

PROGRAMMATIC AGREEMENT
AMONG SCOTT AIR FORCE BASE, ILLINOIS
OF THE UNITED STATES AIR FORCE
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
FOR OPERATION, MAINTENANCE, AND DEVELOPMENT UNDERTAKINGS
AT SCOTT AIR FORCE BASE, ILLINOIS

WHEREAS, the United States Department of the Air Force (Air Force) has determined that operation, maintenance, and development undertakings at Scott Air Force Base (Scott AFB) may have an effect upon facilities which are eligible for nomination to the National Register of historic places as an historic district, or on unknown archeological sites, and

WHEREAS, the Air Force has consulted with the Advisory Council on Historic Preservation (Council) and the Illinois State Historic Preservation Officer (SHPO) pursuant to Section 800.13 of the regulations (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act (16 USC Sec. 470f) to develop Programmatic Agreements regarding review of operation, maintenance, and development undertakings at the base.

NOW THEREFORE, the Air Force, the Council, and the Illinois SHPO agree that operation, maintenance, and development undertakings shall be administered in accordance with the following stipulations to satisfy the Air Force's Section 106 responsibilities for such undertakings:

STIPULATIONS

The Air Force shall ensure that the following are carried out.

I. Section 106 Review and the Historic and Archeological Resources Protection Plan

A. 375th AW/EM shall be the Air Force point of contact for all matters relating to the cultural resources management program. This shall not prohibit communication between other parties. The 375th AW/EM shall provide, at minimum, annual training for one member of their staff.

B. The Air Force will develop a Cultural Resources Management Plan for the Base in accordance with Air Force guidelines. The Statement of Work for this plan will be completed within 12 months of the final signature on this agreement, and the plan shall be accomplished within 24 months of the final signature on this agreement.

G. The review process set forth below will be followed pending development of the Cultural Resources Management Plan and will be incorporated in the Cultural Resources Management Plan as the procedure for Section 106 compliance.

II. Undertakings That Do Not Require Review

The following types of undertakings shall be considered to have no effect on the proposed historic district and may proceed without notice to the SHPO or Council:

- A. Sidewalk, street, and gutter repair.
- B. Work outside the proposed historic district except where buildings are immediately adjacent to the proposed district boundaries, or where new construction will be immediately adjacent to the proposed district boundaries.
- C. Maintenance of existing landscaping and trees.
- D. Removal of dead or dying unsalvageable trees, if replaced in kind.
- E. Interior rehabilitation of non-contributing buildings within the proposed historic district.
- F. Minor, in-kind repair or replacement of building or site features, elements or materials of non-contributing buildings.
- G. Minor, in-kind repair or replacement of building or site features, elements, or materials of contributing buildings as part of emergency repair, routine maintenance and not part of capitol projects. Original/significant historic fabric must be matched in material, size, dimension, color, texture, finish, construction details, and all other visual qualities.
- H. Modification to heating, ventilation and air conditioning (HVAC), plumbing, or electrical systems provided that such work does not visually affect the exteriors or significant interior features or contributing buildings.

III. Rehabilitation

A. All rehabilitation undertakings on contributing structures within the proposed historic district shall adhere to "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties" (Standards).

B. Except for those undertakings consisting solely of actions exempt under Stipulation II, the Air Force will provide documentation on each undertaking to the Illinois SHPO for a review period of fifteen (15) working days from receipt. No response from the SHPO will be taken to indicate no objection to the undertaking and a completion of Section 106 process.

C. All rehabilitation undertakings that will significantly change the exterior of non-contributing buildings within the Historic District or buildings immediately adjacent to the Historic District boundaries shall be designed to meet the Standards. Except for those undertakings consisting solely of actions exempt under Stipulation II, the Air Force will provide 35% and final plans and specifications for each undertaking to the Illinois SHPO for a fifteen (15) working day review period. No response from the SHPO will be taken to indicate no objection to the undertaking as proposed and that the Air Force has completed the Section 106 process.

D. If the Illinois SHPO determines that the proposed rehabilitation of a contributing building does not adhere to the Standards or that rehabilitation of a non-contributing building or immediately adjacent building will have an adverse effect on the Historic District, further review will proceed pursuant to 36 CFR Part 800 rather than the terms of this Agreement. The Air Force will initiate the procedure set forth at 36 CFR Section 800.5(e).

