

# RECORD OF DECISION

## Final Environmental Impact Statement for the Buildings at 202, 214, and 220 South State Street Chicago, Illinois

### 1. Introduction

#### 1.1 Action

The U.S. General Services Administration (GSA), in cooperation with the U.S. Federal Protective Service, published a Final Environmental Impact Statement (EIS) regarding the future of three vacant federally owned buildings located at 202, 214, and 220 South State Street in downtown Chicago, Illinois. These properties are adjacent to the Dirksen U.S. Courthouse.

GSA selects the Viable Adaptive Reuse Alternative, and the agency will pursue reuse under the National Historic Preservation Act (NHPA) Section 111 outlease authority. The Viable Adaptive Reuse Alternative meets the purpose and need for the Proposed Action upon satisfying the security needs of the Dirksen Courthouse. GSA will issue a Request for Lease Proposals (RLP) in Fall 2024.

This Record of Decision (ROD) documents the specific components and rationale for GSA's decision. This decision is based on the Final EIS issued in August 2024; associated technical reports; comments from federal and state agencies, stakeholders, members of the public, and elected officials; and other resources contained in the administrative record. The Final EIS provides the purpose and need for the proposed action; alternatives considered; the potential impacts and effects on the existing environment; and proposed mitigation commitments. The Final EIS is available at the following link: [Final Environmental Impact Statement for the Buildings at 202, 214, and 220 South State Street.](#)

#### 1.2 Background

In 2007, GSA completed the acquisition of 202, 214, and 220 South State Street to create a buffer zone integral to the security of the Dirksen Courthouse. Two of the buildings, the 16-story Century Building (202 South State Street) and the 21-story Consumers Building (220 South State Street), are contributing buildings to the Loop Retail Historic District, which is listed in the National Register of Historic Places (National Register).

Between 2007 and 2015, GSA completed various federal redevelopment studies for 202-220 South State Street. In 2013, GSA determined there was no federal occupancy need for the properties. In 2015, GSA issued a RLP to exchange 202-220 South State Street for construction services at other locations. The exchange solicitation was unsuccessful and canceled. In 2016, GSA initiated the disposal of the properties. In 2017, the City of Chicago proposed purchasing 202-220 South State Street. In 2019, the City of Chicago withdrew its offer due to concerns of meeting the security requirements.

In March 2022, the U.S. Congress passed the Consolidated Appropriations Act, which provided GSA with specific obligational authority in the amount of \$52 million “for demolition of the buildings located at 202-220 South State Street in Chicago, Illinois, and protection of the adjacent buildings during the demolition process, securing the vacant site of the demolished buildings, and landscaping the vacant site following demolition” (Public Law No: 117-103, March 15, 2022). In November 2022, GSA issued a Notice of Intent to initiate this proposed action under NEPA and NHPA.

## **2. Decision Process**

### **2.1 Purpose and Need**

The purpose of the Proposed Action is to address the potential security vulnerabilities associated with 202, 214, and 220 South State Street, to respond to the 2022 Consolidated Appropriations Act (Public Law No. 117-103) which authorized funding to GSA for the demolition of these buildings, and to effectively manage federal property. The Proposed Action is specifically needed for the following reasons:

- **Address Security:** GSA must address the security needs of the Dirksen Courthouse, a federal property:
  - The Dirksen Courthouse building and its occupants are at particular risk of harm by hostile acts.
  - Physical security surrounding the Dirksen Courthouse needs to be maintained and enhanced.
- **Respond to Congressional Intent:** U.S. Congress passed the 2022 Consolidated Appropriations Act with the following funding authorizations:
  - Defined scope to demolish the four (now three) buildings around the Dirksen Courthouse.
  - Funding for demolition of the four (now three) buildings.
- **Manage Federal Assets:**
  - There is no federal occupancy need for the buildings.

### **2.2 Alternatives**

GSA developed and evaluated two Action Alternatives (Alternative A, Demolition and Alternative B, Viable Adaptive Reuse) and a No Action Alternative. The No Action Alternative is a baseline to evaluate the impacts of the Action Alternatives.

GSA considered several other alternatives that were proposed during the public scoping process. Those alternatives were dismissed from consideration for failing to meet the purpose and need of the project, cost, or other factors, as detailed in Section 2.3 of the Final EIS.

### **Alternative A, Demolition**

In accordance with the 2022 Consolidated Appropriations Act, the Demolition Alternative would demolish the three vacant buildings at 202, 214, and 220 South State Street, protect adjacent buildings, secure the site, and landscape the vacant site following demolition. Demolition would enable the potential reorientation of the public entrance to the Dirksen Courthouse to its east side by allowing for public access from South State Street. The Demolition Alternative would meet the purpose and need of the Proposed Action.

### **Alternative B, Viable Adaptive Reuse**

GSA would collaborate with one or more developers who would use 202, 214, and 220 South State Street in accordance with viable adaptive reuse security criteria. GSA would consider proposals with proposed deviations from the viable adaptive reuse security criteria that demonstrate the financial capability of the offeror to successfully execute. Any proposed deviation must be agreed to by GSA. There are no federal funds available for reuse or proposed deviations from the security criteria. No federal funds are available for the rehabilitation, preservation, or restoration of 202, 214, and 220 South State Street; therefore, any rehabilitation or modification of the buildings to meet the security criteria would not be performed at the federal government's expense. The Viable Adaptive Reuse Alternative would meet the purpose and need of the Proposed Action upon satisfying the security needs of the Dirksen Courthouse.

The following list specifies the viable adaptive reuse security criteria developed by GSA in collaboration with the U.S. District Court for the Northern District of Illinois and federal law enforcement agencies. References to "developer" include lessees, tenants, or other occupants and users of the buildings:

1. The Federal government must retain ownership interests to achieve its security objectives, as determined by the government in its discretion.
2. Occupancy/Use: Properties shall not be used for short-term or long-term residential or lodging, places of worship, or medical treatment, services, or research. No use that requires access to outdoor areas is permitted.
3. Access to the roof is restricted to maintenance and repair activities. Personnel and materials that will be present in this area shall be subject to clearance and controls necessary to meet court security objectives.
4. Developer would have no access or use rights to Quincy Court.
5. Loading is prohibited in Quincy Court and otherwise restricted in a manner to achieve court security. Loading on State or Adams Streets would be subject to local ordinance requirements.
6. Occupants and users of the buildings shall have no sight lines into the Dirksen Courthouse, the Dirksen Courthouse ramp, or the Quincy Court properties owned by GSA.
7. No parking or vehicle access is permitted on or within the properties.

8. Developer is responsible for staffing, at their expense, security 24 hours a day with personnel approved by the Federal Protective Service or an entity to whom security services are delegated by Federal Protective Service.
9. Developer must obtain and maintain access control systems to prevent unauthorized access to any location within the structures. Each exterior entrance point must have an intrusion detection system and access control system installed, and Developer must provide federal law enforcement access to each system.
10. Developer must install and maintain interior and exterior security cameras and provide federal law enforcement officials with access and the ability to monitor the feeds in real time.
11. Developer must install exterior lighting necessary to achieve courthouse security objectives.
12. Perimeter Security: Developer must prevent unauthorized access to the properties that would result in an unapproved sight line.
13. Fire escapes, and any other structures that would allow access from the street, must be removed.
14. All construction documents and specifications for any renovation, rehabilitation, modification, or construction of any portion of the building (interior or exterior) will be subject to review and approval by federal law enforcement agencies.
15. No project may start without the advance approval of GSA.

### **No Action Alternative**

Under the No Action Alternative, GSA would continue to monitor the buildings' conditions and secure the buildings. The buildings would remain in place, vacant, and in need of significant repairs. GSA spends approximately \$70,000 annually on scaffolding rentals and approximately \$750,000 every other year for façade inspections and repairs, which does not include emergency repairs or security.

The No Action Alternative does not address security needs of the Dirksen Courthouse and therefore does not meet the Proposed Action's purpose and need. This alternative is used as a baseline to evaluate the impacts of the Action Alternatives.

## **2.3 Selected Alternative**

GSA selects Alternative B, Viable Adaptive Reuse for the following reasons:

- Through the NHPA Section 106 consultation process, GSA was encouraged to further explore the viability of adaptive reuse alternatives. A Programmatic Agreement (PA), developed among GSA, the Illinois State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP) and in consultation with Consulting Parties, identified measures to avoid, minimize, or mitigate potential adverse effects on the historic buildings for the Viable Adaptive Reuse Alternative.
- The NEPA public engagement process received comments mostly in support of Viable Adaptive Reuse. Of the 531 comments received, 529 supported reuse.

- The Final EIS identified two resources that would benefit from the Viable Adaptive Reuse Alternative: cultural resources and land use. GSA recognizes the historic significance of 202, 214, and 220 South State Street and their contribution to the Loop Retail Historic District. The Viable Adaptive Reuse Alternative will avoid or minimize adverse effects on the NRHP-listed Loop Retail Historic District and other historic properties in the APE and GSA will undertake mitigation measures if there are unavoidable adverse effects resulting from this alternative. The Section 106 PA stipulates mitigation requirements. The Viable Adaptive Reuse Alternative will align with City of Chicago land use plans that call for continued retail and mixed land use at State Street as well as reducing waste and reusing materials.

## **2.4 Environmentally Preferable Alternative**

The Environmentally Preferable Alternative is the alternative that best promotes the national environmental policy expressed within NEPA. In general, this refers to the alternative that will result in the least damage to the environment and best protects natural and cultural resources.

