

**MEMORANDUM OF AGREEMENT
AMONG THE
FEDERAL HIGHWAY ADMINISTRATION,
ILLINOIS STATE HISTORIC PRESERVATION OFFICER,
ILLINOIS DEPARTMENT OF TRANSPORTATION,
AND
SANGAMON COUNTY HIGHWAY DEPARTMENT
REGARDING THE
REPLACEMENT OF THE CASCADE ROAD BRIDGE
OVER SOUTH FORK OF THE SANGAMON RIVER
NEAR NEW CITY, SANGAMON COUNTY, ILLINOIS**

WHEREAS, the Sangamon County Highway Department (SCHD), in coordination with the Illinois Department of Transportation (IDOT), plans to replace the Cascade Road Bridge over South Fork of the Sangamon River (Structure #084-3187) near New City, Sangamon County, Illinois (IDOT Sequence #24337, SHPO Log #003122923 [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 architectural 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, in consultation with the State Historic Preservation Officer (Officer), have determined that the Cascade Road Bridge over South Fork of the Sangamon River (Structure #084-3187) 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 Cascade Road Bridge, and the Officer concurred with this finding on December 20, 2024 (Exhibit B); and

WHEREAS, this Memorandum of Agreement (MOA) addresses the adverse effect to the Cascade Road Bridge over South Fork of the Sangamon River (Structure #084-3187) and related improvements; and

WHEREAS, the FHWA and IDOT invited the following Tribes to enter consultation on May 2 and 11, 2022: Kickapoo Tribe in Kansas, Miami Tribe of Oklahoma, Osage Nation, and Peoria Tribe of Indians of Oklahoma, and comments were received from Miami Tribe of Oklahoma, Osage Nation, and Peoria Tribe of Indians of Oklahoma noting no concerns; and

WHEREAS, the FHWA and IDOT notified Sangamon County Historical Society, Landmarks Illinois, Central Illinois Landmarks Foundation, Historic Bridge Foundation, and HistoricBridges.org on June 6, 2024 regarding the effects of the undertaking on historic properties and invited them to consult, and Landmarks Illinois responded electing to consult on the project; and

WHEREAS, the IDOT, on behalf of FHWA, in accordance with 36 CFR Part 800.6(a)(1), notified the ACHP of the adverse effect in an email dated January 23, 2025, and the ACHP has chosen not to participate in a letter dated February 5, 2025 pursuant to 36 CFR Part 800.6(a)(1)(iii); and

WHEREAS, the FHWA has consulted with IDOT 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, FHWA, the Officer, IDOT, and SCHD agree that the Project shall be implemented in accordance with the following stipulations to ensure that potential effects on historic properties are considered.

STIPULATIONS

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

I. ARCHITECTURAL AND HISTORICAL RESOURCE INVESTIGATIONS

- A. Prior to beginning of construction activities, the IDOT shall complete Historic Illinois Engineering Record (HIER) Level III recordation of the existing Bridge. The IDOT will submit the draft HIER (95%) to the Officer, and the IDOT must receive written concurrence from the SHPO that the draft HIER documentation is acceptable prior to the IDOT initiating demolition of the Bridge. The IDOT will ensure the final HIER (100%) documentation is submitted to the Officer for proper filing.

II. PROFESSIONAL STANDARDS

For the purpose of implementing this MOA, IDOT shall continue to employ departmental staff with qualifications that meet the requirements of 36 CFR Part 61. 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 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, 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 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 considers 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 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, Officer, IDOT, and SCHD 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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Signatory

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____

Print Name:

Title: FHWA, IL Division Environmental Unit

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Signatory

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

By: Carey L. Mayer Date: 10/29/2025

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:  Date: October 30, 2025

Print Name: Teresa C. Price, P.E.

Title: Region 4 Engineer

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Signatory

SANGAMON COUNTY HIGHWAY DEPARTMENT

By: _____



Date: _____

October 29, 2025

Print Name: Brian R. Davis, P.E.

Title: Sangamon County Engineer



Exhibit A. Seq. 26120 APE

-  Existing Bridge Location
-  APE (100' Buffer)





Illinois
Department of
**Natural
Resources**

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

www.dnr.illinois.gov

Exhibit B

Sangamon County

Edinburg

Bridge Replacement (SN 084-3187)

Township Road 428/Cascade Road over the South Fork of the Sangamon River

SN 084-3187

IDOT Sec #-20-09103-00-BR, IDOT Seq #-24337, SHPO Log #003122923

December 20, 2024

Dr. Joseph Galloy

Illinois Department of Transportation

Bureau of Design and Environment

2300 S. Dirksen Parkway

Springfield, IL 62764

Thank you for your November 13, 2024 revised submission of the effects determination regarding the proposed replacement of Bridge SN 084-3187, which carries Cascade Road over the South Fork of the Sangamon River in Edinburg, Illinois, which we received on 8/14/24 (SHPO Log# 003122923). 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 received the original submission for this undertaking on 12/29/23. On January 24, 2024, we concurred with the established Area of Potential Effects (APE) and the determination of NRHP eligibility for the subject bridge.

We concur with the finding of Adverse Effect to the Cascade Road Bridge, and that no historic archaeological resources will be affected provided construction does not impact the portion of the APE that was inaccessible for survey. Please work with CJ Wallace (Carol.Wallace@Illinois.gov) in our office to develop a Memorandum of Agreement (MOA) in order to mitigate the adverse effects for the replacement of the bridge pursuant to the Act.

Sincerely,

Carey L. Mayer, AIA

Deputy State Historic Preservation Officer