

PROGRAMMATIC AGREEMENT
BETWEEN THE NAVAL TRAINING CENTER, GREAT LAKES, ILLINOIS,
OF THE U.S. DEPARTMENT OF THE NAVY,
AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
FOR OPERATION, MAINTENANCE, AND DEVELOPMENT UNDERTAKINGS
AT THE NAVAL TRAINING CENTER,
GREAT LAKES, ILLINOIS

WHEREAS, the United States Department of the Navy (Navy) has determined that operation, maintenance, and development undertakings at the Naval Training Center (NTC) Great Lakes may have an effect upon the NTC Historic District, Great Lakes, which is listed on the National Register of Historic Places and properties that are eligible for listing on the National Register of Historic Places, and

WHEREAS, the Navy has consulted with the Illinois State Historic Preservation Officer (SHPO) pursuant to Section 800.14 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) to develop a Programmatic Agreement regarding the review of operation, maintenance, and development undertakings at NTC; and

WHEREAS, the Navy has completed Integrated Cultural Resource Management Plans (ICRMPs) for both the Recruit Training Command and the Mainside Areas of the Center, and

WHEREAS, the ICRMPs have created recommended processes and procedures for Section 106 compliance which have been reviewed and accepted by both the Navy and the SHPO,

NOW THEREFORE, the Navy and the SHPO agree that operation, maintenance, and development undertakings shall be administered in accordance with procedures established in the ICRMP's and the following stipulations to satisfy the Navy's Section 106 responsibilities for such undertakings:

STIPULATIONS

The Navy shall ensure that the following are carried out:

- I. NTC shall implement the Recruit Training Command ICRMP and the Mainside ICRMP in lieu of compliance with 36 CFR Part 800.
- II. NTC shall pursue the following guidelines when a project is determined to be an undertaking. The consequent guidelines are also found in the Recruit Training Command and the Mainside ICRMPs.
 - A. Definition of NTC Undertakings.

An undertaking, as defined in 36 CFR § 800.16(y), "means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency."

B. Undertakings that may affect Cultural Resources.

The following activities conducted by NTC have been identified as having the potential to affect cultural resources and thus must be classified as undertakings and are subject to the review and compliance process:

1. Regular building maintenance and repair that does not take into account the historic character of the building or site in matching material, size, dimension, or color.
2. Activities required by or undertaken to comply with the Americans with Disabilities Act.
3. Interior rehabilitation of NRHP eligible buildings that affects exterior appearance.
4. Ground disturbing activities, such as but not limited to landscaping, laying foundations for new facilities, construction for new utility/water/sewage lines, construction of new roads/paved surfaces or temporary access roads to work sites, and the grading and regrading of existing terrain.
5. Modifications to existing historic buildings or buildings adjacent to historic buildings, such as but not limited to additions, interior and exterior alterations, demolition, and the replacement of materials and features.
6. Current and future military training activities.
7. Removal of earth from NTC lands for use as fill dirt.

C. Undertakings that will not affect Cultural Resources.

Certain activities carried out at NTC on a routine basis have no effect on cultural resources and are thus exempt from consideration from the

compliance process. These activities may proceed without notice to the SHPO or the Advisory Council on Historic Preservation (the "Council") and consist of the following:

1. Sidewalk, street, and gutter repair as long as these activities are confined to existing sidewalks, streets, and gutters and no ground-disturbing activities are planned.
 2. Work or new construction that is (a) not immediately adjacent to a historic property eligible for the NRHP or (b) in areas designated as not requiring additional survey work.
 3. Maintenance of existing landscaping and trees. This includes care of lawns and shrubs over NRHP eligible archaeological sites.
 4. Interior rehabilitation of NRHP eligible buildings if there are no significant interior architectural features and the rehabilitation will not affect the exterior appearance of the building. Areas of significant interior architectural features include the first and second floors of Building 1 and the first floor of Building 3 hallways, because they present much of the décor and beauty of the original construction.
 5. Minor, in-kind repair or replacement of building or site features, elements, or materials of NRHP eligible buildings such that original/significant historic fabric is matched in material, size, dimension, color, texture, finish, construction details, and all other visual qualities.
 6. Modification to heating, ventilation and air conditioning (HVAC), plumbing, or electrical systems provided that such work does not affect the exteriors or significant interior features of NRHP eligible buildings.
 7. Ground-disturbing activities in areas that have received adequate archaeological surveys with provisions for unexpected discoveries.
- III. NTC shall prepare an annual report on its implementation of the ICRMPs and provide this report to the SHPO for review, comment, and/or consultation as needed.
- IV. NTC shall update the ICRMPs on a five-year (5) basis to ensure continuing compliance and accommodate new data.

