

MEMORANDUM OF AGREEMENT
BETWEEN
THE ILLINOIS HISTORIC PRESERVATION AGENCY
AND
UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN
CONCERNING THE IMPLEMENTATION OF
THE ILLINOIS STATE AGENCY HISTORIC RESOURCES PRESERVATION ACT

WHEREAS, the Illinois Historic Preservation Agency (IHPA) has been designated as the lead agency for implementation of the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/1 et seq) [the Act]; and its adopted rules (17 Ill Adm. Code 4180); and

WHEREAS, The Board of Trustees of the University of Illinois (UIUC) is responsible for and participates in undertakings as defined in Section 3(f) of the Act and wishes to enter into an agreement with IHPA to facilitate this responsibility;

NOW THEREFORE, the UIUC and IHPA agree that UIUC shall implement its undertakings pursuant to the Act in accordance with the following stipulations in order to take historic resources into account:

STIPULATIONS

1. Personnel
 - A. UIUC shall have at all times on its staff at least one person with professional qualifications in Archaeology, Architecture, Architectural History or Historic Architecture in accordance with the professional standards outlined in 36 CFR Part 61, Appendix A, "Professional Qualifications Standards". This person, appointed by the Chancellor, as the Campus Historic Preservation Officer (CHPO), shall be responsible for administering the provisions of this agreement and shall be designated liaison between the University and IHPA.
 - B. The CHPO or designee will attend administrative and technical seminars presented by IHPA to ensure professional knowledge related to historic preservation is current.
2. Identification and Evaluation of Historic Properties
 - A. Architecture
 1. UIUC has established and will continue to have a standing committee on Historic Sites which has evaluated all campus buildings constructed prior to 1950. This committee will ensure that the current evaluation of campus buildings, in addition to a survey of all other University buildings and structures constructed prior to 1950, has been/will be made in accordance with the criteria for eligibility evaluated for inclusion the National Register of Historic Places (NRHP) (36 CFR 60) and will advise the CHPO of their findings.

2. The CHPO will advise IHPA of the UIUC's opinion on National Register eligibility for all pre-1950 buildings, including reasons for this opinion and the opinion of the committee. IHPA will consider these opinions in making its decision concerning eligibility.

B. Archaeology

1. UIUC shall implement and complete an archaeological reconnaissance survey (Phase I) of all UIUC lands potentially to be disturbed for UIUC undertakings as defined under Section 2 of the Act to identify archaeological resources. These surveys shall be conducted in consultation with the IHPA and in a manner consistent with the Illinois State Historic Preservation Office Guidelines for Archaeological Reconnaissance Surveys/Reports. A report of the survey findings shall be submitted to the IHPA for review and approval.
2. Phase II archaeological evaluations shall be conducted by UIUC at all archaeological sites determined by the IHPA to be potentially eligible for listing on the NRHP if UIUC determines that it will pursue ground disturbing undertakings in these areas. The Phase II methodology shall be formulated in consultation with the IHPA to ensure adequacy of the testing program. A report of the Phase II findings shall be submitted to the IHPA for review and approval.
3. If after a Phase II evaluation is completed archaeological sites within the surveyed area and are determined eligible for listing on the NRHP, any eligible site that cannot be avoided by ground disturbing undertakings must undergo data recovery excavation prior to the initiation of the undertaking. With evidence that contractual arrangements have been made for lab analysis, final report, and curation, UIUC may proceed with the undertaking as soon as the final data recovery is completed.
4. An archaeological management plan shall be developed and implemented by UIUC for all archaeological sites determined by IHPA to be eligible or potentially eligible for listing on the NRHP. This management plan shall include, but is not limited to, data recovery of archaeological materials and/or preservation in situ in a protected environment.
5. Prior to completion of the archaeological investigations and management plan, any undertaking conducted by UIUC with the exception of those undertakings listed under Stipulation 4 of this Agreement, shall be reviewed on an individual basis for their effect on archaeological resources present on UIUC lands.
6. This Agreement shall be a general permit to conduct archaeological and paleontological investigations on UIUC lands as required by the Archaeological and Paleontological Resources Protection Act (APRPA), [20 ILCS 3435/01 et seq] in lieu of the issuance of individual permits when the project is being reviewed by the IHPA pursuant to the Act.
7. UIUC shall ensure that all materials and records resulting from the archaeological investigations on public lands are curated at the Illinois State Museum pursuant to Section 7 of 20ILCS 3435.

