

*(This is a corrected reprint of the original document.)*

**PROGRAMMATIC MEMORANDUM OF AGREEMENT**

WHEREAS, the University of Florida, for and on behalf of the Board of Regents, a public corporation of the State of Florida (UF), has determined that the UF main campus in Gainesville (Campus) contains numerous significant historic resources (prehistoric and historic archaeological sites, as well as historic structures and features), properties and sites both listed and eligible for listing in the National Register of Historic Places, and

WHEREAS, UF and the Division of Historical Resources (DHR), pursuant to Section 267.061(2), Florida Statutes, in consultation, have determined that UF maintenance, construction and development activities may have an effect on these properties,

NOW, THEREFORE, UF and DHR agree that UF maintenance, construction and development activities on the Campus shall be implemented in accordance with the following stipulations in order to avoid or satisfactorily mitigate possible adverse effects of these activities on properties or sites listed or eligible for listing in the National Register of Historic Places.

UF will fulfill its historic preservation responsibilities under Section 267.061(2), Florida Statutes, for activities on the Campus by ensuring that the following measures are carried out:

**I. Archaeological Sensitivity Map and Historical Resources Map:**

1. UF, in consultation with DHR, shall prepare an official Archaeological Sensitivity Map and Historic Resources Map for the Campus. Upon concurrence by DHR, these maps will form the basis for determining whether or not a proposed maintenance, construction or development project on the Campus must be submitted to DHR for review and comment. The Historic Resources Map will identify: (1) significant historic structures, (2) a historic sensitivity zone (Type I Zone) around each such structure, and (3) significant historic vistas and open spaces. The Archaeological Sensitivity Map will identify: (1) significant archaeological sites, and (2) archaeological zones of sensitivity (Type II Zones). For the purpose of this Agreement, significant historic structures are those identified in Stipulation III.1. Historic sensitivity (Type I) zones, unless otherwise specified, shall extend one hundred (100) feet in all directions from the structures listed in Stipulation III.1. The significance of archaeological sites shall be determined in terms of their eligibility for listing in the National Register of Historic Places. The archaeological zones of sensitivity (Type II Zones) delineate the boundaries of identified significant archaeological sites and as yet unsurveyed areas in which significant prehistoric and historic archaeological sites are deemed likely to occur. They have been established by consensus by UF and DHR, in consultation with the Department of Anthropology, Florida Museum of Natural History.
2. The Archaeological Sensitivity Map and Historic Resources Map for the Campus and associated listing of significant historic structures and archaeological sites shall be reviewed and updated as necessary by UF, in consultation with DHR, at the end of each fifth year following the date of execution of this Agreement.

**II. Excluded Activities:**

Maintenance, construction or development activities on the Campus not involving any of the structures, sites or zones identified on the Archaeological Sensitivity Map and Historic Resources Map may proceed without DHR review and comment or other historic preservation consideration, except as indicated in Stipulation VII.5.

### III. Rehabilitation:

1. The Properties listed below shall be preserved, maintained and rehabilitated in accordance with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation (Revised 1990) (Standards and Guidelines), included herein as Attachment 1. Application of the Standards and Guidelines shall take into account technical and economic feasibility. These Standards and Guidelines serve as the basis for all DHR reviews required pursuant to Section 267.061, Florida Statutes, for undertakings, which may adversely affect the character, form, integrity or other qualities which contribute to the historical, architectural or archaeological value of a property or site. It is important to note that these Standards and Guidelines apply to site work, and to alterations to the exterior and interior of historic buildings. For the purposes of this Agreement, the term "rehabilitation" shall include construction activities commonly referred to as "remodeling" and "renovation". If, because of extraordinary circumstances, preservation of any of the listed structures is deemed by UF to be infeasible, then the provisions of Stipulation V shall be followed.

|                          |                      |
|--------------------------|----------------------|
| A. Buckman Hall          | L. Rolfs Hall        |
| B. Thomas Hall           | M. Walker Hall       |
| C. Flint Hall            | N. Leigh Hall        |
| D. Newell Hall           | O. Police Department |
| E. Griffin-Floyd Hall    | P. Sledd Hall        |
| F. Peabody Hall          | Q. Infirmary         |
| G. Anderson Hall         | R. Dauer Hall        |
| H. Bryan Hall            | S. Fletcher Hall     |
| I. Women's Gym           | T. Murphree Hall     |
| J. Smathers Library      | U. Norman Hall       |
| K. University Auditorium |                      |