IV. New Construction

A. New construction undertakings within the proposed historic district and immediately adjacent to the proposed historic district boundaries shall adhere to the recommended approaches in the Standards which apply to new construction, specifically Standards 8, 9, and 10.

B. To ensure adherence to the recommended approaches in the Standards, the Air Force shall:

1. Provide a description of the proposed project, indicating siting, to the Illinois SHPO for a review period of fifteen (15) working days from receipt;

2. Provide 35% design information to the Illinois SHPO for a review period of fifteen (15) working days from receipt for concurrence that the design meets the Standards; and

3. Provide progressive design information to the Illinois SHPO for a review period of fifteen (15) working days if the Air Force determines that said design departs from the 35% design in siting, footprint, massing, materials, or facade arrangement.

4. No response from the SHPO after the agreed upon review period shall be taken to indicate no objection to the undertaking as proposed and that the Air Force has completed the Section 106 process.

C. If at any point during review, the Illinois SHPO objects to the plans for new construction, further review will proceed pursuant to 36 CFR Part 800 rather than the terms of this Agreement. The Air Force will initiate the procedure set forth at 36 CFR Section 800.5(e).

V. Demolition

A. If a proposed undertaking involves the demolition of a contributing structure within the Historic District, the following documentation shall be provided to the Illinois SHPO and the Council for concurrent review:

1. current exterior and interior photographs;
2. current structural report;
3. reasons for proposed demolition; and

4. All alternatives to demolition considered and documented reasons for their rejection.

B. If the Illinois SHPO or the Council does not object to the proposed demolition within a period of thirty (30) working days from receipt, the Air Force shall contact the Historic American Buildings Survey (HABS) and shall record the structure in accordance with the recommendations of that office. HABS must accept the recordation, and the Illinois SHPO and the Council must be notified of its acceptance, prior to demolition.

C. If the Illinois SHPO or the Council object to the proposed demolition, further review will proceed pursuant to 36 CFR Part 800 rather than the terms of this Agreement. The Air Force will initiate the procedure set forth at 36 CFR Section 800.5(e).

D. If demolition of a non-contributing building within the Historic District is proposed, the Air Force shall notify the Illinois SHPO prior to demolition.

VI. Protection of Archeological Resources

A. If a proposed undertaking includes excavation in areas where the Air Force and the SHPO have concurred there are no intact archeological remains, as defined in Part XI. Definitions, no Section 106 consultation will be required.

B. If a proposed undertaking involves excavation in areas where the Air Force and the SHPO have concurred there is a potential for archeological materials (shown on attached map), or in Middlecoff or Perschbacher cemeteries, the Air Force shall:

1. Provide a description of the undertaking to the Illinois SHPO for a review period of fifteen (15) working days upon receipt;

2. No response from the SHPO after the agreed upon review period shall be taken to indicate no objection to the undertaking and a completion of the Section 106 process.

G. In accordance with 36 CFR Section 800.11 (a), if previously undetected archaeological resources are discovered during project activities, the Air Force will cease, or cause to stop, any activity having an effect on the resource and consult with the Illinois SHPO to determine if additional investigation is required.

1. If further archaeological investigations are required any data recovery will be performed in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37) and take into account the Council's publication, "Treatment of Archaeological Properties."

2. If both the Air Force and the Illinois SHPO determine that further investigation is not necessary, activities may resume with no further action required.

VII. Documentation and Monitoring

A. The Air Force shall retain documentation for all operation, maintenance, and development undertakings covered by this Agreement, specifically all undertaking with the potential to affect the proposed historic district at Scott, or unknown archeological sites, for a period of two years after completion of the undertaking. This documentation shall include photographs showing existing conditions prior to project start, work description, and photographs of the completed project.

B. The Illinois SHPO may perform on-site reviews of documentation on completed projects to ensure compliance with this Agreement. The Air Force shall be notified thirty (30) days prior to an on-site review and the review time shall not exceed one (1) day.

C. A report summarizing projects covered under sections III, IV, and V of this agreement shall be provided to the Illinois SHPO and Council annually in January. Summaries of the work accomplished in each project shall be approximately one paragraph.

D. The Illinois SHPO may provide training to the Air Force preservation officials on the Air Force's responsibilities pursuant to Section 106 of the National Historic Preservation Act.