Viable Adaptive Reuse is the Environmentally Preferable Alternative. Per the Final EIS, Viable Adaptive Reuse will result in a wide range of long-term beneficial impacts for cultural resources, aesthetic and visual resources, land use and zoning, community facilities, socioeconomics and environmental justice, and health and safety.

## **2.5 Alternatives Not Selected**

GSA did not select the Demolition Alternative or the No Action Alternative.

The Demolition Alternative would meet the purpose and need. However, this alternative would have significant impacts to cultural resources, land use and zoning, and greenhouse gas emissions; and would moderately impact aesthetic and visual, community facilities, and noise resources.

The No Action Alternative does not address security needs of the Dirksen Courthouse and therefore does not meet the project's purpose and need. As a result, it was not selected.

# **3. Environmental Compliance**

## **3.1 Compliance with NEPA**

In accordance with NEPA, as amended; the President's Council on Environmental Quality (CEQ) regulations implementing NEPA (Code of Federal Regulations Title 40, Parts 1500-1508); GSA Order ADM 1095.1F, Environmental Considerations in Decision Making (1999); and GSA's PBS NEPA Desk Guide (1999), GSA considered and disclosed the potential impacts of the Action Alternatives of Demolition or Viable Adaptive Reuse on the environment. The key components of the NEPA process for this Proposed Action are as follows:

- Notice of Intent: GSA published a Notice of Intent in the Federal Register on November 1, 2022 to formally initiate the EIS process and scoping period.
- Public and Agency Scoping Period: The public and government agencies commented on the EIS scope from November 1, 2022 through December 12, 2022. During this period, GSA received comments from the public, government agencies, and non-federal agency stakeholders. A public scoping meeting was held on November 10, 2022.
- Notice of Availability: GSA published a Notice of Availability in the Federal Register on September 15, 2023 to formally announce the availability of the Draft EIS and opportunity for public review and comment.
- Public Comment Period on the Draft EIS: The public and government agencies reviewed and commented on the Draft EIS from September 15, 2023, through October 31, 2023. A public hearing was held on October 2, 2023.
- Final EIS: On August 2, 2024, GSA published the Final EIS, which considered and addressed the public and agency comments received on the Draft EIS.
- ROD: This ROD concludes the NEPA process. It states GSA's decision, identifies the alternatives considered, and specifies mitigation to be implemented.

### **3.1.1 Public Involvement and Agency Coordination**

GSA provided multiple opportunities for public involvement throughout the EIS process.

In November 2022, GSA published a Notice of Intent to seek input in the development of the EIS from the public, Native American tribes, and U.S. government agencies. GSA received 178 comments during the scoping period. All comments received during the scoping process were considered by GSA during preparation of the EIS. The U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service, and U.S. Geological Survey provided scoping comments, in addition to several non-federal agency stakeholders.

In September 2023, a Notice of Availability formally announced the availability of the Draft EIS and opportunity for public review via a public hearing and comment period. As noted in Section 2.3, GSA received 531 public and agency comments during the comment period, 529 of which supported adaptive reuse.

GSA published a Notice of Availability of the Final EIS on August 2, 2024 with a public review period. GSA considered comments received on the Final EIS prior to issuing the Record of Decision.

### **3.1.2 Environmental Consequences**

The Final EIS analyzed cultural resources, aesthetic and visual resources, land use and zoning, community facilities, socioeconomic, environmental justice, greenhouse gas emissions, hazardous materials and solid waste, air quality, noise, human health and safety, and transportation and traffic. Potential impacts to resources under each alternative are summarized in Table 1.

**Table 1: Summary of Anticipated Impacts Under Each Alternative**

Alternative	Anticipated impacts
Alternative A, Demolition	<ul style="list-style-type: none"> <li>• Significant, negative, long-term impacts to cultural resources and land use/zoning</li> <li>• Significant, negative, short-term impacts to greenhouse gas emissions</li> <li>• Minor to moderate, negative, long-term impacts to aesthetic and visual resources</li> <li>• Minor to moderate, negative, short-term impacts to community facilities, noise, and solid waste</li> <li>• Minor, negative, long-term impacts to heritage tourism</li> <li>• Minor, negative, short-term impacts to air quality, health/safety, and transportation/traffic</li> <li>• Minor, beneficial, short-term impacts to socioeconomics</li> <li>• Minor, beneficial, long-term impacts to hazardous materials</li> </ul>
Alternative B, Viable Adaptive Reuse	<ul style="list-style-type: none"> <li>• Moderate and long-term, beneficial impacts to to the specific cultural resources of the Century Building, Consumers Building, and 214 South State Street</li> <li>• Long-term, beneficial impacts to other cultural resources are negligible to moderate to other cultural resources</li> <li>• Significant, long-term, beneficial impacts to land use/zoning</li> <li>• Significant, negative, short-term impacts to greenhouse gas emissions</li> <li>• Moderate, negative, short-term impacts to noise</li> <li>• Minor to moderate, beneficial impacts to socioeconomic resources</li> <li>• Minor, beneficial, long-term impacts to hazardous materials</li> <li>• Minor, negative, short-term impacts to transportation/traffic and air quality</li> </ul>
No Action Alternative	<ul style="list-style-type: none"> <li>• Moderate negative long-term impacts to cultural resources and health/safety</li> </ul>

### 3.1.3 Mitigation Measures

For the Viable Adaptive Reuse Alternative, GSA implemented all practicable measures to mitigate environmental harm and commits to the following mitigation measures to avoid or minimize potential impacts:

- Cultural Resources
  - GSA will commit to mitigation measures within the Stipulations section of the Programmatic Agreement (PA) developed in consultation under Section 106 of the National Historic Preservation Act (NHPA), presented in Appendix A.
- Land Use
  - GSA will adhere to Section 438 of the Energy Independence and Security Act.

- Greenhouse Gas Emissions
  - In the construction phase, GSA will consider the following mitigation measures where possible:
    - Use electric starting aids such as block heaters for older vehicles
    - Use vehicles that meet model year 2010 exhaust standards for on-road vehicles and Tier 4 standards for off-road vehicles
    - Maintain vehicles and equipment consistent with manufacturers recommendations
    - Use newer vehicles and equipment with more effective exhaust technology
    - Prioritize local vendors, to the extent possible
  - The outlease program requirements will consider:
    - The materials being used to build out the rehabilitated interiors and emphasize materials with lower carbon intensities and recycled content
    - Prioritizing energy efficiency and electrification over fuel combustion for new mechanical, electrical and plumbing equipment decisions
    - Leadership in Energy and Environmental Design (LEED) and/or Energy Star certification
    - Smart building operational systems including room sensors and automated temperature set points during periods of limited occupation
    - Resilience and adaptation solutions for mechanical, electrical, and plumbing equipment in the basements of the buildings
  - GSA will consider purchasing clean power from its utility provider.
- Hazardous Materials and Solid Waste
  - The outlease program requirements will require the developer to survey the buildings prior to renovations to inform future mitigation and abatement for proper handling and disposal in accordance with government regulations.
  - The outlease program requirements will require the developer to prepare a Materials Management Plan (MMP) to address the potential for encountering areas of environmental concern (such as regulated building materials, contaminated soil and/or groundwater) during renovation of the buildings' basement areas. The MMP will identify measures to address hazardous waste and materials clean-up efforts including monitoring, handling, stockpiling, characterization, onsite reuse, and export and disposal protocols for excavated soil and groundwater requiring management
  - GSA will implement measures to divert as much of the debris as possible from landfills for reuse.
- Air Quality
  - GSA will incorporate Best Management Practices and control measures such as those described in the EPA's *Construction Emission Control Checklist*, to control emissions from renovation activities

The Viable Adaptive Reuse Alternative does not require environmental mitigation measures for Aesthetic and Visual Resources. However, exterior changes to 202, 214 and 220 South State



Street will adhere to the PA and federal government design guidelines for safety and security purposes.

### **Mitigation Monitoring and Enforcement Program**

A Mitigation Monitoring and Enforcement Program (MMEP) will be implemented to ensure that the proposed avoidance, minimization, and mitigation measures identified above are implemented as part of the project. The MMEP will identify the timing, responsibility, and method of implementation of the proposed measures, as well as any required monitoring and enforcement activities. As part of this program, the developer will be required to implement the mitigation measures arising from their project activities. These measures will be inspected and monitored to ensure compliance. Any operational mitigation measures will be implemented through the developer. The MMEP will be maintained by the developer throughout project implementation.

## **3.2 Compliance with Other Legal Authorities**

In October 2022, GSA initiated NHPA Section 106 consultation for this undertaking (defined by the ACHP as a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency). GSA invited the public to the scoping meeting on November 10, 2022, during which GSA described the role of a Consulting Party as defined by statute (36 CFR § 800.2 - Participants in the Section 106 process). GSA worked with 50 Consulting Parties, which included: federal, state, and local agencies; tribal governments, interested citizens, and community groups.

GSA held 13 meetings with Consulting Parties between January 2023 and August 2024. The Consulting Parties worked with GSA to define the Area of Potential Effects for the undertaking and identify historic properties within this area that may be adversely affected by the Proposed Action.

As part of this consultation, GSA held charrettes to generate ideas for Viable Adaptive Reuse and discuss various scenarios to help identify ways to avoid or minimize adverse effects to historic properties. The charrettes engaged Chicago's real estate development community to better understand market conditions. GSA used its Design Excellence Program to involve several members of its Peer Professionals to lend their architectural expertise to the charrettes.

GSA completed this consultation with the parties after documenting and resolving potential adverse effects on historic properties in a binding PA for Viable Adaptive Reuse signed by GSA, the SHPO, and ACHP. The PA is Appendix A of this ROD.

## 4. Decision

### 4.1 Agency Decision

GSA selects the Viable Adaptive Reuse Alternative.