2. For major projects affecting the above listed properties the following procedures shall be followed:
  - A. For the purposes of this Agreement, major projects shall include but not be limited to: construction activities involving rehabilitation of existing exteriors and interiors (entire buildings, individual floors or major portions thereof), installation of new HVAC, lighting, electrical, plumbing, fire alarm or sprinkler systems, and alterations required for accessibility or other code requirements.
  - B. Prior to beginning the design process, appropriate DHR and UF staff will meet at the site to discuss preservation issues which should be addressed in the design of the project. If an on-site meeting is not feasible, the preservation issues should be discussed via electronic media prior to beginning the design process. UF staff will document the meeting or conversation prior to proceeding with project design.
  - C. As directed by UF, the architect shall consult with DHR during the conceptual schematic design phase and present to UF documentation of such consultation.
  - D. Unless deemed unnecessary by DHR, design submissions shall be made by UF to DHR at completion of the advanced schematic, design development and 100% construction document phases. DHR review of proposed work shall be conducted in accordance with the procedures in Stipulation VIII.
3. Routine maintenance activities involving the properties listed in Stipulation III.1 are excluded from DHR review.

- A. For the purposes of this Agreement, routine maintenance shall include: repainting (provided that surface preparation does not damage, erode or otherwise disfigure historic building materials); in-kind replacement of irreparable historic materials and features with matching work; work involving removal or in-kind replacement of non-historic materials, finishes and features; and other maintenance activities which do not change the visual qualities of the property involved or adversely affect the physical integrity of historic materials.
  - B. For the purposes of this Agreement, the following types of activities shall not be considered routine maintenance when involving historic materials, finishes and features: paint removal; masonry cleaning and repair; replacement of deteriorated materials, finishes and features with other than matching construction; and application of non-traditional or historically inappropriate masonry coatings (including: paint on previously unpainted historic masonry, masonry consolidation treatments, and waterproof and water repellent coatings). However, if work in this category is accomplished in compliance with the recommended approaches of the above referenced Standards and Guidelines, DHR review shall not be required. UF shall document such compliance in project files and make these files available for periodic inspection by DHR. Inquiries regarding the appropriateness of specific maintenance treatments may be directed to: Architectural Preservation Services Section, Bureau of Historic Preservation, at the address or phone number indicated in Stipulation VIII.1.
  - C. Emergency repairs shall be accomplished in a manner which avoids or minimizes damage to historic finishes and features. Emergency repairs are those repairs made necessary by unanticipated failure of systems or materials, presenting immediate threat to public safety, a structure or its contents. Prior DHR review of such repairs is not required. However, these repairs and their justification shall be documented by UF, and such documentation shall be provided to DHR in a timely manner subsequent to the completion of emergency actions.
4. Rehabilitation of non-historic additions to properties identified in Stipulation III.1 or of non-historic properties in Type I Zones shall follow the provisions for New Construction in Stipulation IV.

**IV. New Construction:**

- 1. All new construction within Type I Zones shall be designed in accordance with the New Construction provisions of the above referenced Standards and Guidelines. The exterior aspects of all new buildings and additions, and the interior of additions at their interface with the historic properties listed in Stipulation III.1, shall be subject to DHR review. Interior work on non-historic properties or additions, other than at the interface between the new addition and the historic building to which it is appended, shall not be subject to review under the terms of this Agreement.
- 2. Design review submissions for new construction shall be consistent with the schedule indicated for rehabilitation projects in Stipulation III.2.
- 3. DHR review of proposed new construction projects shall be conducted in accordance with the procedures in Stipulation VIII.
- 4. All new construction proposed in Type II Zones shall be developed in consultation with DHR to assure that appropriate measures are taken to identify significant archaeological resources and to avoid, minimize and mitigate the impacts of proposed work on such resources.

