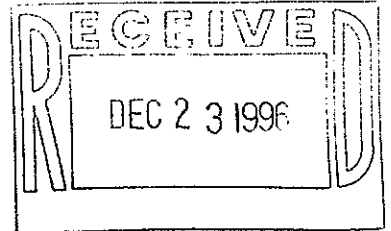


**Advisory
Council On
Historic
Preservation**



The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

NOV 25 1996

Ms. Connie S. Griffin
Program Manager
Community Development Division
City of Bloomington
P.O. Box 3157
Bloomington, IL 61702-2802

RE: Programmatic Agreement for the City of Bloomington's CDBG program

Dear Ms. Griffin:

Enclosed is your copy of the City of Bloomington's Programmatic Agreement which has been executed by the Council. Implementation of the terms of the agreement completes the requirements of Section 106 of the National Historic Preservation Act and the Council's regulations. A copy of the Agreement has also been sent to the Illinois State Historic Preservation Officer (SHPO).

Should you have any questions, please contact Rebecca J. Rodgers, AICP, at (202)606-8531. We appreciate your continued cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom L. Klima". The signature is stylized and somewhat illegible due to the cursive nature of the writing.

Tom L. Klima
Director
Office of Planning & Review

Enclosure

**PROGRAMMATIC AGREEMENT
BLOOMINGTON, ILLINOIS
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the City of Bloomington, Illinois (City), a Certified Local Government has determined that the proposed implementation of its Community Development Block Grant (CDBG), with funds from the Department of Housing and Urban Development (HUD), will have an effect on properties included in or eligible for inclusion in the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations, "Protection of Historic Properties" (36 CFR part 800), and

WHEREAS, the Bloomington Historic Preservation Commission (BHPC) staff, which is provided by the City Planner in the Department of Planning and Code Enforcement (PACE), has participated in the consultation and has been invited to concur in this agreement.

NOW, THEREFORE, the City, the Illinois State Historic Preservation Officer (ISHPO), and the Council agree that these programs shall be administered in accordance with the following stipulations to satisfy the City's Section 106 responsibilities for all individual undertakings in the program.

STIPULATIONS

The City will ensure that the following measures are carried out.

A. Identification

1. The City will continue to survey its historic properties and forward information on locally significant properties to the Illinois SHPO for possible inclusion in the Illinois Historic Sites Survey.
2. Properties over 50 years old that are to receive funding under these programs and are not included in or eligible for the National Register, listed as contributing buildings within a historic district or included in the Illinois Historic Site Survey will be evaluated in consultation with the BHPC staff to determine eligibility.

3. When the City CDBG program staff and BHPC staff disagree about the eligibility of a property, a formal determination of eligibility will be requested from the Keeper of the National Register in consultation with the ISHPO.

B. Rehabilitation Loan/Grant Programs

1. Plans for all residential loans and/or grants, for structures listed or eligible for inclusion on the National Register, and for structures which contribute to National Register of Historic Places Historic Districts, shall be designed in accordance with the recommended approaches in the Secretary of the Interior's "Standards for Rehabilitation".

2. Plans and photographs of these structures will be submitted to the ISHPO for review and approval to insure adherence to these Standards.

3. Loans and/or Grants for properties not in one of the categories above may proceed without further ISHPO review.

4. Loans for code work, upgrading mechanical systems and replacement in kind for any structures may proceed without further ISHPO review.

C. Demolition

1. The City will notify the ISHPO, in writing, of the proposed demolition of non-contributing buildings within historic districts and buildings adjacent to properties included in and eligible for inclusion in the National Register. Plans for future redevelopment activities, on cleared sites, will be forwarded to the ISHPO for review and comment prior to the initiation of construction activities.

2. Demolition of properties that are included in or eligible for inclusion in the National Register, listed as contributing buildings within an historic district or included in the Illinois Historic Sites Survey, will be reviewed by the ISHPO on a case-by-case basis. The City will submit the following documentation for review:

a. Location (including map) and description of the property proposed for demolition.

b. Reasons for demolition, including documentation of building code violations, structural reports citing building deficiencies and estimated cost for rehabilitation.

c. A cost comparison of rehabilitation and property acquisition and demolition.

d. Current photographs of each elevation.