8. If during any undertaking, archaeological resources are discovered, UIUC agrees that activities affecting the discovered archaeological resource shall be discontinued until consultation with the IHPA pursuant to the Act is completed. Notification to the IHPA shall be within 72 hours of discovery and shall be the responsibility of the UIUC CHPO.

3. Undertakings Requiring Review

These projects include the following types of undertakings. The UIUC will submit a description of the undertaking with maps, photographs and addresses, as applicable, to IHPA for review and comment pursuant to Paragraph 4(a) of the Act.

A. Rehabilitation

Projects affecting buildings, structures or sites on or eligible for the NRHP shall be undertaken in accordance with the recommended approaches of the Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Standards). These plans will be sent to IHPA for review and comment. IHPA shall have 30 days for review.

B. Additions and New Construction

1. Additions to buildings on or eligible for listing on the NRHP shall be designed to adhere to the Standards and the Preservation Brief #14 (New Exterior Additions to Historic Buildings). The Preliminary Design and outline specifications for these additions will be submitted to IHPA for review. The IHPA will provide written comments within 30 working days.
2. The CHPO will follow the procedures outlined in Rules for Review of State Agency Undertakings (17 Ill. Adm. Code 4180) if the IHPA does not concur with the project described.
3. Any new construction will be reviewed by IHPA for its effect on historic properties.

C. Demolition

1. If the proposed work requires demolition of all or any part of any buildings, structures, or sites on or eligible for listing on the NRHP, the CHPO shall provide the IHPA location maps, description of property, reasons for demolition, photographs of principal elevations, and alternatives considered including reasons for their rejection.
2. IHPA will provide written comments within 30 days.
3. If IHPA agrees to demolition, the property will be documented in accordance with the Illinois Historic American Building Survey/Historic American Engineering Record (IL HABS/HAER) Standards and Guidelines accepted by IHPA prior to demolition.

4. If IHPA disagrees with the need for the proposed demolition, the rules found in 17 Ill. Adm. Code 4180.400 shall be followed.

D. Land and Building Acquisition

Any new land or buildings acquired by the UIUC shall be reviewed for potential eligibility for listing on the NRHP.

E. Agricultural Leases or University Agricultural Activities

All UIUC lands which are under agricultural leases or are in agricultural use shall be reviewed by IHPA for the possible effect of these practices on historic resources should any exist on the property. If any agricultural practices undertaken by UIUC or its leasees would extend the depth of the plow zone or otherwise harm resources, archaeological surveys shall be conducted in accordance with Stipulation 2B prior to continuing with standard operations.

F. General Ground Disturbance

Any ground disturbing activities not excluded under Stipulation 4 of this agreement.

4. Undertakings Having No Effect

- A. The following actions will be considered to have no effect on historic properties and need not be submitted individually to IHPA for review:

1. Utilities repair and alteration projects such as water, sewer, steam distribution, electrical, telecommunications, radio, televisions, and heating fuel projects within previously disturbed right-of-way.
2. Heating, ventilation, air conditioning (HVAC) and communication network maintenance projects.
3. Sidewalk, street, gutter, bikeway, vehicle parking repair and realignment within previously disturbed right-of-way.
4. Minor repairs to roofs, windows, and chimneys will be made with materials to match the original. Replacement will only be made after it has been determined that repairs would not be economically or physically feasible.
5. All landscape maintenance that will not hide or detract from the historical features of the area. Landscape maintenance shall complement the existing theme of the University.
6. All maintenance painting and caulking as long as the colors chosen resemble the original or existing colors and it does not detract from the historical significance of the property.

