army's Capehart and Wherry-Era housing, associated structures, and landscape features. The Design Guidelines are not prescriptive; however, installations must affirmatively demonstrate consideration

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of the Guidelines in documents associated with various management decisions for Capehart and Wherry-Era properties. Examples are National Environmental Policy Act Environmental Assessments and Environmental Impact Statements developed for Residential Communities Initiative (RCI). For RCI actions, installations should also indicate consideration of the Guidelines in the development of Community Development Management Plans affecting Capehart and Wherry-Era neighborhoods. The Design Guidelines are posted at www.achp.gov/capehartwherry-guidelines2.pdf. Additional information is provided in the enclosure.

3. Please note that the Program Comment applies *only* to Capehart and Wherry-Era housing, associated structures, and landscape features. NHPA Section 106 consultation requirements for Capehart and Wherry-Era housing at all installations within the United States and its territories have been addressed as part of this Army-wide compliance action. The Program Comment is of special interest to installations as they undergo the RCI privatization process since the Program Comment provides RCI installations with Army-wide compliance under NHPA Section 106 consultation for privatizing Capehart and Wherry-Era housing.

4. The Office of the Director of Environmental Programs point of contact is Mr. Lee Foster, (703) 693-0675, e-mail: Alfred.Foster@hqda.army.mil. The US Army Environmental Center technical point of contact for this action is Dr. David Guldenzopf, 410-436-1580, or David.Guldenzopf@aec.apgea.army.mil.

Encl

/s/ J.C. Menig for
LARRY J. LUST
Major General, GS
Assistant Chief of Staff
for Installation Management

Information on Program Comment for Capehart and Wherry-Era Family Housing, Associated Structures, and Landscape Features

Terms as Defined in the Program Comment

Capehart and Wherry-Era Family Housing and Associated Structures and Landscape Features: The Program Comment covers all Army family housing and associated structures built between 1949 and 1962 (the Capehart and Wherry “Era”) including the housing, detached garages, carports and storage buildings, and landscape features, including but not limited to the overall design and layout of the Capehart and Wherry-Era communities, including road patterns, plantings and landscaping, open spaces, playgrounds, parking areas, signage, site furnishings, views into and out of the community, lighting, sidewalks, setbacks and all other associated cultural landscape features. A small percentage of buildings and structures constructed during this period were not constructed with funds provided through the Capehart and Wherry funding programs, but are similar in all other respects, and are therefore included in this Program Comment.

Management Actions: Management actions covered by the Capehart-Wherry Program Comment are maintenance and repair; rehabilitation; layaway and mothballing; renovation; demolition; demolition and replacement; and transfer, sale or lease out of Federal control.

General Information on the Program Comment

The Army’s National Historic Preservation Act (NHPA) responsibilities under the Program Comment are being met by the Assistant Chief of Staff for Installation Management (ACSIM) in a three-part mitigation effort. The mitigation is composed of an expanded historic context, neighborhood design guidelines, and video documentation. The expanded historic context and Neighborhood Design Guidelines will be completed shortly; filming for the video documentation will be completed by 31 December 2003, and the video will be completed by 31 May 2004.

Management of the Program Comment: The ACSIM developed the Program Comment and is centrally managing and funding the mitigation measures through the US Army Environmental Center. Installations have no further requirements to identify, evaluate, treat, mitigate or consult with their State Historic Preservation Offices (SHPO) regarding any Capehart and Wherry-Era housing, associated structures and landscape features. The only installation action that is required as part of the Program Comment is consideration of the Capehart and Wherry-Era Neighborhood Design Guidelines in planning actions that affect the Army’s Capehart and Wherry-Era housing, associated structures, and landscape features. The purpose of the Guidelines is to provide installations with information to consider as plans for Capehart and Wherry-Era neighborhood redevelopment proceeds. Evidence of this consideration must be

documented in any National Environmental Policy Act (NEPA) documents prepared for management actions associated with Capehart and Wherry-Era neighborhoods.

Properties of Particular Importance: The Program Comment requires that the Army identify those Capehart and Wherry-Era properties that may be of particular importance. The Army has used the historic context to select properties of particular importance at three installations and has notified the Advisory Council on Historic Preservation (ACHP) of its determination. This determination does not create any new or future additional resource requirements for installations. This determination is only for purposes to identify where video documentation will occur. The three installations selected are Yuma Proving Ground, AZ; Fort Benning, GA; and Fort Bliss, TX. The video documentation will focus on these three installations. Those installations will be contacted by the Army's consultants regarding scheduling and any clearances for the filming of the video.

Installations without Properties of Particular Importance: Installations that do not have properties of particular importance can proceed with all management actions that affect Capehart and Wherry-Era family housing. Existing Programmatic Agreements (PAs) and Memoranda of Agreement (MOAs) that have been established with a SHPO that involve Capehart and Wherry-Era housing, associated structures, or landscape features may be terminated wholly or in part, as appropriate. The Program Comment completes the Army's compliance responsibilities under NHPA. Installation Section 106 activities should no longer consider Capehart and Wherry-Era family housing, and all efforts to inventory, evaluate, and treat Capehart and Wherry-Era properties for purposes of Section 106 should be terminated. Installations are required to "consider" the Neighborhood Design Guidelines as plans for redevelopment of Capehart and Wherry-Era neighborhoods proceed.

Installations with Properties of Particular Importance: At the three installations that have properties of particular importance – Yuma Proving Ground, Fort Bliss, and Fort Benning – all RCI actions and other management actions can proceed without delay. Any existing PAs and MOAs that involve Capehart and Wherry-Era housing, associated structures and landscape features are superseded by the Program Comment. Installations can terminate any existing PAs or MOAs (or portions thereof) that pertain to Capehart and Wherry Era Housing, because the Army Program Comment fulfills installation NHPA compliance requirements. RCI privatization itself will not impact successful completion of the mitigation. All elements of the mitigation will be completed prior to the Assumption of Operation dates at the installations having current RCI actions. Installations are required to "consider" the Neighborhood Design Guidelines as plans for redevelopment of Capehart and Wherry-Era neighborhoods proceed.

Neighborhood Design Guidelines

One element of the mitigation plan is the development of Capehart and Wherry-Era Neighborhood Design Guidelines, which will provide design recommendations for

neighborhood layout, landscape features, building materials and building scale. Upon completion, copies will be forwarded to each installation with Capehart and Wherry-Era family housing. While the Design Guidelines are not prescriptive, installations are required to “consider” the Guidelines as plans for redevelopment of Capehart and Wherry-Era neighborhoods proceed. For RCI installations, it is recommended that the Guidelines be considered during preparation of the RCI Community Development Management Plans, and for all installations such consideration shall be documented in the associated NEPA documentation for various actions.

Applicability

The Program Comment does not apply to archeological sites, properties of traditional religious and cultural significance to Federally recognized Indian tribes or Native Hawaiian organizations; and/or historic properties other than Army Capehart or Wherry housing, associated structures and landscape features, which might be affected by undertakings to Capehart and Wherry-Era housing, associated structures, and landscape features.