- V. NTC shall ensure that all reports on activities carried out pursuant to this agreement are provided to the SHPO, and upon request, other interested parties.
- VI. The Base Historic Preservation Officer at NTC shall ensure that all cultural resource activities carried out pursuant to this Agreement are conducted by or under the direct supervision of a qualified individual(s) as set forth in the Secretary of the Interior's Historic Preservation Professional Qualification Standards dated June 12/1007 and published at 62 FR 33708-01.
- VII. This Agreement shall be in effect for ten (10) years from the date of its execution. Before the end of the fifth (5th) year, the Agreement shall be reviewed by the Navy and the SHPO for possible modifications, termination, or extension. The parties then would indicate, by letter, that a review was accomplished, agreeing to its continuation.
- VIII. The Navy Public Works Officer shall retain documentation for all operation, maintenance, and development undertakings, specifically all undertakings with the potential to affect NRHP registered or NRHP eligible buildings, or known or unknown archeological sites, for a period not less than two years or as established by the Navy, which ever is greater after completion of the undertaking. This documentation shall include photographs showing existing conditions prior to the project start, work description, and photographs of the completed project.

The SHPO may perform on-site review of completed projects to ensure compliance with this Agreement. The Public Works Officer shall be notified in writing, thirty (30) days prior to an on-site review and the review shall not exceed one (1) day in duration. this notification will include projects to be reviewed. Within thirty (30) days of the on-site review, the SHPO will provide the Public Works Officer a summarized report of findings. All other visits must be coordinated with the Public Works Officer.

A report summarizing historic and archeological resource projects shall be provided to the SHPO and the Council annually. Summaries of the work accomplished in each project shall be approximately one concise paragraph.

The SHPO may provide training to the Public Works Officers and other base officials on the Navy's responsibilities pursuant to Section 106 of the NHPA.

- IX. Should any party to this Agreement object to any actions proposed in relation to an undertaking pursuant to this Agreement, the Navy shall consult with the objecting party to resolve the objection. If the Navy determines that the objection cannot be resolved, it shall request the further comments of the Council pursuant to 36 CFR Section 800.6(b). Any Council comment provided in response to such a request shall be taken into account

by the Navy in accordance with 36 CFR Section 800.6(b)(2) with reference only to the subject of the dispute; the responsibility of the Navy to carry out all actions under this Agreement that are not the subject of the dispute shall remain unchanged. If any of the parties to this Agreement believe that the terms of the Agreement cannot be carried out, or that an amendment to the terms of the Agreement is required, that party shall immediately notify the other parties and request consultation to amend this Agreement. The process of amending the Agreement shall be the same as that exercised in creating the original Agreement.

- X. All requirements set forth in this Agreement requiring the expenditure of Navy funds are expressly subject to the availability of appropriations and the requirements of the Anti-Deficiency Act (31 U.S.C. § 1341). No obligation undertaken by the Navy under the terms of this Agreement shall require or be interpreted to require a commitment to expend funds not appropriated for a particular purpose. If the Navy cannot perform any obligation set forth in this Agreement due to the unavailability of funds, the Navy, the SHPO, and/or the Council intend the remainder of the Agreement to be executed. Any obligation under the Agreement which cannot be performed due to the unavailability of funds, must be renegotiated between the Navy, the SHPO, and the Council.

Execution of this Agreement and carrying out its terms evidences that the Navy has satisfied its Section 106 responsibilities for all individual undertakings of the program addressed herein.

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

By: 
Illinois State Historic Preservation Officer

Date: 10-7-02

UNITED STATES DEPARTMENT OF THE NAVY

By: _____

Date: _____

A. E. RONDEAU
Rear Admiral, U. S. Navy
Commander
Naval Training Center, Great Lakes, Illinois

Accepted By:

By: _____

Date: _____

Executive Director, Advisory Council on Historic Preservation (ACHP)