

*Rete Franck*



# Illinois Department of Transportation

Office of the Secretary  
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**ILLINOIS DEPARTMENT OF TRANSPORTATION**  
**RECEIVED**  
**AUG 31 1990**  
**BUREAU OF LOCATION AND ENVIRONMENT**

August 27, 1990

MEMORANDUM TO DIRECTOR MICHAEL J. DEVINE, ILLINOIS HISTORIC PRESERVATION AGENCY

SUBJECT: Historic Preservation Agreement

Enclosed is a copy of the signed agreement between our agencies which streamlines the HPA review process. Copies of the signed agreement have also been forwarded to the IDOT Divisions affected by the agreement.

Thank you for the cooperation of HPA's Preservation Services Division in working with us to develop the schedules for exclusions.

RECEIVED

AUG 31 1990

*Michael P. Lane*  
Michael P. Lane  
Secretary

ENVIRONMENT

Enclosure

bcc: Secretary Lane  
Harold Monroney  
Robert Coverdale  
Donald Vonnahme  
Linda Wheeler  
Ralph Wehner  
Kirk Brown  
Dan Dees  
John Tweedt  
Donna Ley  
Merrill Travis  
Bob York  
Keith Sherman

Attn: Terry Schaddel  
Attn: Bruce Barker  
Attn: Steve Schindel  
Attn: Matthew Macchio

Attn: Rich Christopher

Attn: Jerry Isenburg  
Attn: Dick Smith

## AGREEMENT

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 (the Act) (ILL. REV. STAT. ch. 127, par. 133c21 et seq.); and

WHEREAS, the Director of IHPA has been designated as the State Historic Preservation Officer (SHPO) by Section 3(a) of the Act and pursuant to Section 101(b)(1)(A) of the National Historic Preservation Act of 1966 (NHPA) (16 USC 470a et seq.); and

WHEREAS, the Illinois Department of Transportation (IDOT) is responsible for and participates in "undertakings" as that term is defined in Section 3(f) of the Act some of which are also reviewed by the SHPO pursuant to Section 106 of NHPA; and

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

WHEREAS, the Secretary of IDOT wishes to enter into an agreement to facilitate compliance by IDOT with the Act;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Prior agreements between IHPA and IDOT's Division of Highways pertaining to classes of actions having no effect on resources protected by NHPA shall remain in effect and be unchanged by this AGREEMENT.
2. The agreement dated November, 1989 between IDOT's Division of Highways and IHPA pertaining to classes of actions exempt from review as "undertakings" under the Act is hereby repealed.
3. The attached Schedules list classes of actions which shall be considered to have no effect and need not be reviewed under the Act.
4. IDOT has and will continue to have personnel qualified to review actions taken to determine whether those actions fit within the classes of actions listed in the attached Schedules.
5. IDOT will keep a record of such review to be occasionally monitored by the IHPA.
6. It is understood that the attached classes of action shall not occur adjacent to or within previously known historic resources as defined by the Act including historic districts, historic sites, and archaeological resources.
7. During construction, if any historic resources are discovered, IDOT agrees that construction activities that would affect the historic resource shall be discontinued until consultation with the SHPO pursuant to the Act is completed.

8. This AGREEMENT may be modified or amended in whole or in part by the mutual written consent of IHPA and IDOT. If any part of this AGREEMENT is found to be invalid by a court of competent jurisdiction or by subsequent action of the General Assembly, the remaining parts of this AGREEMENT shall remain in full force and effect.

*Michael Devine by  
Susan Rogerson*  
\_\_\_\_\_  
Director  
Illinois Historic Preservation Agency

Date Aug. 14, 1990

*[Signature]*  
\_\_\_\_\_  
Secretary  
Illinois Department of Transportation

Date Aug. 27, 1990

SCHEDULE A - DIVISION OF HIGHWAYS

- \* Replacement of rural bridges at existing locations where no more than one acre of right-of-way is required to accomplish the project, except for highway bridges either 40 or more years old or not specifically exempted by other Memoranda of Agreement between IDOT and the IHPA.
- \* Traffic signal modernization.
- \* Construction of lanes, paths, or other facilities built for use by bicyclists or pedestrians, where such construction takes place within existing public rights-of-way.
- \* The following actions:
  - Work on existing roads in urban areas where no more than 10 feet of additional right-of-way is required on either side.
  - Work on existing roads in rural areas where no more than 15 feet additional right-of-way is required on either side.
- \* The following permits:
  - Permits for ingress and egress by owners and occupants of property abutting State highways.
  - Permits for locating, placing, or constructing utilities over, under, or along State highways.
  - Permits for drainage outlets on rights-of-way under the control of the IDOT.

## SCHEDULE B - DIVISION OF PUBLIC TRANSPORTATION

- \* Purchase or rehabilitation of rolling stock.
- \* Equipment purchases and installation.
- \* Replacement/installation of railroad crossing signal systems.
- \* Rebuild/resurface an existing parking lot as long as no enlargement occurs.
- \* Construction of bus turnouts of less than one acre on existing right of way.
- \* Construction of bus layover facilities of less than one acre on existing right of way.
- \* Construction of passenger stations/shelters of less than one acre on existing property where no demolition occurs.
- \* Construction of sidewalks on existing right of way.
- \* Parking deck replacement or expansion (vertical).
- \* Underground fuel storage replacement/installation on transit property.
- \* Rehabilitation work done on existing facilities less than 40 years old (garages, stations, rail yards, buildings, structures, electrical, signal, and communication systems.
- \* Replacement of ballast, ties and rail on existing right of way.
- \* Replacement of bridges less than 40 years old where no more than one acre of new right of way is required.
- \* Construction of pedestrian canopies.
- \* Engineering/planning studies for the classes of action included above.