GSA will use the NHPA Section 111 outlease authority to initiate the reuse strategy. GSA will request market-driven redevelopment proposals with the following considerations:

- First, GSA will consider and prioritize proposals that align with the viable adaptive reuse security criteria established for this proposed action and demonstrate the financial capability of the offeror to successfully execute.
- Second, GSA will consider proposals with proposed deviations from the viable adaptive reuse security criteria that demonstrate the financial capability of the offeror to successfully execute. Any proposed deviation must be agreed to by GSA. There are no federal funds available for reuse or proposed deviations from the security criteria.
- The RLP will allow for redevelopment of all buildings and parcels at 202 through 220 South State Street or one, two, or all three buildings.
- The RLP will require the offeror to demonstrate their expertise in historic preservation to successfully execute the reuse project as stated in the Programmatic Agreement.
- No federal funds are available for the rehabilitation, preservation, or restoration of 202, 214, and 220 South State Street; therefore, any rehabilitation or modification of the buildings to meet the security criteria would not be performed at the federal government's expense.

GSA may amend this Record of Decision if no RLP responses are received or accepted by GSA.

### 4.2 Conclusion

Based on the information and analysis in the Final EIS, and in consideration of all comments received during the NEPA public engagement process and from Federal and State agencies, stakeholder organizations, and elected officials, it is GSA's decision to select Alternative B, Viable Adaptive Reuse.

Record of Decision Approval:

Signature:

Elliot Doomes

9/4/2024

Elliot Doomes  
Commissioner, Public Buildings Service  
U.S. General Services Administration

Date

Enclosure: NHPA Section 106 Programmatic Agreement , Exhibit A.

# **Exhibit A**

NHPA Section 106  
Programmatic Agreement

**PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS**

**WHEREAS**, on May 4, 2004, the General Services Administration (GSA), pursuant to 40 USC 3307, submitted to the Committee on Environment and Public Works of the United States Senate and the Committee on Transportation and Infrastructure of the United States House of Representatives (the Committees) a prospectus seeking new obligational authority to expend funds to acquire the land and buildings comprising the 200 block of South State Street and the unit block of West Jackson Boulevard (the Prospectus);

**WHEREAS**, the Prospectus set forth among the justifications for the acquisition to “allow GSA to create a buffer zone integral to the security of the [Everett McKinley Dirksen] Courthouse,” and further to “increase security by eliminating the possibility of private sector development proximate to the Dirksen Courthouse;”

**WHEREAS**, the Prospectus was approved by the House Committee by resolution on July 21, 2004, and the Senate Committee by resolution on November 17, 2004;

**WHEREAS**, on various dates in 2005, GSA acquired title to the properties north of Quincy Court that were the subject of the Prospectus, which included 202, 208-212, 214, and 220 South State Street (the State Street Buildings), all of which are presently unoccupied;

**WHEREAS**, 202 South State Street was unoccupied at the time of acquisition and the other State Street Buildings were partially occupied at the time of acquisition and fully vacant by June 2014;

**WHEREAS**, when GSA acquired the State Street Buildings, the buildings had significant fire protection/life safety deficiencies, substandard mechanical and electrical systems, and exterior envelope deterioration, as documented by GSA in the 2009 Building Preservation Plans for 202 and 220 South State Street;

**WHEREAS**, these conditions required GSA to vacate all tenants from the buildings and all were fully vacant by June 2014;

**WHEREAS**, the multiple system deficiencies of the State Street Buildings at the time of GSA’s acquisition required a level of investment that GSA could not fully address within its authorized funding threshold for repair and alteration projects;

**WHEREAS**, throughout its ownership, GSA has made investments to the extent that available funds would allow in maintenance, protection, and stabilization of the buildings, particularly in regard to life safety measures;

**WHEREAS**, despite the vacant status of the buildings and lack of federal use, GSA’s Operations and Maintenance contractor performs twice daily (morning and evening) inspections of the State Street Buildings and cleans all roof drains on a semi-annual basis;

**WHEREAS**, GSA additionally maintains an annual contract for the rental of scaffolding and canopies around 220 South State Street and a portion of 202 South State Street, owns and maintains a canopy on the remainder of 202 South State Street, contracts to perform facade inspections and repairs on 202 and 220 South State Street every two to three years, and funds repairs to the State Street Buildings that are necessary for life safety, security or prevention of damage to the general public and to the neighboring Berghoff property (the Berghoff);

**WHEREAS**, the State Street Buildings (with the exception of 208-212) remain structurally sound, as shown in the Condition Assessment Reports prepared by GSA in 2023, with interior conditions similar to those documented in 2009, while the deteriorated exteriors continue to advance due to lack of funds available to address the systemic repairs required;

**WHEREAS**, on December 19, 2006, in planning for the City of Chicago (City) to vacate Quincy Court to GSA through municipal ordinance, GSA entered into an agreement with the Berghoff Restaurant Company of Delaware, a Delaware Corporation ("Berghoff"), under which, GSA provides Berghoff with an easement for access across Quincy Court and the T-shaped alley North of Quincy Court (see map in Attachment A);

**WHEREAS**, the City approved an ordinance (document number 0716633160) on March 14, 2007, vacating that portion of Quincy Court bisecting the 200 Block of South State Street, on the condition that GSA reserve for the Berghoff the right to vehicular access to the rear of its building at 17 West Adams Street and adjacent to the State Street Buildings, over the vacated right-of-way;

**WHEREAS**, between 2007 and 2015, GSA completed various federal-use redevelopment studies for the State Street Buildings, including adaptive reuse feasibility studies, to meet potential federal space needs projected at the time of acquisition, and GSA engaged in Section 106 consultation with the Illinois State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), Landmarks Illinois, and Preservation Chicago between 2009 and 2013 during those feasibility investigations for various redevelopment approaches to federal use for the State Street Buildings (see Attachment B for a list, summary, and timeline of previous studies);

**WHEREAS**, after developing preliminary concepts for use of the State Street Buildings for federal offices, GSA drafted two prospectus funding requests for fiscal years 2011 and 2012, respectively, for projects based on those concepts;

**WHEREAS**, considering there was limited need for federal use of the State Street Buildings, GSA prioritized other critical capital funding needs, leading GSA to not request funding from Congress for federal-use redevelopment of the State Street Buildings in those fiscal years;

**WHEREAS**, after 2012, it became apparent to GSA that the projected federal space needs upon which the State Street redevelopment project was premised were increasingly unlikely to materialize, and GSA discontinued further consideration of a State Street redevelopment project in the formulation of its budget requests to Congress and suspended Section 106 consultations for this potential federal reuse in 2013;

**WHEREAS**, after 2013, with no projected federal need for space in the State Street Buildings to support GSA's redevelopment of the properties, GSA explored its options to find private entities with interest in redeveloping the properties as a means for potentially recouping the investment the federal government made to acquire the properties; these efforts culminated in a determination by GSA that the State Street Buildings were excess to GSA's needs, and a subsequent determination by GSA that the State Street Buildings were surplus to the federal government's needs;

**WHEREAS**, on March 20, 2017, under its authority to dispose of surplus federal property and in compliance with the NHPA, in order to achieve a No Adverse Effect finding, GSA entered into an agreement with the City, in concurrence with the SHPO, under which a qualified developer was secured for residential conversion through a competitive process in accordance with GSA requirements, the Secretary of the Interiors' Standards, and preservation deed covenants;

**WHEREAS**, those restrictions to address Dirksen Courthouse security, initially developed starting in 2015 as part of the disposal action by GSA in collaboration with the U.S. Department of Justice and U.S. Marshals Service, formed the beginning of the current 15 viable adaptive reuse security criteria to address security concerns at the Dirksen Courthouse (see Attachment C for further information on the viable adaptive reuse security criteria);

**WHEREAS**, the March 17, 2017, agreement with the City of Chicago was terminated on September 17, 2019, when the City withdrew its offer to purchase the State Street Buildings and its support for any sale or redevelopment that did not satisfy the security concerns of the U.S. Department of Justice and U.S. Marshals Service;

**WHEREAS**, the 2022 Consolidated Appropriations Act provided GSA obligational authority to 1) expend \$52 million for demolition of the State Street Buildings; 2) protect the adjacent buildings during the demolition process; 3) secure the vacant site of the demolished buildings; and 4) landscape the vacant site following demolition (Public Law No: 117-103, March 15, 2022);

**WHEREAS**, GSA is not authorized to use these funds for other purposes without further Congressional action;

**WHEREAS**, GSA proposes to seek a reuse of the 202-220 S. State Street properties through the government's authority to lease historic properties to the private-sector as provided by Section 111 of the NHPA, 54 USC § 306121, to responsibly manage these federal assets while addressing the security needs of the Dirksen Courthouse (the Undertaking);

**WHEREAS**, GSA will continue to invest in Dirksen Courthouse security in collaboration with the priorities identified by the U.S. Department of Justice and U.S. Marshals Service, subject to feasibility, to the extent GSA is provided funding and authorization by Congress to do so;

**WHEREAS**, the above-described Undertaking is subject to Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) (54 United States Code [USC] § 306108, *et seq.*), and its implementing regulations, "Protection of Historic Properties" (Title 36 *Code of Federal Regulations* [CFR] Part 800);

**WHEREAS**, the Section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties (36 CFR Part 800.1(a));

**WHEREAS**, on October 12, 2022, GSA formally initiated Section 106 consultation with the SHPO;

**WHEREAS**, GSA has conducted its Section 106 consultation process concurrently with, but separate from, its National Environmental Policy Act (NEPA) (42 USC § 4321, *et seq.*) process, under which GSA is preparing an Environmental Impact Statement;