**V. Demolition:**

The following actions shall be taken prior to making a final decision regarding demolition of any of the properties identified in Stipulation III.1:

1. General:

- A. A Project Case Report (PCR) shall be prepared by UF to document the reasons why preservation of the property is not feasible and prudent. Except as provided in Stipulation V.2, this report shall be submitted to DHR for review and comment prior to UF making any irreversible decision regarding the subject property.
- B. If, on evaluation of the PCR, DHR determines that preservation of the property is not feasible and prudent, archival documentation of the property shall be completed by UF and submitted to DHR for review and acceptance prior to issuance by UF of authorization to proceed with demolition. All such documentation shall be consistent with the standards of the Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER).
- C. In rendering its determination regarding the PCR, DHR shall identify any special documentation (in addition to that prescribed in Stipulation V.I.B.), architectural salvage or archaeological work necessary to satisfactorily mitigate the adverse effect of the proposed demolition project. Such additional documentation, salvage or archaeological work shall be the responsibility of UF. The resulting documentation, salvage activities, archaeological reports, etc., unless otherwise agreed to in writing by DHR, shall be reviewed and approved by DHR prior to issuance by UF of authorization to proceed with demolition. DHR may agree to UF issuance of authorization to proceed with demolition prior to receipt of a final report on mitigation work, conditioned upon DHR verification that the work is otherwise complete and sufficient, and upon UF certification that the resulting report will be completed and submitted for DHR review and approval.
- D. If, after reviewing the PCR, it is the opinion of DHR that preservation of the subject property may be feasible and prudent, UF, in consultation with DHR, shall consider possible alternatives to demolition of the property.
  - (1) If, based on the consultation prescribed in Stipulation V.1.D., DHR and UF agree upon an alternative approach that will avoid demolition, the project plans shall be modified accordingly by UF and provided to DHR for review consistent with Stipulation III.
  - (2) If, after the consultation prescribed in Stipulation V.1.D., DHR and UF fail to agree on an alternative to demolition of the historic building: (a) the results of the consultation shall be documented in writing by UF, (b) copies of said documentation shall be provided to DHR and made available for public inspection, and (c) UF shall comply with the documentation and mitigation provisions of Stipulations V.1.B. and V.1.C. before proceeding with demolition.

2. Removal of Significant Hazard to Public Safety:

In those cases in which demolition is required to eliminate a significant hazard to public safety (i.e. a structure identified in Stipulation III.1., which has burned and is in danger of collapse, etc.), said demolition shall be allowed to proceed without advanced consultation with DHR. Documentation of the significant hazard to public safety and justification for demolition in lieu of retention and rehabilitation shall be submitted to DHR in a timely manner subsequent to the demolition activity.

**VI. Landscaping and Associated Activities:**

If landscaping activities in Type I Zones and in areas designated as significant historic vistas and open spaces are accomplished in accordance with the "The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes (1996)", DHR review shall not be required. Landscaping plans for work within Type II Zones shall be developed in consultation with DHR to assure consideration of the effects of proposed work on archaeological sites and properties. DHR review of proposed landscape work shall be in accordance with Stipulation VIII.

**VII. Archaeological Site Treatment and Investigation:**

1. UF, in consultation with DHR, shall establish a program of archaeological survey to inventory and evaluate a site prior to the commencement of Schematic Design, and shall establish procedures for the protection and preservation of any significant archaeological materials so located. Any qualified professional archaeologist retained to perform archaeological excavation must obtain the required Chapter 1A-32, F.A.C., Archaeological Research permit from the Division of Historical Resources, Bureau of Archaeological Research.
2. When preservation is not possible for identified significant archaeological sites, then UF shall undertake appropriate archeological salvage excavation prior to authorizing the initiation of construct or other ground disturbing activities. All such salvage excavation work shall be directed by a qualified professional archeologist and shall comply with DHR's archaeological excavation and reporting standards. Specific information regarding these standards may be obtained from the DHR Compliance Review Section at the address indicated on Stipulation VIII.1. A copy of the report shall be provided to DHR for review.
3. UF, in consultation with DHR, shall develop a program of archaeological monitoring for ground disturbing activities in previously unsurveyed portions of Type II Zones. This program shall take into account proposed construction scheduling and clearly delineate areas of particular archaeological sensitivity. This monitoring program shall be the responsibility of UF and shall be carried out under the direct supervision of a qualified professional archaeologist.
4. If, in the judgment of the monitoring archaeologist, potentially significant archaeological material is encountered, all ground disturbing activities in the immediate area (within a 10 ft. radius) of the find shall cease until the significance of the find has been evaluated; however, other project activities may proceed without interruption. If the material is found to be significant: (i) construction shall be modified to preserve significant archaeological resources in place, or (ii) if preservation is not feasible and prudent, associated construction shall cease and UF, in consultation with DHR, shall develop and implement an archaeological data recovery plan. However, if the material is determined not to be archaeologically significant, then proposed construction work may proceed as planned. Reports documenting the results of monitoring activities shall be prepared for UF by the monitoring archaeologist and provided to DHR for review.
5. If unforeseen archaeological material is encountered during construction of other ground disturbing activities in areas outside Type II Zones, the procedures in Stipulation VII.4 shall be followed.