## SCHEDULE C - DIVISION OF AERONAUTICS

- \* Overlays of runways, taxiways, holding pads, aprons or parking lots and on-site access roads.
- \* Realigning existing Navigational Aids including Glide Slopes, Localizers, Non-Directional Beacons, Automatic Weather Observation Systems (AWOS), Runway Visual Range (RVR), all forms of Runway Approach Slope Indicator Lights, Precision Approach Path Indicators and Runway End Identifier Lights. Also non-aviation lighting such as auto parking and entrance road lighting.
- \* Installation of Airport Navigational Aids such as Glide Slopes, Localizers, Non-Directional Beacons, Runway Visual Range (RVR) and Automatic Weather Observation Systems (AWOS).
- \* Removal of obstructions to adhere to Federal Aviation Regulation (FAR) Part 77 such as towers, trees, telephone poles, power lines and similar as long as the action does not require the removal or relocation of any building or structure and or cause ground disturbance.
- \* Demolition, reconstruction or relocation of terminal buildings, aircraft hangar space (community, "T" hangars etc.), airport maintenance buildings, Air Traffic Control Towers, Crash/Fire/Rescue Buildings and training areas, Fixed Base Operator Buildings and hangars, Corporate Hangar facilities and fueling farm facilities (including removal of tanks) that are 40 years of age or less, and result in no ground disturbance.

SCHEDULE D - OFFICE OF PLANNING AND PROGRAMMING, BUREAU OF RAILROADS

- \* Rehabilitation or reconstruction of railroad lines within existing rights-of-way.
- \* In kind rehabilitation and maintenance of railroad bridges within existing rights-of-way.
- \* Rural railroad spur or connection construction projects which require less than one total acre of new right-of-way.
- \* Creation of new railroads in urban areas outside of existing historic districts where no right-of-way acquisition is necessary or is not within 50 feet of a standing structure, building or object.
- \* Replacement of a former railroad line on its former right of way.
- \* Replacement of railroad bridges less than 40 years old where no more than one acre of new right of way is required.
- \* Replacement of railroad passenger stations less than 40 years old.
- \* Rebuilding/resurfacing an existing parking lot as long as no enlargement occurs.
- \* Construction of passenger shelters/stations of less than one acre on existing railroad property where no demolition occurs.
- \* Rehabilitation/replacement in kind of such items as gutter systems; roof elements and chimneys; foundation repair; canopies; railings; wheelchair ramps; and lighting on all existing facilities.
- \* Rehabilitation/installation of electrical work; heating and ventilation systems; and plumbing on existing facilities.
- \* Replacement of missing or damaged glass, caulking, painting and paint removal at all properties.
- \* Parking deck replacement or expansion (vertical).

SCHEDULE E - DIVISION OF WATER RESOURCES - CAPITAL

- \* Clearing, snagging, bank stabilization (without bank reshaping), dredging, or other repair of improved channels within existing right-of-way to restore to original "as built" conditions. The class does not include associated borrow areas or spoil sites.
- \* Widening or raising existing floodwalls and levees and deepening or widening existing urban stormwater or floodwater channels where 15 feet or less of additional right-of-way is required on each side. This class does not include associated borrow areas or spoil sites.
- \* Replacement, modification, rehabilitation, or removal of locks, dams, spillways, pumping stations, docks, bulkheads, breakwaters, headwalls, culverts, sluice gates, flap gates, floodgates, and buildings less than 40 years old within existing rights-of-way.
- \* Replacement or modification of mechanical, electrical, or hydraulic systems at operating locks, dams, reservoirs and pumping stations within existing structures and rights-of-way to maintain service and safety. For systems over 40 years old, replacement or rehabilitation "in kind."
- \* Construction of a Channel improvement, levee, floodwall, reservoir, pumping station, conduit, diversion structure, or other flood control project in an urban area where no right-of-way acquisition is necessary or is not within 50 feet of a standing structure over 40 years old.
- \* Land leases where no structures are present or allowed or do not involve construction or changed land use.

SCHEDULE F - DIVISION OF WATER RESOURCES - REGULATORY

- \* Private development construction of bridges over rural streams with drainage areas between 10 and 25 square miles where the construction area is less than one acre pursuant to Statewide Permit #2.
- \* Construction of deadmen, pier cells, and similar mooring facilities which are used for barge fleeting pursuant to Statewide Permit #3.
- \* Construction of aerial utility crossings over Illinois rivers, lakes and streams pursuant to Statewide Permit #4.
- \* Construction of minor, non-obstructive floodway activities within the floodway of Illinois rivers, lakes and streams pursuant to Statewide Permit #6.
- \* Construction of outfalls within public bodies of water and within the floodways of streams draining 10 square miles or more in rural areas or 1 square mile or more in urban areas pursuant to Statewide Permit #7.
- \* Construction of pipelines and utility crossings beneath streams within the Department's jurisdiction pursuant to Statewide Permit #8.
- \* Construction of minor shoreline and streambank protection activities pursuant to Statewide Permit #9.
- \* Construction of accessory structures and additions to existing residential structures in regulated floodways pursuant to Statewide Permit #10.
- \* Minor maintenance dredging pursuant to Statewide permit #11.
- \* Construction of boat launching facilities pursuant to General Permit #6.
- \* Private development construction of replacement bridges less than 40 years old having the same or larger waterway openings with no history of flood damages.
- \* Construction of temporary stream crossings pursuant to General Permit #8.