3. Within fifteen working days after receipt of adequate documentation, the ISHPO will concur or object to the proposed demolition. If the ISHPO concurs in the demolition, the National Park Service (HABS) will be contacted by the City to determine the level of documentation that will be required. Documentation must be completed and accepted by HABS prior to demolition. The ISHPO will specify any other mitigation measures, if any, and provide an information copy of their concurrence to the demolition to the Council.

4. If the ISHPO objects to the demolition, the City will request the comments of the Council as set forth in 36 CFR Part 800.

5. Where demolition of a property included in or eligible for inclusion in the National Register, listed as a contributing building within a historic district or included in the Illinois Historic Sites Survey, is needed to eliminate a significant public safety hazard in accordance with local ordinances, the City will adhere to 36 CFR Part 800.12.

D. Acquisition

1. Any acquisitions may proceed with notification to the ISHPO.

2. Prior to disposition or demolition, the City shall consult with the ISHPO to ensure adequate measures are taken to prevent adverse effects.

E. Capital Improvements

1. Activities such as wheelchair ramps, sewer repairs, road improvements, curb and gutter replacements, vault filling, sidewalk improvements, and

landscaping, which are carried out outside historic districts or are not adjacent to National Register properties, may proceed without further ISHPO comment.

2. Above mentioned capital improvements, which are replacement in kind within historic districts or adjacent to National Register properties, may proceed without further ISHPO comment.

3. Documentation for projects, which occur within historic districts or adjacent to National Register properties that are not replacement in kind, will be sent to the ISHPO for review and comment to insure compliance with the Secretary of the Interior's "Standards for Rehabilitation".

F. Monitoring

1. The City shall retain documentation, including work write-ups and before and after photographs, for all activities carried out pursuant to this agreement.

2. Annually, a report summarizing activities carried out pursuant to this agreement shall be sent to the ISHPO for review and comment.

3. From time to time, the ISHPO will review the files of the Bloomington CDBG program to ascertain compliance with this agreement and discuss the adequacy of its conditions.

4. Nothing in this agreement shall be construed as meaning that the City cannot request advice or assistance of the ISHPO at any time.

G. Dispute Resolution

Should the ISHPO object within thirty (30) days to any plans provided for review, specifications provided, or actions proposed pursuant to this Agreement, the City shall consult with the ISHPO to resolve the objection. If City determines that the objection cannot be resolved, the City shall request the further comments of the Council pursuant to 36 CFR Part 800.6(b). Any Council comment provided in response to such a request will be taken into account by the City in accordance with 36 CFR Part 800.6(c)(2) with

reference only to the subject of the dispute; the City's responsibility to carry out all actions under this Agreement that are not subjects of the dispute will remain unchanged. (Note: Time frames are up for negotiations. 30 days is the norm)

H. Review of Public Objections

At any time during implementation of the measures stipulated in this Agreement, should any objection to any such measure or its manner of implementation be raised by a member of the public, the City shall take the objection into account, notify the ISHPO of the objection, and consult as needed with the objecting party, the ISHPO, or the Council to resolve the objection as needed.

I. Public Participation

At a minimum, the City shall elicit the comments of the general public on any projects which may initiate the need for a review by placing the proposed project on the agenda of the Bloomington Historic Preservation Commission. All Bloomington Historic Preservation Commission meetings are public meetings under the Open Meetings Act. All public hearings will be published as such by placing a public notice in the legal section of a newspaper of general circulation, in this case The Pantagraph, at least seven (7) days before the date of the public hearing. A contact name, address and telephone number will be included in the public notice for those interested persons who request additional information prior to the public hearing.

J. Renewal

This Agreement will continue in force for Federal Fiscal Years 1997-2002. Within one year of ratification, the Agreement will be reviewed by the City and the Illinois SHPO for possible modifications, termination, or extension. At the request of any of the parties, this Agreement may be reviewed for possible modification or termination at any time.

Execution of this Programmatic Agreement and carrying out its terms evidences that the City has satisfied its Section 106 responsibilities for all individual undertakings of these programs.

Advisory Council on Historic DATE
Preservation

Joseph Brant 10-23-96
Mayor, City of Bloomington, IL DATE

Anna E. Hart 10-28-96
Illinois State Historic DATE
Preservation Office

Concur:

Kenneth A. Emmons 10-24-96
Bloomington Historic DATE
Preservation Commission,
City Planner