

**MEMORANDUM OF AGREEMENT
AMONG THE
FEDERAL HIGHWAY ADMINISTRATION,
ILLINOIS STATE HISTORIC PRESERVATION OFFICER,
CITY OF ROCKFORD,
AND
ILLINOIS DEPARTMENT OF TRANSPORTATION
REGARDING THE REPLACEMENT OF THE
8TH AVENUE BRIDGE OVER KEITH CREEK
IN THE CITY OF ROCKFORD, WINNEBAGO COUNTY, ILLINOIS**

WHEREAS, the City of Rockford, in coordination with the Illinois Department of Transportation (IDOT), plans to replace the 8th Avenue Bridge over Keith Creek (Structure #101-6043) in Rockford, Winnebago County, Illinois (IDOT Sequence #24510, SHPO Log #002022224) (Project); and

WHEREAS, the Federal Highway Administration (FHWA) may fund the Project thereby making the Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. Section 306108, and its implementing regulations, 36 CFR Part 800; and

WHEREAS, the FHWA has defined the undertaking's area of potential effects (APE) as the corridor shown in Exhibit A; and

WHEREAS, the FHWA has consulted with the Illinois State Historic Preservation Office (SHPO), a Division of the Illinois Department of Natural Resources (IDNR), pursuant to the Act; and

WHEREAS, the SHPO currently resides within IDNR (Office), and the Director of IDNR is the duly designated State Historic Preservation Officer (Officer); and

WHEREAS, the FHWA and the IDOT, in consultation with the Officer, have determined that the 8th Avenue Bridge over Keith Creek (Structure #101-6043) is eligible for the National Register of Historic Places (NRHP), and its replacement will cause an adverse effect to this historic property pursuant to 36 CFR Part 800 (Exhibit B); and

WHEREAS, the FHWA has determined that the undertaking will not have an effect on historic properties other than the 8th Avenue Bridge over Keith Creek, and the Officer concurred with this finding on March 8, 2024; and

WHEREAS, this Memorandum of Agreement (MOA) addresses the adverse effect to the 8th Avenue Bridge over Keith Creek (Structure #101-6043) and related improvements; and

WHEREAS, the FHWA and IDOT provided the public opportunities to comment on the Project. Public engagement letters were sent out June 28, 2023, to six parties: Rockford Historic

Preservation Commission, Rockford Historical Society, Northern Illinois Historic League, Historic Bridge Foundation, Landmarks Illinois, and HistoricBridges.org. Comments were received from the Rockford Historic Preservation Commission, Historic Bridge Foundation, and Northern Illinois Historic League; and

WHEREAS, pursuant to 23 USC 144(o)(4), there were no responsible parties who expressed an interest in taking ownership of the bridge to maintain and preserve the bridge in perpetuity; and

WHEREAS, the IDOT, on behalf of the FHWA, in accordance with 36 CFR Part 800.6(a)(1), notified the ACHP of the adverse effect in an email dated March 18, 2025, and the ACHP has chosen not to participate in consultation per a letter dated March 25, 2025, pursuant to 36 CFR Part 800.6(a)(1)(iii); and

WHEREAS, the FHWA has consulted with the IDOT and the City of Rockford regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as an invited signatory; and

WHEREAS, execution and implementation of this MOA evidences that FHWA has satisfied its Section 106 responsibilities for the Project; and

NOW, THEREFORE, the FHWA, the IDOT, the City of Rockford, and the Officer agree that the Project shall be implemented in accordance with the following stipulations to ensure that potential effects on historic properties are taken into account.

STIPULATIONS

The FHWA, the IDOT, the City of Rockford, and the Officer agree that the following steps will be undertaken for the Project:

I. ARCHITECTURAL AND HISTORICAL RESOURCE MITIGATION

- A. **New Bridge Design.** The City of Rockford will replicate the double hitching post railings on the new structure with exposed aggregate reinforced concrete with dimensions matching the original. Slight modifications will be necessary for vehicular and pedestrian safety with the installation of a four-inch tall concrete curb below the railing, as well as stainless steel cabling in tension to be installed between the posts. Phase II plans will be provided to IDOT for review and approval to ensure fulfillment of this stipulation.
- B. **Roadside Exhibit Featuring Historic Bridge Components.** The City of Rockford, in coordination with the IDOT and the Officer, will create a roadside exhibit/monument featuring historic components of the existing structure and an interpretive panel or plaque detailing the historic bridge, with the option of including historical information about the history of the bridge; architectural/engineering significance of the bridge; and/or other historic bridges in Rockford. This list of topics is not meant to be comprehensive but is provided

to guide the design of the panel. Design and content of the panel or plaque will be completed by IDOT, in conjunction with the City of Rockford, on content, material selection, size, signage location, and other pertinent details. The City of Rockford will be responsible for its production and installation. The exhibit/monument will be installed on one of the city-owned parcels flanking the south side of the existing structure. The location and content of the exhibit/monument will be reviewed and approved by the Officer prior to production and installation. Photographs of the final exhibit/monument must be submitted to IDOT and Officer upon installation.

