

INTER-AGENCY AGREEMENT  
BETWEEN THE  
ILLINOIS HISTORIC PRESERVATION AGENCY  
AND THE  
ILLINOIS DEPARTMENT OF MILITARY AFFAIRS  
REGARDING IMPLEMENTATION OF THE  
ILLINOIS STATE AGENCY HISTORIC RESOURCES PRESERVATION ACT

WHEREAS, the Illinois Historic Preservation Agency (IHPA) has been designated as the lead agency responsible for implementation of the Illinois State Agency Historic Resources Preservation Act (Il. Rev. Stat. 1991, chap, 127, para 133c21 et seq.) (the Act); and

WHEREAS, the Illinois Department of Military Affairs (IDMA) is responsible for and participates in undertakings as that term is defined in paragraph 133c23, Section 3(f) of the Act; and

WHEREAS, the Director of the IHPA is authorized under Section 5(d)(3) of the Act to help facilitate state agency compliance with the Act; and

WHEREAS, the Director of the IHPA wishes to enter into an agreement to facilitate compliance by the IDMA with the Act; and

WHEREAS, IDMA is responsible for protecting and preserving archaeological and paleontological resources on public lands owned by IDMA pursuant to the Illinois Archaeological and Paleontological Resources Protection Act (Ill. Rev. Stat. 1991, ch. 127, paras. 133c.01 et seq.);

NOW, THEREFORE, the IDMA and the IHPA concur that this agreement shall be administered in accordance with the following stipulations to satisfy IDMA's responsibilities under both Acts.

1. Personnel and Procedures

A. IDMA shall have, at all times, on its staff at least one person with demonstrated training in federal and state cultural resource compliance statutes that addresses treatment of archaeology, architecture, architectural history, historic architecture, and history in the state of Illinois. At a minimum, training will consist of IHPA's "Section 106 Workshop: Guidelines for the Protection of Historic Property". This person shall be responsible for administering the provisions of this agreement and shall be the designated liaison between IDMA and IHPA.

B. IDMA agrees to establish an internal undertaking reporting procedure. The IDMA inter-agency liaison will forward undertaking notifications and any IHPA requested supplemental documentation of undertakings requiring review to IHPA for review and comment. The liaison will also ensure that adequate records are maintained as evidence of compliance with the Act. As necessary, the liaison shall ensure project coordination with the Illinois Capital Development Board for purposes of the Act.

## 2. Identification and Evaluation

A. IDMA will assist IHPA in identification of buildings, structures, and sites owned, operated, or administered by IDMA which are listed on or are potentially eligible for listing on the National Register of Historic Places (NRHP), by providing photographs, construction dates, and other appropriate information for building, structures, and sites owned, operated, or administered by IDMA.

B. IHPA will evaluate the information provided and identify the buildings, structures, and sites that meet the criteria of the Department of the Interior Regulations 36 CFR Part 60 (National Register of Historic Places), as referenced in the Act.

C. Information on site location and evaluation exchanged between IHPA and IDMA will be kept confidential, and will only be used for planning and compliance purposes outlined in this Agreement as appropriate, and as decided through mutual consent by IHPA and IDMA.

## 3. Archaeology

A. If, during any phase of planning, archaeological investigations, or consultation (which includes discussion of alternatives to the proposed undertaking), it is determined that the proposed undertaking will adversely impact archaeological resources, IDMA reserves the right to discontinue the undertaking. IDMA will notify IHPA of this decision in writing.

B. IDMA reserves the right to cease undertakings at any time.

C. IDMA shall ensure that archaeological investigations and coordination of undertakings required pursuant to the Acts are conducted following the procedures stated below:

i. As early as possible in the planning process, IDMA shall provide the Archaeology Section of IHPA with undertaking narrative, and location and area-of-impact maps. IHPA will review the documents and will determine the need for a Phase I archaeological reconnaissance survey, except for those procedures and undertakings outlined in Section 5 of this Agreement.

ii. IDMA shall ensure that all phases of archaeological reconnaissance survey required by the IHPA pursuant to undertaking review are implemented. This survey shall be conducted in consultation with IHPA and take into account the IHPA Guidelines for Archaeological Reconnaissance Surveys/Reports. A report of the survey findings shall be submitted to IHPA for review and approval.

iii. If, after consultation, IDMA and IHPA determine that no archaeological resources are present in the project area, or that the undertaking will not affect identified archaeological resources, no further work is required. IHPA will provide written notification of their determination to IDMA.