VIII. Dispute Resolution

A. Should any party to this agreement object to any actions proposed or undertaken pursuant to this agreement, the Air Force shall consult with the objecting party to resolve the objection. If the Air Force determines that the objection cannot be resolved, it shall request the further comments of the Council pursuant to 36 CFR Part 800.6(b). Any Council comment provided in response to such a request shall be taken into account by the Air Force in accordance with 36 CFR Part 800.6(c)(2) with reference only to the subject of the dispute; the Air Force's responsibility to carry out all actions under this Agreement that are not the subject of the dispute shall remain unchanged.

B. If any of the parties to this Agreement believe that the terms of the Agreement cannot be carried out, or that an amendment to the terms of the Agreement is required, that party shall immediately notify the other parties and request consultation to amend this Agreement. The process of amending the Agreement shall be the same as that exercised in creating the original Agreement.

IX. Renewal

This agreement shall be in effect for five (5) years from the execution date, which shall be the date of the final signature. Before the end of the fifth (5th) year, the Agreement shall be reviewed by the Air Force, the Illinois SHPO, and the Council for possible modifications, termination, or extension. At the request of any of the parties, this Agreement may be reviewed for possible modifications, termination, or extension at any time.

X. Compliance With the Antideficiency Act

In the event that the Air Force is unable to carry out the terms of this Agreement due to the provisions of the Antideficiency Act (31 USC Sec. 1341), the Air Force shall advise the Illinois SHPO and the Council and shall otherwise comply with all requirements of 36 CFR Part 800.

Execution of this Agreement and carrying out its terms evidences that the Air Force has satisfied its Section 106 responsibilities for all individual undertakings of the program addressed herein.

XI. Definitions

"Proposed Historic District" shall refer to the Scott Field Historic District as defined in the Inventory and Evaluation of Historic Buildings and Structures of Scott Air Force Base, Illinois and National Register Nomination for Scott Field Historic District (see Appendix A for more information).

"Contributing," facilities shall refer to those facilities listed as contributing in the Inventory and Evaluation of Historic Buildings and Structures of Scott Air Force Base, Illinois and National Register Nomination for Scott Field Historic District (see Appendix A for more information).

"Non-Contributing" structures shall be defined as facilities within the boundary of the proposed historic district which are not listed as "contributing" facilities (above) (see Appendix A for more information).

"Directly adjacent facilities" shall refer to existing and new facilities bordering or intrusive on the proposed historic district (see Appendix A for more information). The determination of whether or not a new building borders on the proposed historic district will be depend on its the extent to which it has the potential to introduce visual elements out of character with the proposed historic district (see CFR 800.9(3)). This will depend on the massing, size and scale of the new buildings, as well as its precise location with respect to the district.

"Areas with no intact archaeological remains" shall refer to survey units 1, 2, 5, 6, 7, 8, 9, 11, and the large previously-disturbed central area of the base as defined in "Archeological Assessment of Scott Air Force base, St. Clair County, Illinois," by Steven De Vore (1992).

"Areas with the potential for archaeological materials" shall be defined as survey units 3, 4, and 10, as defined in "Archeological Assessment of Scott Air Force Base," by Steven De Vore (1992) (see attached archeological sensitivity map).

UNITED STATES DEPARTMENT OF THE AIR FORCE

By: _____ Date: _____
DWIGHT M. KEALOHA, Brig Gen, USAF
Commander, 375 AW/CC

ILLINOIS STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____
William Wheeler
Illinois State Historic Preservation Officer

UNITED STATES AIR FORCE

By: _____ Date: _____
Gary D. Vest
Deputy Assistant Secretary of the Air Force

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: _____
Robert D. Bush
Executive Director

APPENDIX A

Proposed historic district facilities are listed below. If for any reason there is a change in these facility numbers, the base will provide an updated appendix to all signatory parties.

Definitions:

"Contributing," facilities shall refer to facilities 2, 3, 4, 5, 6, 7, 8, 21, 22, 33, 40, 41, 42, 43, 45, 46, 47, 48, 52, 53, 54, 56, 57, 59, 60, 61, 65, 150, 153, 154, 155, 156, 158, 160, 161, 162, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189, 200, 201, 202, 204, 205, 215, 216, 217, 218, 219, 220, 227, 229, 231, 302, 308, 312, 318, 433, 434, 435, 436, 442, 443, 612, 621, 622, 623, 624, 625, 626, 633, 641, 642, 643, 644, 645, 646, 650, 651, 652, 653, 655, 656, 657, 661, 663, 670, 671, 672, 674, 675, 676, 678, 6300, 6301, 6320, 6325, 8010, 8020, 8030,