II. PROFESSIONAL STANDARDS

For the purpose of implementing this MOA, the IDOT shall continue to employ departmental staff with qualifications that meet the requirements of 36 CFR Part 61, The IDOT shall ensure that the professional staff responsible for the implementation of the mitigation measures meet the requirements of 36 CFR Part 61.

III. DURATION

This MOA will expire if its stipulations are not carried out within five (5) years from the date of its execution, unless otherwise amended or terminated pursuant to Stipulations VI or VII. In such an event, the IDOT shall so notify the parties to this MOA and, if it chooses to continue with the Project, then the FHWA shall reinitiate review of the Project in accordance with 36 CFR Part 800.

IV. POST-REVIEW DISCOVERIES

If potential historic properties are discovered or unanticipated effects on historic properties found, the FHWA shall make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties and follow the requirements of 36 CFR Part 800.13(b).

V. DISPUTE RESOLUTION

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

- A. Forward all documentation relevant to the dispute, including any timely advice or comments regarding the dispute from the ACHP and signatories and the FHWA's proposed resolution, to the ACHP in accordance with 36 CFR Part 800.2(b)(2). The ACHP shall provide FHWA with its advice on the resolution of the objections within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from

the ACHP and signatories and provide them with a copy of this written response. FHWA will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories to the MOA and provide them and the ACHP with a copy of such written response.

C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories. Once the MOA is terminated and prior to work continuing on the undertaking, FHWA must request, take into account, and respond to the comments of the ACHP under 36 CFR Part 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by the FHWA, the IDOT, the City of Rockford, and the Officer and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

(Signature Pages Follow)

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AMONG THE
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ILLINOIS STATE HISTORIC PRESERVATION OFFICER,
CITY OF ROCKFORD,
AND
ILLINOIS DEPARTMENT OF TRANSPORTATION
REGARDING THE REPLACEMENT OF THE
8TH AVENUE BRIDGE OVER KEITH CREEK
IN THE CITY OF ROCKFORD, WINNEBAGO COUNTY, ILLINOIS**

Signatory

FEDERAL HIGHWAY ADMINISTRATION

By: *Darien J. Siddall* Date: 7/25/2025

Print Name: Darien Siddall

Title: Environmental Protection Specialist

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IN THE CITY OF ROCKFORD, WINNEBAGO COUNTY, ILLINOIS**

Signatory

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

By: Carey L. Mayer Date: 7/21/2025

Print Name: Carey L. Mayer, AIA

**Title: Deputy State Historic Preservation Officer
Illinois Department of Natural Resources**

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Signatory

ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Trisha Thompson Date: July 24, 2025

Print Name: Trisha Thompson

Title: Region Two Engineer

**MEMORANDUM OF AGREEMENT
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Signatory

CITY OF ROCKFORD

By: 