**WHEREAS**, under NEPA and Section 106, GSA considered both Demolition and Viable Adaptive Reuse to address the future of the State Street Buildings;

**WHEREAS**, in an effort to coordinate these processes, this NHPA Programmatic Agreement (PA) to resolve adverse effects to historic properties will be executed before the NEPA record of decision is signed by GSA, and the PA shall be included in the record of decision to memorialize the commitments made under Section 106;

**WHEREAS**, 40 CFR 1501.10 states that NEPA Environmental Impact Statements shall be issued within 2 years from the date of issuance of the notice of intent to the date a record of decision is signed, and the NHPA requires that Federal agencies conclude the Section 106 process before approving the expenditure of funds on or issuing approval for an undertaking to proceed (54 USC § 306108);

**WHEREAS**, GSA has identified Viable Adaptive Reuse as the preferred alternative through the NEPA process;

**WHEREAS**, this PA defines Demolition as complete or partial removal of 202 or 220 South State Street;

**WHEREAS**, this PA defines Viable Adaptive Reuse as GSA retaining ownership of 202-220 South State Street and contracting with others to rehabilitate or redevelop some or all of the properties in accordance with the 15 viable adaptive reuse security criteria developed to address security concerns at the Dirksen Courthouse (see Attachment C), and in accordance with any subsequent modifications to the criteria;

**WHEREAS**, GSA shall first consider and prioritize proposals that align with the viable adaptive reuse security criteria and that demonstrate the financial capability and historic preservation expertise of the offeror to successfully execute; secondly, GSA shall consider proposals with proposed deviations from the viable adaptive reuse security criteria that demonstrate the financial capability and historic preservation expertise of the offeror to successfully execute;

**WHEREAS**, any proposed deviation from the viable adaptive reuse security criteria must be agreed to by GSA and there are no federal funds available for reuse or proposed deviations from the security criteria;

**WHEREAS**, if, after due diligence and good faith effort to include professional broker services, solicitation, evaluation, and negotiation of potential Viable Adaptive Reuse proposals, no Viable Adaptive Reuse projects are accepted by GSA, then GSA will resume consultation to resolve adverse effects and amend this PA;

**WHEREAS**, the public has had the opportunity to participate in the Section 106 process through the *Notice of Intent To Prepare an Environmental Impact Statement and Initiate Section 106 Consultation for Four Buildings at 202, 208–212, 214 and 220 South State Street, Chicago, Illinois, and Notice of Public Scoping, Meetings and Comment Period*, published on November 1, 2022; at the public scoping meeting on November 10, 2022, which included a presentation on the Section 106 process and an explanation that any public comments on historic properties would be considered during both the NEPA and the Section 106 reviews; through the *Notice of Availability - Draft Environmental Impact Statement for the Buildings at 202, 214, and 220 South State Street, Chicago, Illinois*, published on September 15, 2023; and at the public meeting on the Draft Environmental Impact Statement on October 2, 2023;

**WHEREAS**, on December 16, 2022, GSA provided information on the Undertaking and an invitation to participate in the consultation in accordance with 36 CFR Part 800.6(a)(1)(i)(A) to the ACHP, and the ACHP notified GSA that it would participate in the consultation via a letter dated December 23, 2022, because the Undertaking may have substantial impacts on historic properties and the consultation may raise policy and procedural questions;

**WHEREAS**, in accordance with 36 CFR Part 800.6(a)(1)(i)(C), GSA provided the ACHP the required documentation through the Electronic Section 106 Documentation Submittal System on January 24, 2023;

**WHEREAS**, GSA identified and invited parties to participate in the consultation on December 19, 2022 (See Attachment D for list of Consulting Parties);

**WHEREAS**, in a letter dated January 5, 2023, GSA initiated Section 106 consultation with the following Native American tribes: Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community; Hannahville Indian Community, Michigan; Kickapoo Tribe of Oklahoma; Little Traverse Bay bands of Odawa Indians, Michigan; Menominee Indian Tribe of Wisconsin; Miami Tribe of Oklahoma; Prairie Band of Potawatomi Nation; Ho-Chunk Nation; Peoria Tribe of Indians of Oklahoma; Sac and Fox Nation of Mississippi in Iowa; Sac and Fox Nation of Missouri; and Sac and Fox Nation of Oklahoma;

**WHEREAS**, the Forest County Potawatomi Community responded via email on January 17, 2023, and accepted the invitation to be a Consulting party, stated that no historic properties of significance to their community were affected, and noted that in the event an inadvertent discovery at any phase of the project that exposes human remains or archaeologically significant materials, the Tribes must be included in any consultation regarding treatment and disposition;

**WHEREAS**, the Miami Tribe of Oklahoma responded on January 23, 2023, and offered no objection to the project, accepted the invitation to be a Consulting party, and requested immediate notification if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act or any archaeological evidence were discovered during any phase of this project;

**WHEREAS**, GSA received no other responses from Native American tribes although some tribes have participated in the consultation;

**WHEREAS**, GSA established the area of potential effects (APE) as defined at 36 CFR Part 800.16(d), and after revisions made in response to comments received during the consultation process, the SHPO agreed with the APE in a letter dated March 24, 2023 (see Attachment E for APE map);

**WHEREAS**, the footprint of the Undertaking is within the Loop Retail Historic District, which is listed in the National Register of Historic Places (NRHP) under Criterion A for its representation of the history of retail shopping, luxury wholesale trade, professional and personal services, and theaters and hotels in Chicago between 1872 and 1949; and under Criterion C for possessing representative examples of all major commercial building types from the period and a diverse range of architectural styles and practitioners, including the largest and finest collection of commercial buildings in Chicago with major works of national and international importance, and the largest grouping of early post-Chicago Fire loft buildings in the Loop, several major department store buildings important in the history of retail development, and influential examples of the Chicago School of architecture;

**WHEREAS**, 202 and 220 South State Street are listed in the NRHP as contributing to the Loop Retail Historic District and 208-212 South State Street was not;

**WHEREAS**, 214 South State Street would be contributing to the Loop Retail Historic District except for the slipcover that obscures the façade and postdates the district's period of significance, as stated by the SHPO in a letter dated May 24, 2023, and GSA and the SHPO agreed that it is eligible for the NRHP as part of the Loop Retail Historic District;

**WHEREAS**, GSA determined that there were other historic properties in the APE (see Attachment E for a map of properties in the APE that are eligible for or listed in the NRHP and Attachment F for a table of those properties);

**WHEREAS**, on March 27, 2023, the SHPO concurred with GSA's finding that demolition of 208-212 South State Street would not adversely affect historic properties;

**WHEREAS**, GSA demolished 208-212 South State Street in Summer 2023 as a separate emergency undertaking and the site is currently a secured landscaped lot without public access;

**WHEREAS**, the *Architectural Resources Survey Report and Assessment of Effects to Historic Properties -Future of 202, 214, and 220 South State Street, Chicago, Illinois* and the *Archaeological Resources Review -Future of 202, 214, and 220 South State Street, Chicago, Illinois* were prepared on behalf of GSA and provided to the SHPO and the other Consulting Parties on September 7, 2023, and GSA found that the Undertaking would have an adverse effect on historic properties;

**WHEREAS**, GSA determined the Undertaking could have adverse effects to 202, 214, and 220 South State Street; the Loop Retail Historic District as a whole; historic properties adjacent to 202-220 South State Street and contributing to the Loop Retail Historic District; and the Chicago Federal Center;

**WHEREAS**, the SHPO concurred with the determinations of NRHP-eligibility and that the Undertaking would have an adverse effect on historic properties on October 16, 2023;

**WHEREAS**, in accordance with 36 CFR Part 800.10, *Special requirements for protecting National Historic Landmarks*, GSA evaluated the National Historic Landmarks in the APE (see Attachment E for a map of National Historic Landmarks in the APE and Attachment F for a table of those properties) for effects and determined that there would be no adverse effect to National Historic Landmarks from the Undertaking regardless of which alternative was selected, and the SHPO concurred on October 16, 2023;

**WHEREAS**, given that implementation of the Viable Adaptive Reuse alternative described above could result in a range of potential outcomes, GSA has prepared this PA in compliance with 36 CFR Part 800.14(b)(1)(ii) and 800.14(b)(3) because the effects on historic properties cannot be fully determined prior



to approval of the Undertaking;

WHEREAS, under Viable Adaptive Reuse, some or all of the remaining State Street Buildings would be rehabilitated and the landscaped lot at 208-212 South State Street could be redeveloped;

WHEREAS, GSA has consulted with the SHPO, the ACHP, and the other Consulting Parties on ways to avoid, minimize, and/or mitigate the adverse effects that the Undertaking could have on historic properties, pursuant to the regulations implementing Section 106 of the NHPA at 36 CFR Part 800;

WHEREAS, GSA held thirteen Consulting Parties meetings between January 19, 2023, and August 5, 2024, including two charrettes using industry professionals to aid with the goal of identifying and discussing adaptive reuse scenarios for the State Street properties and understanding market interest in their adaptive reuse to help identify ways to avoid or minimize adverse effects to historic properties;

WHEREAS, many Consulting Parties and members of the public have expressed a desire for the preservation of the Century and Consumers Buildings (202 and 220 South State Street, respectively), which have been listed in Preservation Chicago's Chicago 7 Most Endangered in 2011, 2013, 2022, 2023 and 2024, as one of the Most Endangered Historic Places in Illinois in 2022 and 2023 by Landmarks Illinois, as one of the 11 Most Endangered Historic Places for 2023 by the National Trust for Historic Preservation, and have been voted unanimously to be designated as Chicago Landmarks by the Commission on Chicago Landmarks in December 2023 and forwarded to the Chicago City Council for consideration in January 2024, and had almost 24,000 signatures on an on-line petition to save them gathered by Preservation Chicago;

NOW THEREFORE, GSA, the SHPO, and ACHP agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties.

