Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

DEC 13 1993

Mr. Alan P. Babbitt
Office of the Assistant Secretary
SAF/MIQ
1660 Air Force Pentagon
Washington, D.C. 20330-1660

REF: Joint Military-Civilian Use of Scott Air Force Base
St. Clair County, Illinois

Dear Mr. Babbitt:

The enclosed Programmatic Agreement for the referenced project has been signed by the Council. This completes the requirements of Section 106 of the National Historic Preservation Act and the Council's regulations. We have forwarded a copy of the Agreement to the Illinois State Historic Preservation Officer, but would appreciate if the Air Force would distribute copies to the other signatories.

We appreciate your cooperation in reaching a satisfactory resolution of this matter.

Sincerely,

Don L. Klima
Director
Eastern Office of Review

Enclosure

PROGRAMMATIC AGREEMENT
AMONG
THE UNITED STATES AIR FORCE,
THE FEDERAL AVIATION ADMINISTRATION,
THE ILLINOIS STATE HISTORIC PRESERVATION AGENCY, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
FOR THE
JOINT MILITARY-CIVILIAN USE OF SCOTT AIR FORCE BASE ,
ST. CLAIR COUNTY, ILLINOIS

WHEREAS, the U.S. Air Force (USAF) and Federal Aviation Administration (FAA) have approved the request from St. Clair County, Illinois, to use Scott Air Force Base (AFB) as a joint military-civilian facility; and,

WHEREAS, the USAF and FAA have determined that this project may have an effect upon properties potentially eligible for the National Register of Historic Places (NRHP) and 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 U.S.C. Section 470f); and,

WHEREAS, the St. Clair County Board participated in the consultation and has been invited concur in this Programmatic Agreement;

NOW, THEREFORE, the USAF, FAA, the Illinois SHPO, and the Council agree that the project shall be implemented in accordance with the following stipulations to satisfy the USAF's and FAA's Section 106 responsibilities for the project.

Stipulations

FAA, in consultation with the USAF and St. Clair County, will ensure that the following measures are carried out.

I. ARCHAEOLOGY

A. Survey and Evaluation

1. FAA shall ensure that an archaeological reconnaissance survey (Phase I) will be performed in all project areas not previously surveyed. The Phase I survey shall be conducted in consultation with the Illinois SHPO, and a report of the survey shall be submitted to the Illinois SHPO for review and comment. An archaeological intensive survey (Phase II) will be performed at all historic properties within the project area to evaluate their National Register eligibility. Phase II intensive survey methodologies shall be formulated in consultation with the Illinois SHPO. A report of the Phase II findings shall be submitted to the Illinois SHPO for review and comment.

2) The Phase I and Phase II surveys will be conducted in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and taking into account the National Park Service publication The Archaeological Survey: Methods and Uses (1978) and the Illinois State Historic Preservation Office's "Guidelines for Archaeological Reconnaissance Surveys/Reports." The Phase I and Phase II surveys will be implemented by FAA and monitored by the Illinois SHPO.

3) In consultation with the Illinois SHPO, FAA shall evaluate properties identified through the Phase II intensive survey against the National Register Criteria (36 CFR Part 60.4).

a) For those properties which FAA and the Illinois SHPO agree are not eligible for inclusion in the National Register, no further archaeological investigations will be required, and the proposed project may proceed in those areas.

b) If the survey results in the identification of properties that FAA and the Illinois SHPO agree are eligible for the National Register, such properties shall be treated in accordance with Part II below.