7. The installation of interior or exterior storm windows will completely fill the existing opening (no filler panels are to be used); the method of operation and meeting rail of the storm unit will align with that of the existing window or, on the interior, a fixed piece of glazing with no intermediate members be installed; the colors of the storm units will match that of the existing adjacent members.
 8. Replacement or modification of non-original lighting fixtures or systems that will not alter or detract from the historical significance of the surrounding features.
 9. Repair and modification activities to buildings constructed after 1950.
- B. For these projects, the UTUC Operation & Maintenance Division will keep a record consisting of a work write up. This record shall be open for IHPA review during normal working hours.
 - C. It is understood that the above actions "having no effect" shall not occur within 50' of any known human burial site or grave marker as defined pursuant to the Human Skeletal Remains Protection Act (20 ILCS 3440/0.01 *et seq*), or where an unevaluated archaeological site, NRHP listed archaeological site or potentially eligible NRHP archaeological site has been identified.

5. Monitoring and Oversight

- A. This agreement shall remain in effect for state fiscal years 1997-1999. At that time, it shall be reviewed for possible modification and extension.
- B. Periodically, IHPA shall perform on-site inspections of UTUC's undertakings and review undertaking files and localized record keeping to ensure all conditions of this agreement are being met.
- C. Should any dispute arise between IHPA and UTUC regarding any actions proposed pursuant to this Memorandum of Agreement, IHPA and UTUC will consult to resolve the dispute. If either IHPA or UTUC determines that the dispute can not be resolved through consultation, the subject of the dispute shall be resolved in accordance with the procedures outlined in 17 Ill Administrative Code, Chapt. VI, Sections 4180.400, 4180.450 and 4180.500. UTUC's responsibility to carry out all actions under this agreement, that are not subject of the dispute, will remain unchanged.
- D. Either party to this agreement may request that it be amended during its term of effect. To amend this agreement, IHPA and UTUC will consult on the proposed amendment, draft agreed upon language, insert the language into the proper section or create any new sections necessary and be signatories to the amended document.
- E. This agreement may be revoked by either party at any time provided 90 day notice is given to the other party. In such instance, the regular procedures for compliance with the law shall apply.

Execution of this agreement and carrying out its terms evidences that UIUC has initiated adequate procedures for compliance with the Illinois State Agency Historic Resources Preservation Act.

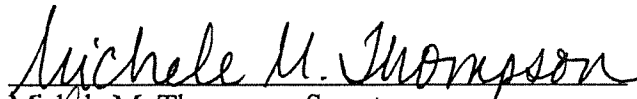
IN WITNESS WHEREOF, IHPA and UIUC hereto have executed this agreement in five (5) original counterparts all as of the 2nd day of December 1996.

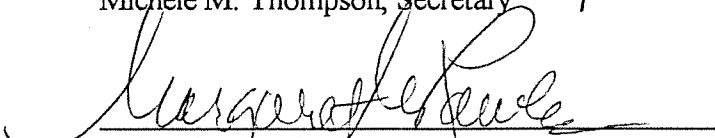
ILLINOIS HISTORIC PRESERVATION AGENCY


Susan Mogerman, Director

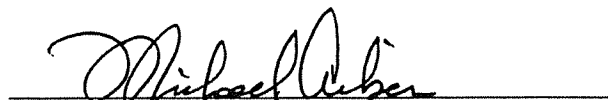
THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS



Craig S. Bazzani, Comptroller

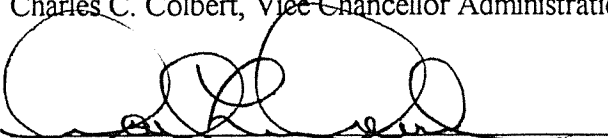

Michele M. Thompson, Secretary


University Legal Representative

THE UNIVERSITY OF ILLINOIS at URBANA-CHAMPAIGN


Michael Aiken, Chancellor


Charles C. Colbert, Vice-Chancellor Administration and Human Resources


David L. Dressel, Campus Historic Preservation Officer