## STIPULATIONS

GSA shall ensure that the following measures are carried out, subject to the limitations of the Anti-Deficiency Act as set forth in Stipulation XII.:

### I. DEFINITIONS

- A. "Consulting Parties" are those that have consultative roles in the Section 106 process, including Signatories, Invited Signatories, and Concurring Parties (36 C.F.R. § 800.2(c)).
- B. "Signatories" as defined in 36 CFR Part 800.6(c)(1) have the sole authority to execute, amend, or terminate this agreement, and "Invited Signatories" as defined in 36 CFR Part 800.6(c)(2) have the same rights with regard to seeking amendment or termination of this agreement as the Signatories. The Signatories are GSA, the ACHP, and the SHPO.
- C. Any reference within this PA to a "Signatory" includes Signatories and Invited Signatories.
- D. "Concurring Parties" are those Consulting Parties that are asked to concur with this PA, indicating a willingness to participate in future consultations if needed, but they cannot prevent the PA from being executed, amended, or terminated.
- E. Chicago Federal Center was listed in the NRHP in 2011 and contains three buildings, one structure, one sculpture, and a plaza: Everett McKinley Dirksen U.S. Courthouse, John C. Kluczynski Federal Building, U.S. Post Office Loop Station, a small mechanical building, and the Flamingo sculpture. In this PA, the Everett McKinley Dirksen U.S. Courthouse is referred to as the Dirksen Courthouse.

II. AVOIDANCE AND MINIMIZATION MEASURES

- A. Maintenance and Security. Before any lessee(s) assumes responsibility for the South State Street Buildings, GSA will continue the program of cyclical inspection and maintenance to preserve the structural integrity and historic fabric of the buildings and, as funds are available, make any necessary repairs or replacements in consultation with SHPO. Once a Viable Adaptive Reuse contract is signed with a lessee(s), GSA will ensure that any lessee(s) continues a program of cyclical inspection and maintenance to preserve the structural integrity and historic fabric of the building(s) and, to the extent feasible, makes any necessary repairs or replacements in cooperation with GSA and in consultation with SHPO. The lessee(s) will ensure the buildings remain secured from unlawful entry before and during rehabilitation.
- B. Future Maintenance. GSA will ensure that any lessee(s) maintains and repairs the character-defining features of the buildings that are rehabilitated for the duration of the lease period in accordance with the recommended approaches in the Secretary's Standards and with the leasing documents.

III. MITIGATION MEASURES

The following Stipulations address potential adverse effects to historic properties associated with the Viable Adaptive Reuse alternative.

Measures listed in Stipulation III. are broad commitments that GSA will adhere to. Prior to viable adaptive reuse construction, GSA will, in consultation with the Consulting Parties, develop detailed measures for the mitigation commitments to resolve adverse effects on historic properties that may result from the Viable Adaptive Reuse of the State Street Buildings. Preliminary details of the mitigation measures are contained in Attachment G. GSA will work with the Consulting Parties to develop detailed actions, steps, timelines, and other information to implement the mitigation commitments in the PA and will document those details in Attachment G. Attachment G may be revised or updated without amendment of this PA, as long as all Signatories agree in writing to the proposed changes. Signatories will provide such agreement via electronic mail to GSA. If any Signatory disagrees in writing with proposed changes to Attachment G, GSA will consult with all Signatories to resolve the objection. If GSA cannot resolve the objection, the disagreement will be resolved as stated in Stipulation VII. Upon receipt of Signatories' agreement to any revisions and updates to Attachment G, GSA will provide those revisions and updates to the Consulting Parties.

These stipulations apply to adaptive reuse of all or any of the buildings at 202, 214, or 220 South State Street including rehabilitation of some or all of the remaining State Street Buildings, possible demolition of 214 South State Street, or redevelopment of the landscaped lot at 208-212 South State Street. Any outlease agreement GSA signs for these properties will include this PA as an attachment to ensure the lessee(s) adhere to their responsibilities.

- A. Rehabilitation of One or More of the State Street Buildings. Rehabilitations to facilitate viable adaptive reuse of one or more of the buildings at 202, 214, or 220 South State Street will be subject to GSA approval and oversight, including compliance with Section 106 of the NHPA, and will follow the Secretary of the Interior's Rehabilitation Standards and Guidelines, to the extent possible, as it relates to the operational needs of the program for reuse or to the financial needs of the offeror's proforma. The outlease will allow for the offeror's participation in the federal Historic Rehabilitation Tax Credit program.
- B. Reuse of 214 South State Street Storefront. If viable adaptive reuse requires the demolition of 214 South State Street for new construction on the site, then the historic elements on the first floor, including the storefront, interior, and stairway, will be re-used and incorporated into the project or made available for another reuse. The selection of historic elements and

the re-use design will be done in cooperation with GSA and in consultation with SHPO.

- C. Reuse of Previously Salvaged Historic Architectural Components. Project design for rehabilitation of 202 and 220 South State Street will include reuse of previously salvaged and stored historic architectural components from these buildings, including decorative horizontal portions of the fire escape, the original 50-foot flagpole, and portions of the salvaged terra cotta.
- D. Redevelopment of 208-212 South State Street or Other New Construction. Any redevelopment of the landscaped lot at 208-212 South State Street or other new construction at 202-220 South State Street will be subject to GSA approval and oversight. The design will be done in cooperation with GSA and in consultation with SHPO, NPS, and other Consulting Parties.
- E. Rehabilitation of Quincy Court. GSA will develop a conceptual plan to rehabilitate Quincy Court to complement the Chicago Federal Center and enhance the reuse of the State Street Buildings in conjunction with the Viable Adaptive Reuse project.

IV. UNANTICIPATED EFFECTS AND POST-AGREEMENT DISCOVERIES

- A. In the event previously unrecorded properties are discovered during implementation of the Undertaking, or previously identified historic properties are affected in an unanticipated manner, GSA will adhere to the following procedures in accordance with 36 CFR Part 800.13:
  - 1. Immediately cease, or cause to stop, any activities within 100 feet of the suspected discovery or effect and consult with the SHPO and, if necessary, Tribal Historic Preservation Officers (THPOs) to determine if additional investigation or actions are warranted. GSA will notify the SHPO and, if necessary, THPOs by telephone or via email within twenty-four (24) hours of the discovery of the property or effect.
  - 2. The SHPO/THPOs will respond to the notification within two (2) business days.
    - a) If GSA and the SHPO/THPOs determine that further investigation of the discovery or further actions to address the effect are not necessary, activities may resume with no further action required.
    - b) If GSA and the SHPO/THPOs agree that further investigations are warranted, GSA will ensure that a treatment plan is prepared and sent to the SHPO/THPOs.
    - c) If GSA and the SHPO/THPOs agree on the adequacy of the treatment plan within fourteen (14) days of the SHPO/THPO's receipt of the plan, or if the SHPO/THPOs fails to respond with comments within fourteen (14) days of their receipt of the plan, GSA will ensure the treatment plan is implemented as presented.
    - d) If archaeological data recovery is the agreed upon treatment for responding to a post-agreement discovery, GSA will prepare a data recovery plan in consultation with the SHPO/THPOs.
    - e) Any disagreements between GSA and the SHPO/THPOs concerning the need for further investigations or the scope of effort will be addressed in accordance with Stipulation VII. of this PA.
- B. If human remains are encountered during implementation of the Undertaking, GSA will

ensure that work within 100 feet of the remains ceases and will secure the site. GSA will contact the Principal Archaeologist at the Illinois SHPO immediately upon discovery as well as the THPOs. GSA will notify all Signatories to this PA within twenty-four (24) hours of the discovery.

V. RESPONSE TO EMERGENCY

- A. In the event GSA proposes an emergency undertaking as an essential and immediate response to a disaster or emergency declared by the President or the Governor of Illinois, or in response to another immediate threat to life or property, GSA will notify the SHPO and ACHP via telephone and email within two business days of commencing the emergency undertaking.
- B. GSA will include a summary of all emergency undertakings in the status report required in Stipulation VI.
- C. This Stipulation applies only to undertakings that are implemented within 30 calendar days after the disaster or emergency has been formally declared by the appropriate authority. GSA may request an extension of the period of applicability from the ACHP prior to the expiration of the 30 calendar days.
- D. Immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of Section 106 and this PA.

VI. REPORTING

- A. The Signatories may request meetings or conference calls regarding the Undertaking and/or implementation of the Stipulations in this PA at any time for the duration of this PA. If unforeseen issues arise regarding the Stipulations or their implementation, the Signatories will inform the other Consulting Parties and may request a Consulting Parties meeting.
- B. To keep the Consulting Parties apprised of the status of the implementation of the Stipulations in this PA, GSA will prepare an annual report, commencing one year after this PA is executed, and distribute it to the Consulting Parties via email.
- C. Once all Stipulations have been met, GSA will prepare and distribute a final report, documenting the completion. After GSA releases the final report, reporting under this Stipulation will cease.