B. Data Recovery (Phase III)

1. Those sites which FAA and the Illinois SHPO agree are eligible for the National Register will be treated in the following manner:

a) The FAA shall ensure that a data recovery plan addressing substantive research questions is developed in consultation with the Illinois SHPO for the recovery of relevant archaeological data. The plan shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37) and take into account the Council's publication, Treatment of Archaeological Properties. It shall specify, at a minimum, the following:

- o the property, properties, or portions of properties where data recovery is carried out;
- o the research questions to be addressed through the data recovery, with an explanation of their relevance and importance;
- o the methods to be used, with an explanation of their relevance to the research questions;
- o proposed methods of disseminating results of the work to the interest of the public; and
- o a proposed schedule for the submission of reports to the Illinois SHPO.

b) The data recovery plan shall be submitted by FAA to the Illinois SHPO for thirty (30) days review and comment. After receipt of the Illinois SHPO's comments, the FAA shall ensure that the data recovery plan is implemented. The Illinois SHPO shall monitor this implementation.

2) The USAF shall review and approve all data recovery plans for sites located on Scott AFB prior to their implementation.

3) FAA shall ensure that the data recovery plan is carried out by or under the direct supervision of an archaeologist who meets, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9).

4) FAA shall ensure that adequate laboratory time and space are available for analysis of osteological, cultural, and biological materials recovered from the excavations.

5) FAA shall ensure that an adequate program of site security from vandalism during data recovery is developed in consultation with the Illinois SHPO, and then implemented by the FAA.

C. Curation and Dissemination of Information

1) In consultation with the Illinois SHPO, FAA shall ensure that all materials and records resulting from archaeological survey and data recovery conducted for the Scott AFB Joint Military-Civilian Use Project are curated at a repository within the State of Illinois and in accordance with 36 CFR Part 79. If human remains are recovered, the signatories to this Agreement shall consult further to determine the appropriate disposition of the remains.

2) FAA shall ensure that all final archaeological reports resulting from actions pursuant to this agreement are provided in a format acceptable to the Illinois SHPO and the National Park Service for possible peer review and submission to the National Technical Information Service (NTIS). The agency official shall ensure that all such reports are responsive to contemporary standards, and to the Department of the Interior's Format Standards for Final Reports of Data Recovery Programs (42 FR 5377-79). Precise locational data may be provided only in a separate appendix if it appears that its release could jeopardize archaeological data.

D. Discovery of Archeological Resources

In accordance with 36 CFR Section 800.11(a), if previously undetected archaeological resources are discovered during project activities, FAA 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. If further archaeological investigations are required any data recovery will be performed in accordance with Stipulations I.B. and I.C. of this Agreement. If both FAA and the Illinois SHPO determine that further investigation is not necessary, activities may resume with no further action required. Any disagreement between FAA and the Illinois SHPO concerning the need for further investigations will be handled in accordance with Stipulation IV.

II. TREATMENT OF HISTORIC FARMHOUSES

A. Evaluation of Farmhouses

1. FAA will prepare additional documentation regarding the history and significance of the farmhouses located within the project area to assist the Illinois SHPO in evaluating whether any of the properties are eligible for listing on the National Register of Historic Places. This information will be provided to the Illinois SHPO prior to making any determinations regarding the removal of the properties.

2. If FAA and the Illinois SHPO do not agree on National Register eligibility, FAA shall request a formal determination of eligibility from the Keeper of the National Register, National Park Service, whose determination shall be final.

B. Historic Structures Reports

1. Should the Illinois SHPO determine that any of the properties are eligible for listing on the National Register of Historic Places, FAA will prepare a historic structures report for the properties which evaluates their structural integrity and the feasibility of relocating the properties to an alternate site.

2. FAA will forward a copy of the report(s) and its recommendations for the treatment of the properties to the Illinois SHPO for review and approval. If the Illinois SHPO disagrees with FAA's recommendations, FAA shall request the further comments of the Council in accordance with Stipulation IV.