iv. If, after consultation, IDMA and IHPA determine that the undertaking may negatively impact identified archaeological resources, the following procedures will be implemented:

a. A Phase II archaeological investigation will be necessary to evaluate the significance of the archaeological resource. IHPA will assist in preparing a scope-of-work statement for such testing and recommend to IDMA qualified archaeological contractors to perform the work. IDMA will ensure that Phase II investigations have been conducted prior to the 50% project review and the results submitted to IHPA for review and approval prior to the continuation of project planning. Phase II investigations will be monitored by IHPA for conformance with archaeological standards outlined in Section 3.B.ii of this agreement. Results of Phase II investigations must include a recommendation for the eligibility for listing on the NRHP for each archaeological site tested. IHPA will comment on the results of Phase II testing and provide their comments to IDMA in writing within 30 days of receiving the Phase II results.

b. If, after consultation, IHPA and IDMA determine that the archaeological sites are not eligible for listing on the NRHP, no further archaeological work will be required. IHPA will notify IDMA in writing of their determination.

c. If, after consultation, IHPA and IDMA determine that sites eligible for listing on the NRHP occur in the project area and will be adversely affected by the undertaking, IHPA and IDMA will consult to determine appropriate action to mitigate the impact to the archaeological site(s). Mitigation shall include, but will not be limited to, data recovery for archaeological materials and/or preservation in place in a protected environment. Should data recovery be pursued, IHPA will assist in preparing a scope-of-work statement for Phase III investigations and recommend to IDMA qualified archaeological contractors to perform the work. IDMA shall ensure that Phase III investigations are conducted at all archaeological sites determined by the IHPA to be eligible for listing in the NRHP. Phase III investigations will be monitored by IHPA for conformance with archaeological standards outlined in Section 3.B.ii. of this agreement.

d. Results of Phase III investigations will be submitted to IHPA. IHPA will review the results and provide comments to IDMA in writing within 30 days of receiving the Phase III results. If, after consultation, IHPA and IDMA determine that mitigation is complete, and that the archaeological site(s) will not be adversely affected by the project, no further archaeological work will be required.

iv. All archaeological investigations and personnel qualifications shall conform with the archaeological standards and certifications in the Archaeological and Paleontological Resources Protection Act (Ill. Rev. Stat. 1991, ch. 127, paras. 133c.01 et seq.) (APRPA) and the Human Skeletal Remains Protection Act (Ill. Rev. Stat. 1991, ch. 127, paras. 2660 et seq.) (HSRPA).

v. If during an undertaking, archaeological resources are discovered, IDMA agrees that activities affecting the archaeological resource(s) shall be discontinued at the location of the archaeological resource(s) until consultation with the IHPA pursuant to the Act is completed. Notification to the IHPA shall be made within 48 hours of discovery and shall be the responsibility of IDMA.

a. IDMA agrees to establish a system whereby IDMA personnel supervising IDMA undertakings on federal, state, or private property (such as military training operations) are made aware of the stipulations of this section of the agreement.

b. IDMA supervisory personnel will brief all participants in IDMA undertakings on their responsibilities in reporting any archaeological materials that may be encountered during such undertakings. Supervisors will be responsible for notifying the IDMA cultural resource liaison at IDMA as soon as possible should any archaeological material be discovered during an undertaking. Activities impacting newly discovered archaeological sites will be terminated or moved until consultation and evaluation by IHPA has been completed.

vi. This agreement shall be a general permit to conduct archaeological and paleontological investigations on state lands owned, managed, and leased by IDMA as required by APRPA in lieu of the issuance of individual permits when the project is being reviewed by the IHPA pursuant to the Act. The IDMA shall notify all archaeological contractors involved in archaeological investigations, and appropriate IDMA personnel, on such projects that this permit is in effect. IDMA shall ensure that all materials and records resulting from the archaeological investigations are curated at the Illinois State Museum (ISM) pursuant to APRPA and HSRPA.

#### 4. Undertakings Requiring Review

A. Undertakings requiring IHPA review will include, but not be limited to, the following classifications:

i. Rehabilitation. Undertakings having a physical effect on buildings, structures, or sites included on or eligible for listing on the NRHP shall be rehabilitated in accordance with the recommended approaches of the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Standards).

ii. Additions. Additions to existing structures included on or eligible for listing on the NRHP shall be designed to adhere to the Standards and National Park Service Preservation Brief #14, "New Exterior Additions to Historic Buildings".

iii. Demolitions. If an undertaking requires demolition of all or any part of buildings or structures included on or eligible for listing on the NRHP, IDMA will provide IHPA with the following information concerning the proposed demolition.

- a. Reasons for demolition of the buildings or structures;
- b. Alternatives considered, including reasons for their rejections;
- c. Current photos of the buildings or structures demonstrating their present condition;
- d. Structural report including rehabilitation cost.

If IHPA agrees to demolition, the property will be documented in accordance with Illinois Historic American Buildings Survey and Historic American Engineering Record (IL HABS/HAER) Standards in consultation with IHPA, and the documentation will be accepted by IHPA in writing prior to demolition.