VII. DISPUTE RESOLUTION

A. Signatories

All Signatories to this PA will strive to address and resolve disagreements concerning the implementation of this PA without initiating formal dispute resolution. If such resolution cannot be reached:

1. Any Signatory to this PA may object in writing to GSA regarding any action carried out or proposed with respect to implementation of this PA. GSA will, within ten (10) working days, initiate consultation with the objecting party to resolve the objection.
2. If after initiating such consultation GSA determines that the objection cannot be resolved through consultation, GSA will:
  - a) Forward all documentation relevant to the objection to the ACHP, including GSA's proposed response to the objection. The ACHP shall provide GSA with its advice on the resolution of the objection within thirty (30) days of

receiving adequate documentation. Prior to reaching a final decision on the dispute, GSA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, Signatories and Concurring Parties, and provide them with a copy of this written response. GSA will then proceed according to its final decision.

b) If the ACHP does not provide its advice regarding the dispute within the thirty (30) day period, GSA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, GSA shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatories and Concurring Parties, and provide them and the ACHP with a copy of such written response.

c) GSA's responsibility to ensure that all other actions under this PA that are not the subjects of the dispute are carried out will remain unchanged.

3. Unless all Signatories agree that the dispute warrants a cessation of work, neither GSA nor its collaborator(s) will be required to cease work on the Undertaking while the dispute is being reviewed.

#### B. Continued Participation by the Public and Concurring Parties

Should a Concurring Party to this PA or any member of the public object in writing to GSA regarding any plans, specifications, or actions provided for review pursuant to this PA within the specified timeframes, GSA will consult with the objecting party and the SHPO to determine how the objection should be resolved and to seek resolution.

1. Following such consultation, GSA will provide the objecting Concurring Party or member of the public with a decision on the objection.

2. If GSA and the SHPO are unable to resolve the objection, they will consult with the ACHP. GSA will consider any recommendation on the objection provided by the ACHP before making a final decision on the matter. GSA will communicate such a final decision to the SHPO and to the objecting Concurring Party or member of the public.

### VIII. PROFESSIONAL QUALIFICATIONS

All work carried out pursuant to this PA will be developed and/or implemented by or under the direct supervision of a person or persons meeting or exceeding the minimum professional qualifications, appropriate to the affected resource(s), listed in the *Secretary of the Interior's Professional Qualification Standards* (36 CFR Part 61, Appendix A).

### IX. ELECTRONIC COPIES

GSA will provide the SHPO, ACHP, and each Consulting Party with one legible, full-color, electronic copy of the fully executed PA and its Attachments no more than 30 days after execution. If the electronic copy is too large to send via email, GSA will provide each Consulting Party with a copy of the executed PA via a CD, or in any reasonable medium available.

### X. AMENDMENT

Any Signatory may request that this PA be amended by informing GSA in writing of the reason for the request and the proposed amendment language. After receiving the request, GSA will notify all Consulting Parties of the proposed amendment and consult to reach agreement. The amendment will be effective on the date a copy signed by all the Signatories is filed by GSA with the ACHP.

## **XI. EXPIRATION**

This PA will expire ten years from the Effective Date of this PA as defined in Stipulation XIV., herein. Prior to such expiration date, GSA may consult with the SHPO and ACHP to reconsider the terms of this PA and amend or extend it in accordance with Stipulation X. GSA may consult with the SHPO and ACHP regarding the progress of implementation of this PA and consider developing a secondary memorandum of agreement.

## **XII. COMPLIANCE WITH APPLICABLE LAW AND ANTI-DEFICIENCY ACT PROVISION**

This PA will be carried out consistent with all applicable federal and state laws. No provision of this PA will be implemented in a manner that would violate the Anti-Deficiency Act. GSA will make reasonable and good faith efforts to secure the necessary funds to implement this PA in its entirety. All obligations on the part of GSA will be subject to the availability and allocation of appropriated funds for such purposes. Nothing in this PA may be construed to obligate GSA to any current or future expenditure of resources in advance of the availability of appropriations. Should GSA be unable to fulfill the terms of this PA due to funding constraints or priorities, GSA will immediately notify and consult with the SHPO and ACHP to determine whether to amend or terminate this PA pending the availability of resources. This PA shall not be interpreted to impose upon GSA any affirmative obligation to take action necessitating the obligation of appropriated funds. All commitments specified in this PA must therefore be understood as identifying those acts by GSA that, if taken, the Consulting Parties stipulate are sufficient for GSA to have discharged its obligations under Section 106 of the NHPA.

## **XIII. TERMINATION**

If any Signatory to this PA determines that the terms of this PA will not or cannot be carried out, that Signatory will immediately consult with the other Signatories to develop an amendment to this PA pursuant to Section VIII., above. If this PA is not amended following that consultation, then it may be terminated by any Signatory through written notice to the other Signatories. Within 30 days following any such termination and prior to work continuing on the Undertaking, GSA will notify the SHPO and ACHP whether it will initiate consultation to execute a new PA under 36 CFR Part 800.14(b)(1)(ii) or request and consider the comments of the ACHP under 36 CFR Part 800.7 and proceed accordingly.

## **XIV. EFFECTIVE DATE**

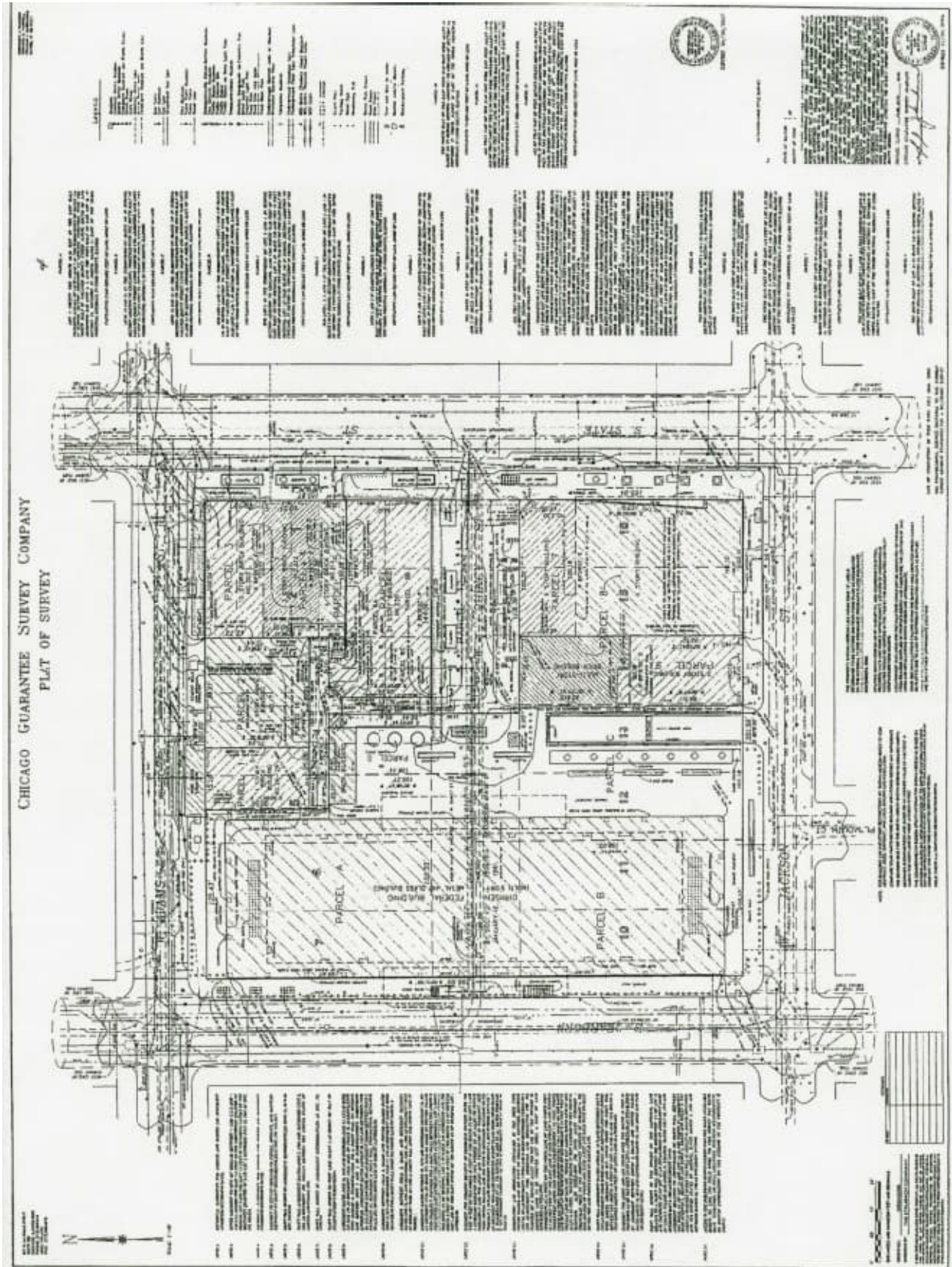
This PA will be executed in counterparts, with a separate page for each Signatory, and GSA will ensure that each Signatory is provided with a fully executed copy. This PA will become effective upon obtaining the signatures of GSA, the SHPO, and the ACHP.

Execution and implementation of this PA by GSA, the SHPO, and ACHP evidence that GSA has taken into account the effects of this Undertaking on historic properties and afforded the ACHP an opportunity to comment on the Undertaking.

# Attachment A

## Plat of Survey Map

Quincy Court and T-Shaped Alley  
Vacated by City of Chicago to GSA



PROGRAMMATIC AGREEMENT AMONG THE UNITED STATES GENERAL SERVICES ADMINISTRATION, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER REGARDING THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET CHICAGO, ILLINOIS 8.15.2024



## Attachment B Previous Studies

Between 2007 and 2015, GSA analyzed and completed various federal redevelopment scenario studies for 202-220 South State Street, including adaptive reuse feasibility studies. These studies are summarized here.