C. Marketing Plan

1. If FAA determines that any of the farmhouses determined eligible for the National Register can be relocated, FAA will consult with the Illinois SHPO to develop a marketing plan for the relocation and rehabilitation of the properties. The Illinois SHPO shall approve the marketing plan prior to its implementation by FAA. This plan will, at a minimum, include the following information:

a. photographs of the property, a parcel map and information on the property's historic significance;

b. information on the property's purchase price, if any; a faith estimate of the cost of properly moving the structure to another site; and, a statement regarding which party will be responsible for the various costs associated with the move;

c. information on the possible financial assistance, including Federal tax benefits, for the rehabilitation of historic buildings;

d. notification that the recipient will be required to move the building in accordance with the recommended approaches to moving outlined in the Department of the Interior's Moving Historic Buildings, and utilizing the services of a professional mover who has the capability to move historic buildings properly;

e. notification that the recipient will be required to rehabilitate and maintain the property in accordance with the recommended approaches in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; and,

f. notification of the requirement to include a preservation covenant or easement in the transfer documents that will be recorded in the County's official property records.

2. Prior to the acceptance of any offer, FAA shall review all offers in consultation with the Illinois SHPO and shall identify a preferred offer. The Illinois SHPO shall be afforded 30 days to review and comment on the preferred offer, and, if appropriate, the new site proposed for relocation of the property.

3. If FAA receives no acceptable offers to the marketing plan, FAA may, after written notice to the Illinois SHPO and the Council, demolish the properties once they are recorded in accordance with Stipulation II.E.

D. Interim Maintenance and Preservation

FAA shall ensure that all farmhouses eligible for listing in the National Register are maintained and protected against damage until a decision is made by FAA, and approved by the Illinois SHPO, regarding their treatment, and the recordation measures set forth in Stipulation are implemented.

E. Recordation and Salvage

1. Prior to the relocation or demolition of any of the farmhouses determined eligible for listing on the National Register, FAA shall contact the Historic American Buildings Survey (HABS), National Park Service, Rocky Mountain Regional Office, P.O. Box 25287, Denver, Colorado 80225, to determine what level and kind of recordation is required for the property. Unless otherwise agreed to by the National Park Service, FAA shall ensure that all documentation is completed and accepted by HABS prior to the relocation or demolition of the properties, and copies of this

documentation are made available to the Illinois SHPO and any appropriate local archives designated by the Illinois SHPO.

2. Prior to the demolition of any of the farmhouses determined eligible for the National Register, FAA shall consult with the Illinois SHPO to determine if the building contains architectural elements which could be salvaged for curation or reuse in new construction. If the Illinois SHPO identifies such elements, FAA will offer them to the Illinois SHPO or his designee. FAA shall ensure that the selected items are removed in a manner that minimizes damages.

III. SECTION 404 PERMIT APPLICATIONS

The U.S. Army Corps of Engineers (Corps) will condition all permits issued to St. Clair County with the requirement that the terms of the Programmatic Agreement must be met for all National Register eligible sites located within the wetland areas on the project site. FAA will ensure that St. Clair County obtains the necessary approvals from the Illinois SHPO for the treatment plans developed for sites within the wetlands and provide the Corps with an information copy.

IV. DISPUTE RESOLUTION

FAA and the Illinois SHPO shall attempt to resolve any disagreement arising from implementation of this Agreement. If FAA determines that the disagreement cannot be resolved, FAA shall request the further comments of the Council in accordance with 36 CFR Part 800.6(b). Any Council comment provided in response will be taken into account by FAA in accordance with 36 CFR Part 800.6(c)(2), with reference only to the subject of the dispute. FAA's responsibility to carry out all other actions under the terms of this Agreement that are not the subjects of the dispute will remain unchanged.

Execution and implementation of this Programmatic Agreement evidences that the USAF and FAA have afforded the Council a resonable opportunity to comment on this undertaking and that the USAF and FAA have taken into account the effects of the undertaking on historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: Robert D. Bush Date: 12/9/93
Executive Director

ILLINOIS STATE PRESERVATION OFFICER

By: William C. Ashel Date: 8-7-92
State Historic Preservation Officer

FEDERAL AVIATION ADMINISTRATION

By: Louis H. Yates Date: 9/28/92
Chicago Airports District Office, Manager

UNITED STATES AIR FORCE

By: Glen J. Dobbratt Date: 8/24/93

ST. CLAIR COUNTY BOARD

By: John Baricevic Date: 8-20-92
Chairman