Date: 07-24-2025


Print Name: Timothy Hinkens

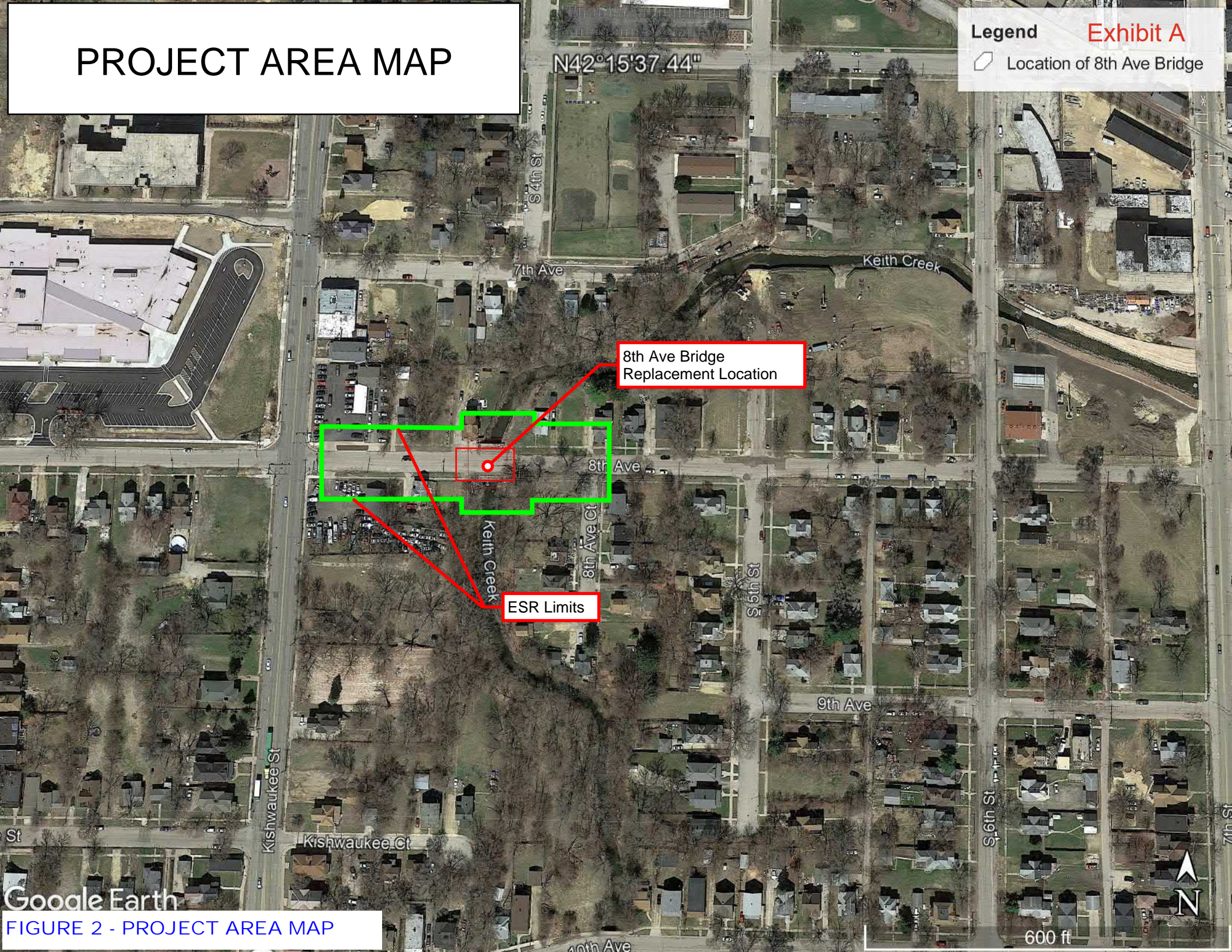
Title: City Engineer

PROJECT AREA MAP

Legend

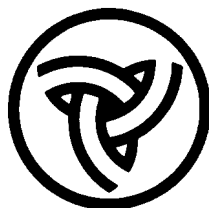
Exhibit A

 Location of 8th Ave Bridge



Google Earth

FIGURE 2 - PROJECT AREA MAP



Illinois Department of Transportation

Memorandum

To: George Tapas Attn: Stephen Letsky
From: Jack Elston By: Joseph Galloy
Subject: Adverse Effect – SHPO Coordination Required
Date: April 2, 2024

Winnebago County
Rockford
MS 3525 A/8th Avenue over Keith Creek
Bridge Replacement
Section # 20-00637-00-BR
IDOT Sequence # 24510
SHPO Log # 002022224

Further coordination with the Illinois State Historic Preservation Officer (SHPO) is required for the above referenced undertaking. Attached is a letter from the SHPO indicating that this project as currently planned will constitute an Adverse Effect pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, as it will adversely affect Structure Number (SN) 101-6043 which is eligible to be listed on the National Register of Historic Places (NRHP).

As a next step, efforts should be made to reduce the project's impacts to these historic resources. If the project's effects cannot be minimized, IDOT Cultural Resources Unit will develop a draft memorandum of agreement (MOA) that will contain mitigation that must be completed before any construction can be initiated.

A handwritten signature in black ink, reading "Joseph M. Galloy".

