

Memorandum of Agreement

FAP 692, IL 160
Project: P-98-116-00
Archaeological Site 11-MS-1992
Madison County

WHEREAS, the Illinois Department of Transportation has determined that the use of State-funding for future IL 160 highway improvements will have an effect upon historic properties included in, or potentially eligible for inclusion in, the National Register of Historic Places and has requested the comments of the Director of the Illinois Historic Preservation Agency pursuant to the Illinois State Agency Historic Resources Preservation Act (State 707) (Ill. Rev. Stat. 1989, ch. 127, par. 133c21 *et seq.*) and its implementing regulations.

NOW, THEREFORE, the Director of the Illinois Historic Preservation Agency (IHPA) and the Illinois Department of Transportation (IDOT) agree that the undertaking shall be implemented in accordance with the attached stipulations in order to take into account the effect of the undertaking on historic properties.

Execution of the Memorandum of Agreement and carrying out its terms evidences that IDOT has afforded IHPA a reasonable opportunity to comment on this IL 160 project and its effects on historic properties and that IDOT has taken into account the effects of its undertaking on historic properties.

Stipulations

1. All archaeological excavation will be conducted on private land prior to highway construction activities by IDOT. Such data recovery will be coordinated with construction schedules, and the mitigation program will be structured to maximize data recovery.

Testing to date has indicated that site 11-MS-1992 is a significant prehistoric habitation locality. Attempts to avoid this site have proved to be neither feasible nor prudent. Attached to this document is a summary statement for your review. Some 2 to 3 prehistoric Mississippian houses and associated pit features are expected to be excavated as part of this field program. These features will be excavated using standard archaeological techniques formulated by our archaeological program personnel. After the completion of laboratory work, a report will be submitted to IHPA for review. IDOT will provide progress reports as appropriate to IHPA during the field, laboratory and report preparation stages of the project.

2. The IDOT will insure that all archaeological work carried out under this agreement will be conducted in accordance with the Illinois State Historic Preservation Office Guidelines for Archaeological Reconnaissance Surveys and the Secretary of the Interior's Standards for Identification and Evaluation (48FR44720-44728) and will be performed by professional archaeologists pursuant to the Archaeological and Paleontological Resources Protection Act (Ill. Rev. Stat. 1989, ch. 127, par. 133c9). All such work will be monitored by IHPA staff.
3. No evidence has been encountered during investigations at Site 11-MS-1992 indicating that human burials were, or are likely to be, present. However, the project limits have been finalized and we foresee no options for avoidance should human burials be encountered. Therefore, if a burial (s) is/are discovered during the investigations covered by this Agreement, required notifications of the discovery will be made to the county coroner and to IHPA. If the burial is not a crime scene as determined by the coroner, then it and any associated burial artifacts will be removed following procedures for recordation and reporting that are similar to those established under the Human Skeletal Remains Protection Act (20ILCS 3440). Disposition of human remains and burial artifacts will be accomplished as determined under the applicable law.
4. The IDOT has and will continue to have personnel qualified pursuant to the Archaeological and Paleontological Resources Protection Act (Ill. Rev. Stat. 1989, ch. 127, par. 133c9) who shall be responsible for reviewing the undertakings permitted under this agreement.
5. The IDOT and the archaeological contractor will insure that an adequate program for security of the archaeological site from vandalism during data recovery operations be developed and implemented.

6. If during construction of any state funded IDOT project cultural resources are discovered, the IDOT agrees that construction activities that would adversely affect the resources shall be discontinued until consultation with IHPA pursuant to the State 707 is completed.
7. The IDOT will insure that adequate laboratory time, space, and funds are available for analysis of osteological, cultural, and biological materials recovered.
8. The repository for adequately curating all significant recovered materials and data will be the University of Illinois or a comparable institution selected by IDOT in consultation with IHPA.

Signatories



Illinois Historic Preservation Agency Date 4/12/02



Illinois Department of Transportation Date 4/12/02