If IHPA disagrees with the need for the proposed demolition, the rules in 17 Ill. Adm. Code 4180.400 shall be followed.

iv. New construction and site development.

v. Land and building acquisition and disposal. Any land or buildings acquired or disposed of by IDMA shall be reviewed for their potential eligibility for listing on the NRHP.

vi. Agricultural leases or IDMA agricultural activities.

- B. Documentation required by IHPA for review procedures.
  - i. Location map.
  - ii. Site plan.
  - iii. Photos of principle elevations and specific work areas to be rehabilitated or added to.
  - iv. Scope of work statement/project description.
  - v. Description of any previous disturbance to the area.

5. Undertakings having no effect.

A. The following undertakings that take place on public and private lands will be considered to have no effect on historic resources, as defined in the Act, and on archaeological resources, as defined by APRPA.

1. Rehabilitation or alteration to buildings or structures constructed after 1947, unless those properties are listed on the NRHP.
2. Utilities repair and alteration; to include water, sewer, electrical, steam distribution, telecommunication, heating fuel, radio, television, and video/electronic security systems in a previously disturbed right-of-way.
3. Heating, ventilation, air conditioning (HVAC), communication network, and security systems maintenance undertakings not affecting the exteriors of buildings or structures.
4. Sidewalk, street, gutter, bikeway, vehicle parking repair and realignment within previously disturbed right-of-ways.
5. Upgrade or repair of internal fire/smoke detection, communication, security, electrical, and external fencing systems.
6. Landscape maintenance that will not hide or detract from the historical features of the area.
7. All maintenance caulking and painting of previously painted surfaces as long as colors specified match as close as possible to the original or existing colors and it does not detract from the historical significance of the property.

8. The installation of exterior or interior storm windows which completely fill the existing opening (no filler panels to be used); the method of operation and meeting rail of the storm unit will align with that of the existing window or, on the interior, a fixed piece of glazing with no intermediate members will be installed; the colors of the storm units will match that of the existing adjacent members.
9. Replacement or modification of non-original lighting fixtures or systems that will not alter or detract from the historical significance of the surrounding features.
10. Replacement in kind of all materials as required for maintenance purposes.
11. Utility line construction or rehabilitation with width equal to or less than one meter.
12. Grounds maintenance including mowing, pruning, seeding and any other non-ground disturbing activities.
13. Construction of lanes, paths, or other facilities where such construction takes place within existing public rights-of-way.
14. Work on existing roads in urban areas where no more than 10 feet of additional right-of-way, or in rural areas where no more than 15 feet additional right-of-way, is required on either side of the road.
15. Projects that do not involve structures and are less than 2.5 acres in size.
16. Road widening equal to or less than one meter on either side of existing road bed.
17. Sanitary facilities and gray water discharge to include shallow burial by individuals to primitive pit type of toilets to be filled and put back to near original condition.
18. Defense emplacements including fox holes, bunkers and gun emplacements, not to exceed 2.5 acres of impact at any given project location.
19. Wheeled vehicle maneuvering cross country, excluding stream crossings.
20. Post hole and fencing construction.
21. Removal of soil due to contamination from a spill of petroleum or petroleum-like products.
22. Utility line construction or rehabilitation with width equal to or less than one meter.

23. Project areas where previous archaeological assessments have determined either no or nonsignificant resources are present and have been reviewed and approved by the IHPA post 1992.

24. Projects within areas of documented land disturbance and not involving structures, and having no potential for buried archaeological resources. IDMA will consult with IHPA when activities that may satisfy this criteria are to be implemented.

25. Other. Any activity that does not constitute removal of soil greater than 8 inches below the surface over an area less than 2.5 acres. IDMA will consult with IHPA when activities that may satisfy this criteria are to be implemented. IDMA will keep a list of such activities and these will be reviewed for possible amendment to this Agreement during the Agreement review period outlined in Section 9.A.

B. For undertakings that take place on public land, as defined in APRPA, IDMA agrees undertakings 11, 14, 15, 16, and 25 from Section 5.A that are considered to have no effect, shall not occur within 15 meters of within previously known historic resources, including historic districts, historic sites, archaeological resources, and known human burial sites or grave markers as defined in HSRPA.

C. To ensure that undertakings listed in Section 5.B. above, and all other undertakings that have a potential to impact archaeological resources not listed in Section 5.A., do not adversely impact archaeological resources on public land, IDMA agrees to provide IHPA with all documentation required in Section 4.B. of this Agreement for each undertaking until one of the following conditions are met for the project area:

The project area has been reviewed at least once by IHPA, and IHPA has provided comments indicating that no historic resources or archaeological resources sites will be adversely affected by the project;

IDMA has provided IHPA with documentation outlined in Section 2.A. of this Agreement and IHPA has provided an inventory of historic resources and archaeological resources for the project area under review, or;

IDMA has established a procedure with the Illinois State Museum to access the Illinois Geological Information System (IGIS) to obtain locations of archaeological sites on IDMA land for the project area.