Joseph M. Galloy, PhD, RPA
Cultural Resources Unit Manager
Bureau of Design & Environment

JG:hb
Attachment



Illinois
Department of
**Natural
Resources**

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271

www.dnr.illinois.gov

**Winnebago County
Rockford**

**Bridge Replacement (SN 101-6043)
MS 3525 A/8th Avenue over Keith Creek
IDOT Sec #-20-00637-00-BR, IDOT Seq #-24510
SHPO Log #002022224**

March 8, 2024

**Joseph Galloy
Illinois Department of Transportation
Bureau of Design and Environment
2300 S. Dirksen Parkway
Springfield, IL 62764**

Thank you for your submission of the proposed replacement of the 8th Street Bridge over Keith Creek in Rockford, Illinois, which we received on 2/22/24 with additional information received on 3/7/24 (SHPO Log# 002022224). Our comments are required by Section 106 of the [National Historic Preservation Act of 1966](#), as amended, 54 U.S.C. § 306108, and its [implementing regulations](#) (36 CFR Part 800) (Act).

We concur with the established Area of Potential Effects (APE) and the identification of historic properties within the APE:

- 1. 8th Street Bridge over Keith Creek (SN 101-6043). Previously determined eligible for listing on the National Register of Historic Places (NRHP).**

Furthermore, we concur with the determination that the proposed project does not meet the Secretary of the Interior's Standards for Rehabilitation and will result in an adverse effect to the NRHP-eligible bridge.

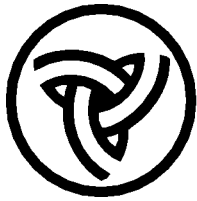
Please work with CJ Wallace (Carol.Wallace@Illinois.gov) in our office to avoid, minimize, or mitigate the adverse effects pursuant to the Act.

Per [36 CFR 800.2\(c\)\(3\)](#), City of Rockford staff has been copied on these comments.

Sincerely,

**Carey L. Mayer, AIA
Deputy State Historic Preservation Officer**

c: Scott Capovilla, Rockford Historic Preservation Commission



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

March 7, 2024

Winnebago County
Rockford
MS 3525 A / 8th Avenue
Bridge Replacement
Structure # 101-6043
Section # 20-00637-00-BR
IDOT Sequence # 24510

FEDERAL 106 PROJECT – APE, Identification of Resources, Adverse Effect

Ms. Carol J. Wallace
Cultural Resources Coordinator
Illinois State Historic Preservation Office
Illinois Department of Natural Resources
1 Natural Resources Way
Springfield, Illinois 62702

Dear Ms. Wallace:

For the above-referenced undertaking, the Illinois Department of Transportation (IDOT) and the Federal Highway Administration (FHWA) propose to replace a bridge carrying 8th Street in Rockford. A review of potential impacts to historical, archaeological, and architectural properties for this project was completed by IDOT's Cultural Resources staff. The undertaking is classified as a Categorical Exclusion under the National Environmental Policy Act (NEPA). ***In accordance with the Programmatic Agreement Regarding Section 106 Implementation for Federal-Aid Transportation Projects (PA), ratified March 7, 2018, an archaeological survey is not required for this undertaking.***

The project involves replacing the 8th Street Bridge over Keith Creek (Structure # [SN] 101-6043), which is a 1919 two-span reinforced concrete continuous slab bridge. The subject structure is a primary on the Historic Bridge List due to its rare use of a double hitching post reinforced concrete railing. As such it was previously determined eligible for listing in the NRHP. Regarding work to each structure, SN 101-6043 is proposed for replacement with proposed replacement of the reinforced concrete bridge deck, substructure, and superstructure.

The Area of Potential Effects (APE) has been delineated as the Environmental Survey Request survey limits and encompasses all resources encompassed by and adjoining the proposed work. No additional resources were identified within the APE as IDOT determined these lack the historic associations, physical integrity and architectural or historical significance needed for NRHP eligibility and do not warrant additional evaluation.

Therefore, in coordination with FHWA, IDOT requests the concurrence from the State Historic Preservation Officer (SHPO) in (1) IDOT's identification of one historic resource in the APE; and (2) our determination that the undertaking will result in an Adverse Effect to the 8th Street Bridge, which is accorded protection under Section 106 of the National Historic Preservation Act. As a

next step, a draft Memorandum of Agreement (MOA) stipulating proposed mitigation measures will be developed and submitted to your office for review.

In accordance with 36 CFR Part 800.3(c)(4), FHWA and IDOT will proceed to the next step in the Section 106 process if we do not receive a written response from your office within 30 days.

Sincerely,

A handwritten signature in black ink, reading "Joseph M. Galloy". The signature is fluid and cursive, with the first name "Joseph" and middle initial "M." written in a smaller, more compact script than the last name "Galloy", which is larger and more prominent.

Joseph M. Galloy, PhD, RPA
Cultural Resources Unit Manager
Bureau of Design & Environment

JG:hb