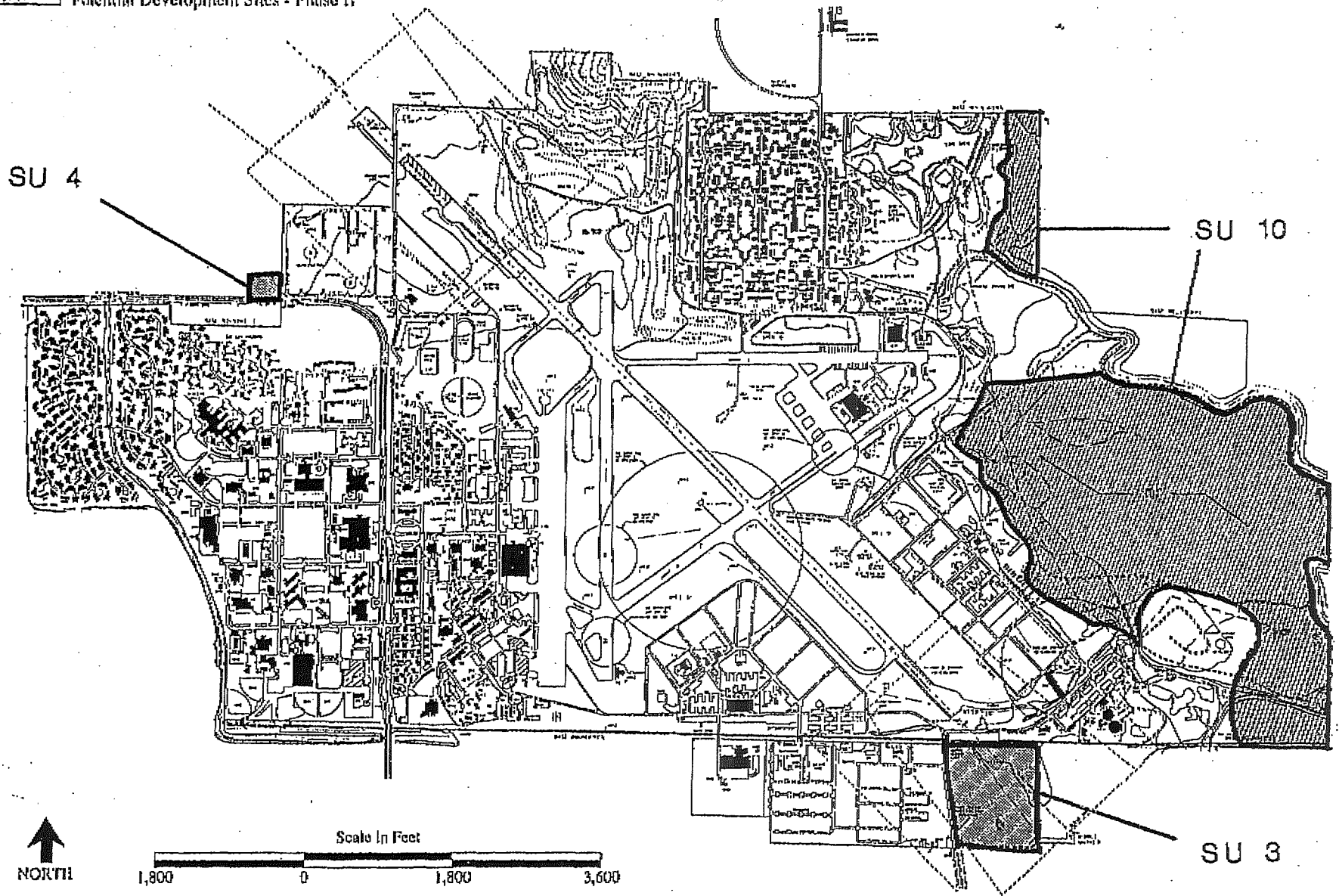
"Non-Contributing" structures shall be defined as facilities within the boundary of the proposed historic district which are not listed as "contributing" facilities (above). Facility numbers are 9, 12, 31, 36, 39, 44, 49, 50, 51, 647, 6706, 8455.

Directly adjacent facilities shall refer to facilities 10, 203, 206, 208, 232, 238, 239, 240, 241, 432, 502, 511, and 530, and to any new construction bordering the proposed historic district.

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Legend

- Potential Development Sites
- Potential Development Sites - Phase II



Development Opportunities