- *Chicago Federal Campus Expansion Plan: Utilization of North Half of Site, 2007*

This 2007 study identified four preliminary development alternatives, which considered various combinations of demolition and renovation.

- *Chicago Federal Campus Expansion Plan: New Construction North Site Feasibility Study, June 2, 2008*

This study assessed the feasibility of demolishing 202, 208-212, 214, and 220 South State Street and constructing a new building on the site. The preferred alternative presented in this study combined a centrally located core within the new building and a site strategy using below grade access. Subsequent studies focused on the feasibility of adaptive reuse rather than demolition and new construction.

- *Chicago Federal Campus Expansion Plan: Adaptive Reuse North Site Feasibility Study, June 2, 2008*

The preferred alternative of this 2008 study was to renovate 202 and 220 South State Street and remove and replace 208-212 and 214 South State Street with a new infill building that would link to 202 and 220 South State Street. This study analyzed the feasibility of this alternative and documented a physical plan of action to implement the project, which included a budget to enable government decision makers to determine the viability of the proposed approach. The preferred alternative in this study was not carried forward because it lacked the potential to maximize the marketability of the redeveloped space compared to other approaches.

- *Chicago Federal Campus Expansion Plan: Historical Preservation and Increased Marketability North Site Feasibility Study, February 20, 2009*

This 2009 study focused on maintaining the historic significance of the buildings, while seeking the maximum potential floorspace for increased marketability. Of the six alternatives discussed in this study, the preferred alternative was restoring only one of the terracotta clad buildings, 202 South State Street, and demolishing the remaining three buildings at 208-212, 214, and 220 South State Street to make way for a new building that would connect to the existing building at 202 South State Street. This strategy aimed to preserve the more historically valuable high-rise (202 South State Street), while maximizing the marketability of the project.

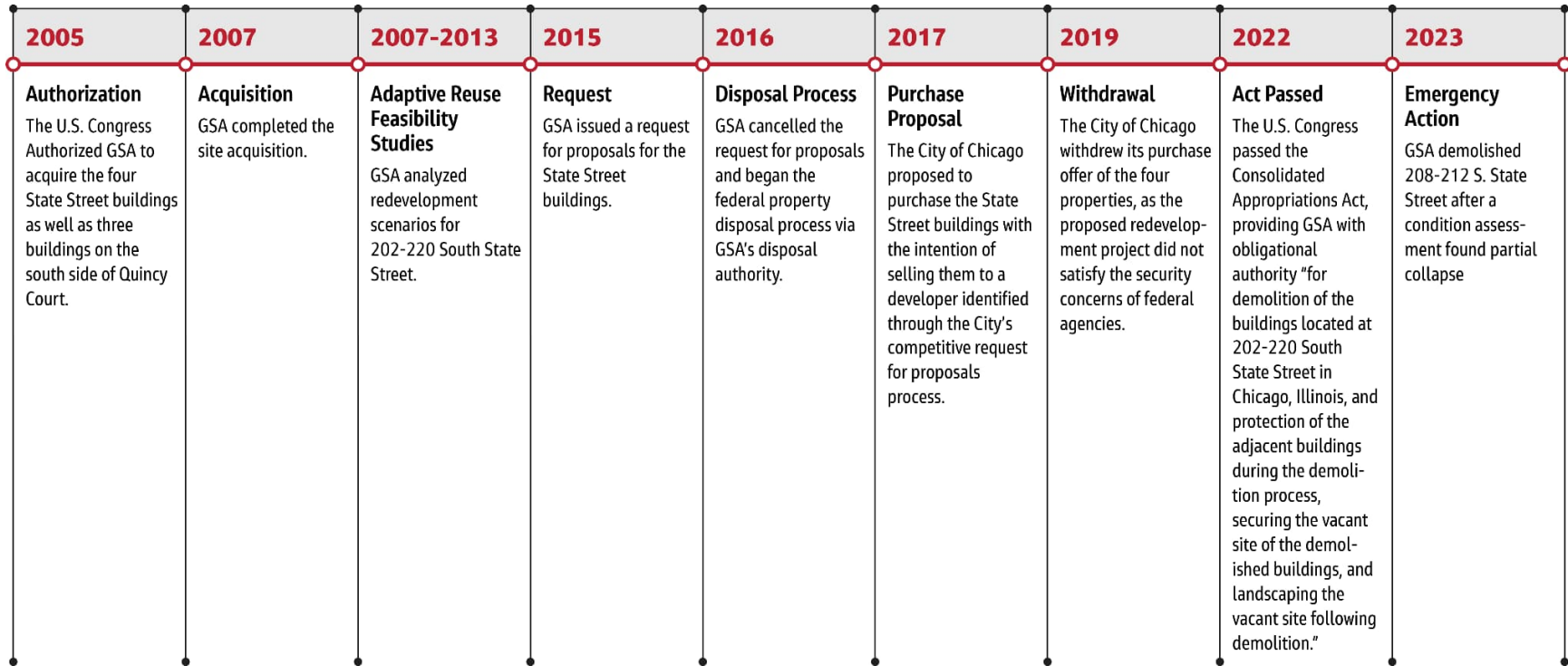
- *Chicago Federal Campus Expansion Plan: Assessing Risks North Site Feasibility Study, March 6, 2013*

This 2013 study shifted from the earlier perspective of historic preservation and increased marketability to examining construction risks involved in developing the project site. Based on the findings of this study, GSA proposed using the existing buildings' footprint and the adjacent area between the Dirksen Courthouse and Quincy Court for additional floor area.

- *Chicago Federal Campus Expansion Plan: Historical Preservation Study North Site Feasibility Study, March 6, 2013*

This 2013 study supplemented the *Assessing Risks* study and focused on the historic preservation objectives from the 2008 *Adaptive Reuse* and 2009 *Historic Preservation and Increased Marketability* studies. Historic preservation workshops were held in June and September 2010 to engage Chicago's historic preservation community in examining viable design alternatives for the site. The ACHP, Illinois SHPO, City of Chicago Landmarks Division, National Trust for Historic Preservation, and Landmarks Illinois participated in the workshops. From the workshops, GSA learned that the historic preservation community preferred renovating 220 South State Street as an option, although it may not align with building standards for GSA buildings, local and national codes, Design Excellence, Art in Architecture, Leadership in Energy and Environmental Design certification, or the Secretary of the Interior's Standards for the Treatment of Historic Properties. Therefore, GSA's perspective shifted toward assessing construction risk in the 2013 *Assessing Risks* study. The workshops also led to reconsideration of the preferred alternative from the 2009 *Historic Preservation and Increased Marketability* study (keeping 202 South State Street). This study did not identify a preferred alternative.

## Recent Site History



## Attachment C Viable Adaptive Reuse Security Criteria

The 15 viable adaptive reuse security criteria were developed by GSA in collaboration with the U.S. District Court for the Northern District of Illinois and federal law enforcement agencies beginning in 2015, after the State Street buildings were determined surplus. In 2017, additional criteria were added as part of the federal disposal process. The final list of 15 criteria was completed in 2022. The criteria were made available to the public on November 1, 2022, through a notice in the Federal Register entitled “Notice of Intent to Prepare an Environmental Impact Statement and Initiate Section 106 Consultation for Four Buildings at 202, 208-212, 214 and 220 South State Street, Chicago, Illinois, and Notice of Public Scoping Meetings and Comment Period” (Notice-PBS-2022-06; Docket No. 2022-0002; Sequence No. 26) and again on September 15, 2023, through the Notice of Availability for the “Draft Environmental Impact Statement for the Buildings at 202, 214, and 220 South State Street, Chicago, Illinois” (Document 88 FR 63576).

The 15 viable adaptive reuse security criteria are as follows:

- The federal government must retain ownership interests to achieve its security objectives.
- Occupancy/Use: Properties shall not be used for short-term or long-term residential or lodging, places of worship, or medical treatment, services, or research. No use that requires access to outdoor areas is permitted.
- Access to the roof is restricted to maintenance and repair activities. Personnel and materials that will be present in this area shall be subject to clearance and controls necessary to meet court security objectives.
- Developer would have no access or use rights to Quincy Court.
- Loading is prohibited in Quincy Court and otherwise restricted in a manner to achieve court security. Loading on State or Adams Streets would be subject to local ordinance requirements.
- Occupants and users of the buildings shall have no sight lines into the Dirksen Courthouse, the Dirksen Courthouse ramp, or the Quincy Court properties owned by GSA.
- No parking or vehicle access is permitted on or within the properties.
- Developer is responsible for staffing, at their expense, security 24 hours with personnel approved by the Federal Protective Service or an entity to whom security services are delegated by Federal Protective Service.
- Developer must obtain and maintain access control systems to prevent unauthorized access to any location within the structures. Each exterior entrance point must have an intrusion detection system and access control system installed, and Developer must provide federal law enforcement access to each system.
- Developer must install and maintain interior and exterior security cameras and provide federal law enforcement officials with access and the ability to monitor the feeds in real time.
- Developer must install exterior lighting necessary to achieve security objectives of the Dirksen Courthouse.
- Perimeter Security: Developer must prevent unauthorized access to the properties that would result in an unapproved sight line.
- Fire escapes, and any other structures that would allow access from the street, must be removed.
- All construction documents and specifications for any renovation, rehabilitation, modification, or construction of any portion of the building (interior or exterior) will be subject to review and approval by federal law enforcement agencies.
- No project may start without the advance approval of GSA.

