

**MEMORANDUM OF AGREEMENT AMONG
SPRINGFIELD PUBLIC SCHOOLS DISTRICT 186, THE ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY, AND THE ILLINOIS STATE
HISTORIC PRESERVATION OFFICER REGARDING PARTIAL DEMOLITION, A
NEW ADDITION, AND REHABILITATION OF SPRINGFIELD HIGH SCHOOL
(BUILDING) AT 101 S. LEWIS ST. IN SPRINGFIELD, ILLINOIS**

WHEREAS, Springfield Public Schools District 186 (District) is undertaking partial demolition, a new addition, and rehabilitation of Springfield High School at 101 S. Lewis St. (Building) in Springfield, IL (Project); and

WHEREAS, the project requires a Public Water Supply (PWS) permit from the Illinois Environmental Protection Agency (IEPA), thereby making the project an Undertaking subject to review under the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420) and its implementing rules (17 IAC 4180) (Act); and

WHEREAS, the District 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, on March 25, 2024, the Officer determined that the Building is eligible to be listed on the National Register of Historic Places (NRHP) under Criterion A, for Education, and Criterion C, for Architecture, and that the Undertaking poses an adverse effect to the NRHP-eligible Building; and

WHEREAS, on June 3, 2019, the District determined that the Project is necessary due to outdated educational facilities, the lack of student support spaces, lack of secure entry locations and improvement of school security, the need for collaborative spaces for both students and faculty, and the need to improve internal student circulation; and

WHEREAS, the District conducted public meetings regarding the Project and Undertaking on: December 4, 2017, and September 17, 2018 (Presentation of District Facility Master Plans); June 20, 2023, August 7, 2023, and December 4, 2023 (Presentation of Facility Plans); and March 5, 2024, April 22, 2024, June 3, 2024, August 5, 2024, and September 16, 2024 (Bidding);

NOW, THEREFORE, the District, IEPA, and the Officer agree that the Undertaking shall be implemented in accordance with the following stipulations in this Memorandum of Agreement (Agreement) in order to mitigate the adverse effects of this Undertaking to the District properties.

STIPULATIONS

I. MITIGATION

- A. The District shall identify significant artifacts for salvage and reuse within the Project area or they shall be housed within a District facility for future reuse.
- B. Upon selection of items for reuse, the District shall notify the SHPO, in writing, of the selected items and intention for reuse.
- C. The District shall, within a six-month period beginning from the date of execution of this Agreement, schedule a meeting with the Officer to discuss future District construction projects and regulatory review under:
 - 1. The Illinois State District Historic Resources Preservation Act (ILCS 3420).
 - 2. Section 106 review under the National Historic Preservation Act.

II. DURATION

This Agreement shall be effective until such time as all of its terms are satisfied, or it is amended or terminated and replaced. Prior to such time, the District may consult with the other signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation VI AMENDMENTS below. The District shall notify the signatories as to the course of action it will pursue.

III. POST-REVIEW ENCOUNTERS

If potential historic properties are encountered or unanticipated effects on historic properties found, the District shall consult with the Officer immediately and make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties. In the event of an unanticipated encounter of human remains or burials, the District understands and agrees that it must immediately stop work within the area of encounter, consult with the Officer, and comply with the Human Remains Protection Act (20 ILCS 3440) and its implementing rules (17 IAC 4170) as administered by IDNR, which provides that no human remains shall be disturbed without a permit issued by IDNR.

IV. MONITORING AND REPORTING

Each year following the execution of this Agreement until it expires or is terminated, District shall provide all parties to this Agreement a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in District's efforts to carry out the terms of this Agreement.

V. DISPUTE RESOLUTION

Should any signatory to this Agreement object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, the District shall consult with the signatories to resolve the objection. If the signatories cannot agree regarding a

dispute, the signatories shall utilize the procedures provided in 20 ILCS 3420/4e.

- A. The District's responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This Agreement 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 is signed by all of the signatories.

VII. TERMINATION

If any signatory to this Agreement determines that its terms become impossible to carry out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulations V and VI above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the Agreement upon written notification to the other signatories.

VIII. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES

This Agreement may be executed in counterparts, each of which shall be considered an original and together shall be one and the same Agreement. A facsimile or .pdf copy of this Agreement and any signatures thereon will be considered for all purposes as an original.

EXECUTION of this Agreement by signatories, and the implementation of its terms evidence that the signatories have afforded the Officer an opportunity to comment on the effects of the Undertaking in compliance with the Act.

[Signature Pages to follow]

**MEMORANDUM OF AGREEMENT AMONG
SPRINGFIELD PUBLIC SCHOOLS DISTRICT 186, THE ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY, AND THE ILLINOIS STATE
HISTORIC PRESERVATION OFFICER REGARDING PARTIAL DEMOLITION, A
NEW ADDITION, AND REHABILITATION OF SPRINGFIELD HIGH SCHOOL
(BUILDING) AT 101 S. LEWIS ST. IN SPRINGFIELD, ILLINOIS**

SIGNATORY

SPRINGFIELD PUBLIC SCHOOLS DISTRICT 186

Signature: *Jennifer Gill* Date: *12-16-24*
Name: *Jennifer Gill*
Title: *Superintendent*

**MEMORANDUM OF AGREEMENT AMONG
SPRINGFIELD PUBLIC SCHOOLS DISTRICT 186, THE ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY, AND THE ILLINOIS STATE
HISTORIC PRESERVATION OFFICER REGARDING PARTIAL DEMOLITION, A
NEW ADDITION, AND REHABILITATION OF SPRINGFIELD HIGH SCHOOL
(BUILDING) AT 101 S. LEWIS ST. IN SPRINGFIELD, ILLINOIS**

SIGNATORY

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (IEPA)

Signature: _____ Date: _____

Name: _____

Title: _____

**MEMORANDUM OF AGREEMENT AMONG
SPRINGFIELD PUBLIC SCHOOLS DISTRICT 186, THE ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY, AND THE ILLINOIS STATE
HISTORIC PRESERVATION OFFICER REGARDING PARTIAL DEMOLITION, A
NEW ADDITION, AND REHABILITATION OF SPRINGFIELD HIGH SCHOOL
(BUILDING) AT 101 S. LEWIS ST. IN SPRINGFIELD, ILLINOIS**

SIGNATORY

ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER (OFFICER)

By: Carey L. Mayer Date: 12/20/2024
Carey L. Mayer, AIA
Deputy State Historic Preservation Officer
Illinois Department of Natural Resources

APPROVED FOR LEGAL SUFFICIENCY

Date: 12/18/2024
Legal Counsel: Ken Fisher