

**Amendment to
Memorandum of Agreement
Among
The Federal Railroad Administration,
Illinois Department of Transportation,
Union Pacific Railroad,
And The City Of Alton
Regarding
Compliance with Section 106 of the National Historic Preservation Act,
As It Pertains to the Proposed
Alton Regional Multimodal Transportation Center,
Alton, Madison County, Illinois**

WHEREAS, the Federal Railroad Administration (FRA) has entered into an American Recovery and Reinvestment Act (ARRA) grant agreement with the Illinois Department of Transportation (IDOT) and a Transportation Investment Generating Economic Recovery (TIGER) grant agreement with the City of Alton (City). The City's grant and part of IDOT's grant shall be used to fund the construction of the Alton Regional MULTIMODAL Transportation Center in Alton, Illinois in Madison County (Project); and

WHEREAS, this undertaking is subject to the provisions of section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), 16 U.S.C. §470f, and its implementing regulations, 36 C.F.R. part 800; and

WHEREAS, a Memorandum of Agreement (MOA) for the Project was executed by the FRA, IDOT, City, Union Pacific Railroad (UPRR), and the Illinois State Historic Preservation Officer (SHPO) May 9, 2013; and

WHEREAS, Stipulation I of the MOA, regarding the preservation of archaeological site 11M2391, which is considered eligible for National Register of Historic Places (NRHP), cannot be fulfilled because of Project design requirements; and

WHEREAS, Stipulation VII of the MOA allows for amendments to the MOA; and

NOW, THEREFORE, the FRA, SHPO, IDOT, City, and UPRR shall ensure that the Project will be implemented in accordance with the following amendment to Stipulation I to ensure that potential effects on archaeological resources are taken into account.

Stipulations

The FRA shall ensure that the following steps will be undertaken for the Project:


I. Archaeological Resources

- A. Because of design requirements, archaeological site 11MS2391 will be adversely impacted by the project. Because site 11MS2391 is eligible for the National Register for the information it contains (Criteria D), it does not require preservation in place. Therefore, the City shall ensure that archaeological data-recovery excavations are completed at site 11MS2391 before any Project construction activities are undertaken.

- B. Before data-recovery excavations can begin at site 11MS2391, the City shall prepare an archaeological data-recovery plan and that plan must be approved in writing by FRA, IDOT and SHPO. The plan shall be developed in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716), and "The Treatment of Archaeological Properties" published in 1980 by the Advisory Council on Historic Preservation. All procedures outlined in the plan and implemented during field investigations shall follow standard IDOT methods, which are delineated in the Illinois State Archaeological Survey (ISAS) 2013 "Field Manual: Standard ISAS Field Procedures for Phase I, II and III Archaeological Investigations."
- C. After data-recovery excavations have been completed, the City must submit to FRA, IDOT and SHPO an executive summary (with maps) detailing the results of the excavations with opportunity to add comment. Site 11MS2391 will be clear for Project construction only after FRA, IDOT and SHPO have agreed in writing that the data potential of the site has been exhausted.
- D. The City will have completed its data-recovery obligations only after a final report has been reviewed and approved in writing by FRA, IDOT and SHPO, and the recovered artifacts, records, photographs, and other documents have been curated at the Illinois State Museum.

Execution of this amendment to the MOA by FRA, SHPO, IDOT, City, and UPRR and the implementation of its terms evidence that FRA has taken into account and resolved the effects of this undertaking on archaeological resources. The amendment will be effective on the date a copy signed by the signatories and invited signatories to the original MOA is filed with the Advisory Council on Historic Preservation.

FEDERAL RAILROAD ADMINISTRATION

By:  Date: May 12, 2014

Name: DAVID VALENSTEIN

SIGNATURES FOLLOW ON SEPARATE PAGES

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

By: Anne E. Haaker Date: 6.24.14

Name: Anne E. Haaker

ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Joseph E. Shacter Date: 6/5/14


Name: Joseph E. Shacter

CITY OF ALTON

By: Brant Walker Date: May 29, 2014

Name: Brant Walker

UNION PACIFIC RAILROAD

By:  Date: 6/20/14

Name: ADRIAN GUERRERO