**VIII. Project Review, Monitoring and Technical Assistance:**

1. DHR shall review plans, specifications and other proposals for work as required under the provisions of this Agreement. DHR shall provide formal comments to UF within fifteen (15) working days of receipt of complete and sufficient project information from UF. All review

submissions shall either be hand delivered or transmitted by certified mail or parcel service to:

Compliance Review Section  
Bureau of Historic Preservation  
Division of Historical Resources  
Department of State  
R.A. Gray Building, Room 423  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Documentation sufficient to enable professional evaluation of the proposed activity must accompany each review request, which shall consist of the standard requirements of the State University System Architect/Engineer Contract and Professional Services Guide. Any questions regarding documentation required for review of a specific project or proposal shall be directed to the Compliance Review Section, Bureau of Historic Preservation, at the above address or by calling (850) 487-2333 or SUNCOM 277-2333. The Architectural Preservation Services Section, Bureau of Historic Preservation shall assist in the review of all projects within Type I Zones which affect historic properties identified in Stipulation III.1. All DHR review comments shall be directed to:

Director  
Facilities Planning & Construction  
232 Stadium  
University of Florida  
Gainesville, Florida 32611

2. If DHR objects to any elements of plans, specifications and other proposals for work, UF, in consultation with DHR, shall consider other alternatives to the work in question in an effort to avoid, minimize or mitigate the adverse effect of such proposed work.
  - A. If, based on the consultation prescribed in Stipulation VIII.2., DHR and UF agree upon alternatives that will avoid or satisfactorily mitigate the adverse effects of the project, the project plans shall be modified accordingly by UF and provided to DHR for review consistent with Stipulation III.
  - B. If, after the consultation prescribed in Stipulation VIII.2., DHR and UF fail to agree on alternatives that would avoid or satisfactorily mitigate the adverse effects of the project, (a) the results of the consultation shall be documented in writing by UF, (b) copies of said documentation shall be provided to DHR and made available for public inspection, and (c) UF shall comply with the documentation and mitigation provisions of Stipulations V.1.B. and V.1.C. before proceeding with the project.
3. This process shall not be construed to limit the responsibilities of the parties to this Agreement under other applicable laws and regulations.
4. Should substantive changes be proposed for plans previously reviewed and approved by DHR, these changes shall also be submitted to DHR for review.
5. UF shall provide DHR an opportunity to inspect work sites and project files to verify adherence to the stipulations of this Agreement.
6. DHR shall provide technical assistance, consultation and expert advice, as requested by UF, in order to aid UF in complying with the stipulations of this Agreement.

**IX. Program Review:**

DHR or UF may request a review of the terms and conditions of this Agreement at any time. Execution of this Programmatic Memorandum of Agreement and adherence to its stipulations shall constitute compliance with UF's historic preservation responsibilities under Section 267.061(2), Florida Statutes, for the UF Main Campus in Gainesville.