D. For all undertakings on public lands that IDMA does not submit to IHPA for review, IDMA will keep a project log containing, at a minimum, undertaking description and justification for IHPA review exemption when an undertaking is associated with a building that is listed, or is eligible for listing, on the NRHP (Attachment A contains the listed, and eligible for listing, properties as of the date of signing of this Agreement), or when there is a potential for impact to archaeological resources. This log shall be open for IHPA review upon request.

6. Monitoring and oversight.

A. IDMA shall maintain undertaking files for a period of two years after undertaking completion, for undertakings performed pursuant to the Agreement. These undertaking files shall be kept current and available for IHPA review at any time. After two years the undertaking files may be destroyed, unless an undertaking is ongoing, or the retention of files is deemed necessary by IDMA.

B. Periodically, IHPA shall perform on-site inspections of the undertakings and review undertaking files to ensure adherence with this Agreement.

7. In instances where IDMA will be coordinating with other state and/or federal agencies for permitting, funding, and/or use of public lands, IDMA will proceed with the provisions of this Agreement, and, when that undertaking requires IHPA review pursuant to the stipulations in the Agreement, notify IHPA that coordination with the other agencies has been initiated. For undertaking requiring IHPA review, IDMA will specify which agency is to be the lead agency in consultation with IHPA for the appropriate cultural resource compliance laws.

8. Undertakings associated with emergency activities shall proceed pursuant to Section 4(g) of the Act. An undertaking that is necessary to prevent an immediate and imminent threat to life or property shall be exempt from the requirements of this Act. Where possible, IHPA shall be consulted in the determination of the exemption. To the greatest extent possible, IDMA shall informally consult with IHPA to take historic resources into account during emergency action. In all cases, IDMA shall provide IHPA with a statement of the reasons for the exemption and stipulate what attempts were made to consider historic resources. IHPA shall have an opportunity to comment on the exemption and action taken. The statement and the comments shall be included in the review period of this Agreement as a guide to future actions.

9. General provisions.


A. The Agreement shall remain in effect for state fiscal years 1993-1996. At that time it shall be reviewed for possible modification and exemption addition and/or deletion.

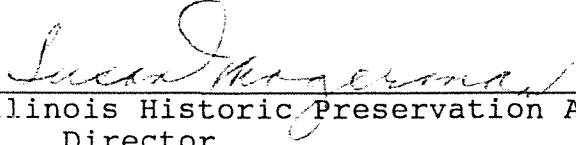
B. The Agreement may be modified or amended in whole or in part at any time during its term, provided IHPA and IDMA mutually agree to modifications or amendments in writing.

C. If any portion of the Agreement is found to be invalid by a court of competent jurisdiction or by subsequent action of the General Assembly, the remaining parts of the Agreement shall remain in full force and effect.

D. The Agreement may be revoked by either party at any time provided 90 days notice is given to the other party. In such instance, the regular procedures for compliance in accordance with Title 17, Chapter 6, Section 4180 of the Illinois Administrative Code shall apply.

10. Execution of the Agreement and carrying out of its terms evidences IDMA has initiated adequate procedures for compliance with the Illinois State Agency Historic Resources Preservation Act.

 Nov 30, 1992  
Illinois Department of Military Affairs      Date  
Adjutant General

 Nov 30, 1992  
Illinois Historic Preservation Agency      Date  
Director

APPENDIX A

Military Affairs buildings eligible for listing on the National Register of Historic Places.

Evaluated from photo survey dated January 9, 1992.

<u>NAME</u>	<u>CDB INVENTORY NUMBER</u>
1. Cairo Armory	H0200
2. Carbondale Armory	H0300
3. Champaign Armory	H0400
4. Chicago Avenue Armory	H0501
5. Chicago Broadway Armory	H0503
6. Chicago General Jones Armory	H0505
7. Chicago Northwest Armory	H0504
8. Chicago Midway Armory	H0503
9. Danville Armory	H0600
10. Decatur Armory	H0700
11. Delavan Armory	H0800
12. Dixon Armory	H0900
13. Elgin Armory	H1200
14. Galesburg Armory	H1400
15. Lawrenceville Armory	H1900
16. Monmouth Armory	H2300
17. Monmouth OMS/Garage	H2301
18. Mt. Vernon Armory	H2400
19. Peoria Armory/OMS	H2700
20. Pontiac Armory	H2800
21. Rockford Armory	H3100
22. Rockford OMS	No Number
23. Rock Island Armory	H3200
24. Salem Armory	H3300
25. Streator Armory	H3500
26. Sycamore Armory	H3700
27. Urbana Armory	H0401
28. Waukegan Armory	H3800
29. Woodstock Armory	H0507