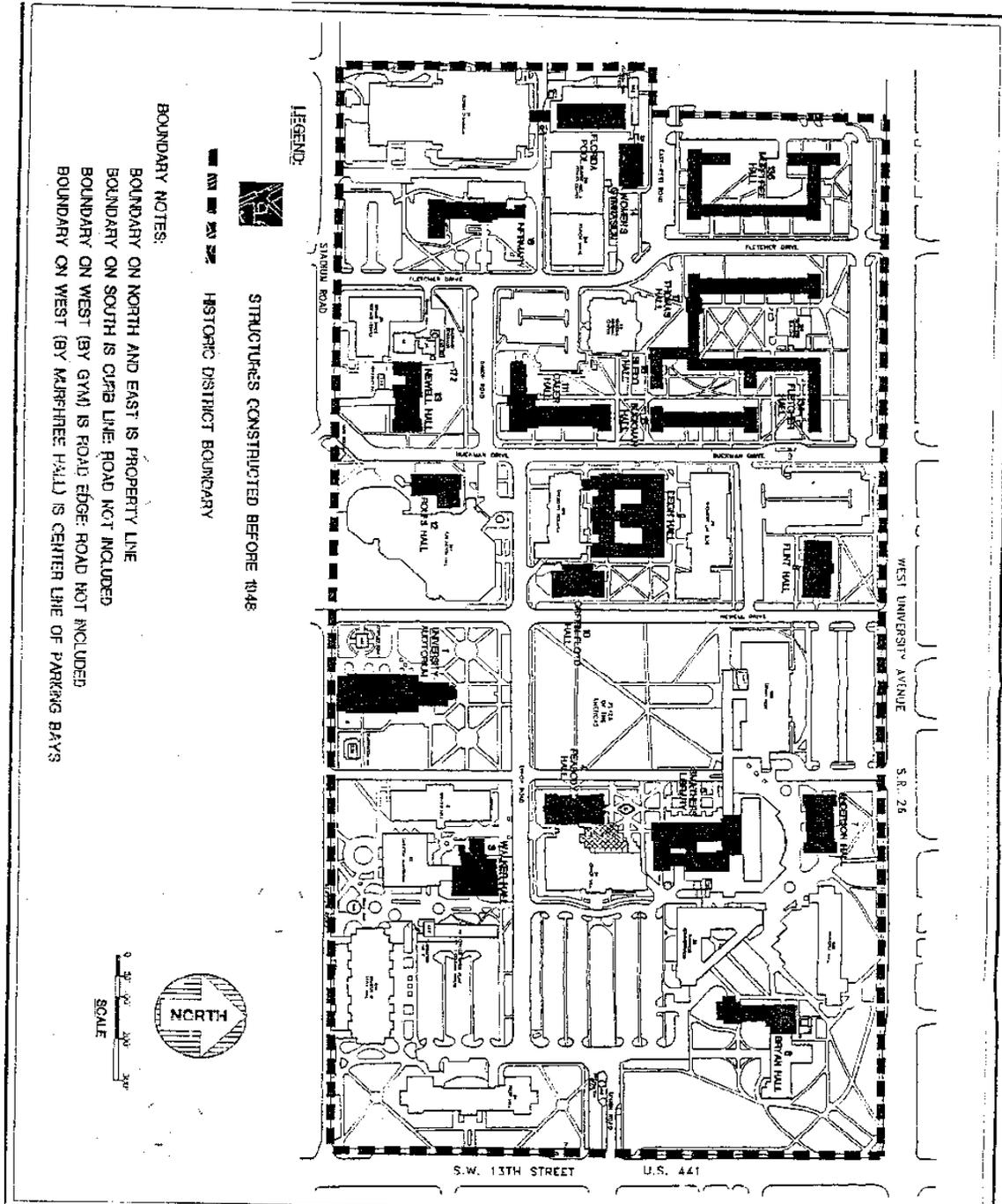
WITNESSES

UNIVERSITY OF FLORIDA,  
for and on behalf of the Board of Regents, a public corporation of the State of Florida  
CHARLES YOUNG, President

FLORIDA DEPARTMENT OF STATE  
DIVISION OF HISTORICAL RESOURCES  
JANET SNYDER MATTHEWS, Ph.D., Director

December 15, 2000

### HISTORIC RESOURCES MAP UNIVERSITY OF FLORIDA



| <p><b>UNIVERSITY OF FLORIDA</b><br/>PHYSICAL PLANT DIVISION<br/>ARCHITECTURE/ENGINEERING</p> | <p>DRAWING TITLE:<br/><b>UNIVERSITY OF FLORIDA CAMPUS<br/>HISTORIC DISTRICT</b></p>   | <table border="1"> <tr> <th>REVISIONS</th> <th>DATE</th> <th>DRAWING DATE</th> </tr> <tr> <td>UPDATE</td> <td>8/97</td> <td>SEPTEMBER, 1997</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | REVISIONS    | DATE | DRAWING DATE | UPDATE | 8/97 | SEPTEMBER, 1997 |  |  |  |  |  |  |
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| UPDATE   | 8/97  | SEPTEMBER, 1997   |              |      |              |        |      |                 |  |  |  |  |  |  |
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### ARCHAEOLOGICAL SENSITIVITY MAP UNIVERSITY OF FLORIDA