## Attachment D List of Consulting Parties

## CONSULTING PARTIES

Lead Federal Agency: General Services Administration (GSA) – *Signatory*

Illinois State Historic Preservation Officer (SHPO) - *Signatory*

Advisory Council on Historic Preservation (ACHP) - *Signatory*

U.S. District Court for the Northern District of Illinois

U.S. Court of Appeals for the Seventh Circuit

Federal law enforcement (U.S. Marshals Service, Federal Protective Service)

U.S. Department of the Interior, National Park Service, National Historic Landmark Program

Bureau of Alcohol Tobacco and Firearms, Department of Justice

Environmental Protection Agency

Forest County Potawatomi Community of Wisconsin

Kickapoo Tribe of Oklahoma

Menominee Indian Tribe of Wisconsin

Miami Tribe of Oklahoma

Peoria Tribe of Oklahoma

Prairie Band of Potawatomi Nation

City of Chicago Department of Planning and Development

City of Chicago Aldermen

National Trust for Historic Preservation

Preservation Chicago

Landmarks Illinois

American Institute of Architects (AIA) Chicago

AIA Illinois

The Berghoff Restaurant

Chicago Loop Alliance

Building Owners and Managers Association (BOMA), Chicago

Chicago Collaborative Archives Center

Province of Our Lady of Guadalupe

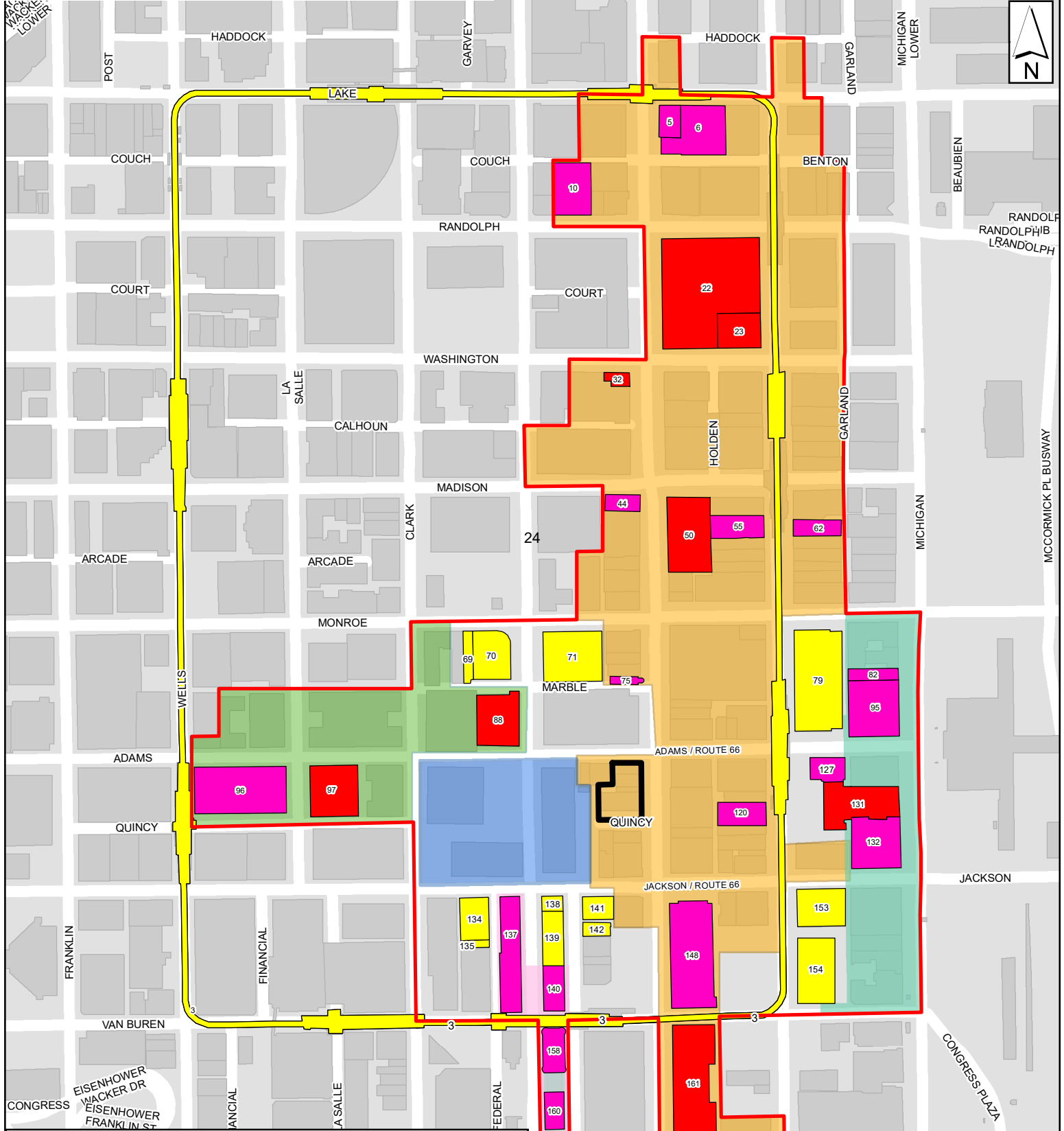
McGreal Center for Dominican Historical Studies at Dominican University

Mies van der Rohe Society, Illinois Institute of Technology

Bradford White



Attachment E  
Area of Potential Effects Maps  
with Historic Properties  
including National Historic Landmarks

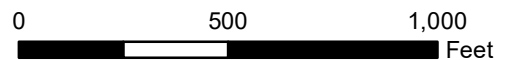


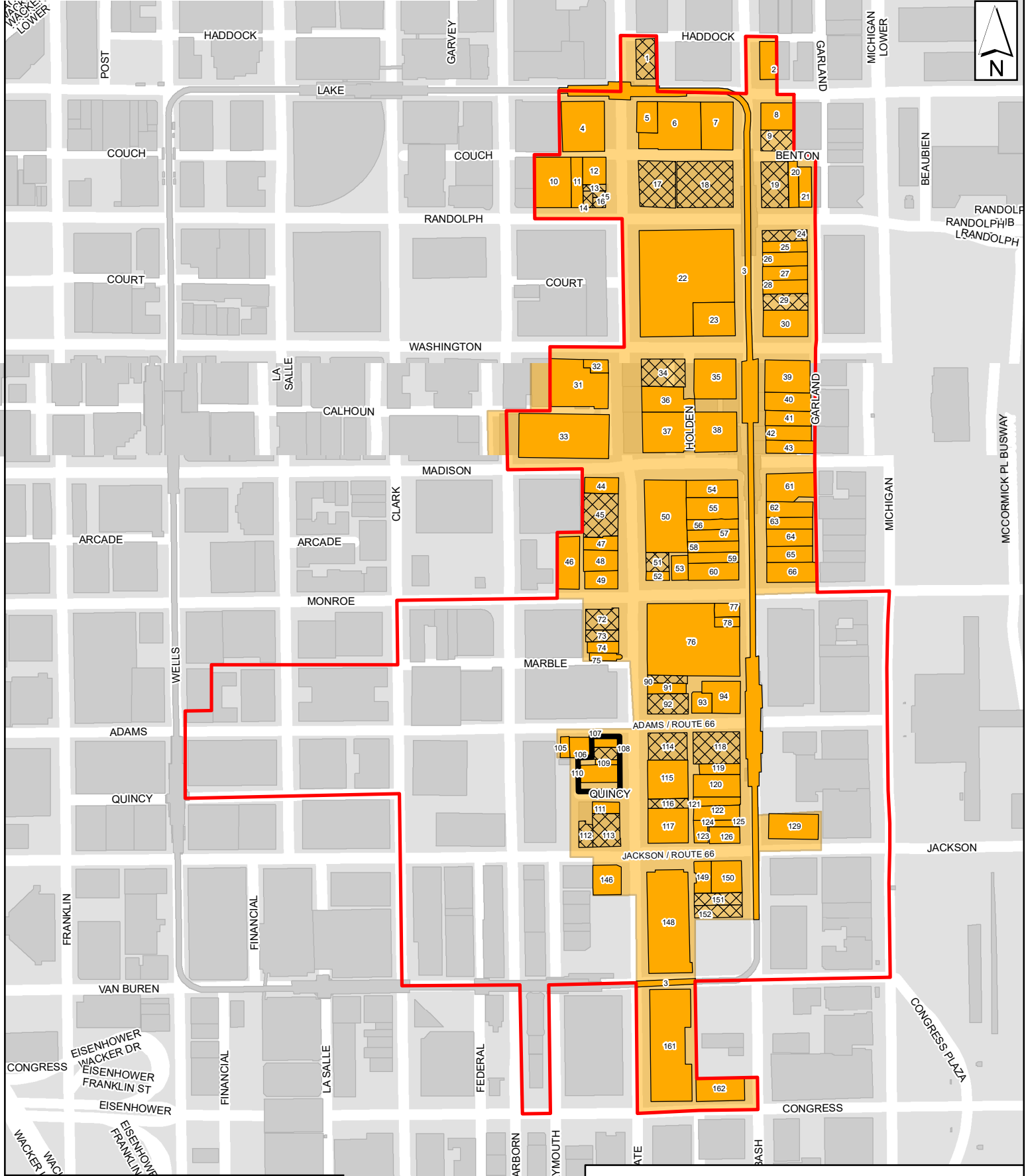
### Legend

- ▬ APE
- NHL
- NRHP
- Determined Eligible
- Loop Retail Historic District (NRHP)
- South Dearborn Street - Printing House Row North Historic District (NHL)
- South Loop Printing House District (NRHP) within APE
- West Loop - LaSalle Street Historic District (NRHP) within APE
- Chicago Federal Center (NRHP)
- Historic Michigan Boulevard District within APE

### Future of 202 - 220 South State Street Chicago, Illinois

#### Individual Historic Properties and National Historic Landmarks





**Legend**

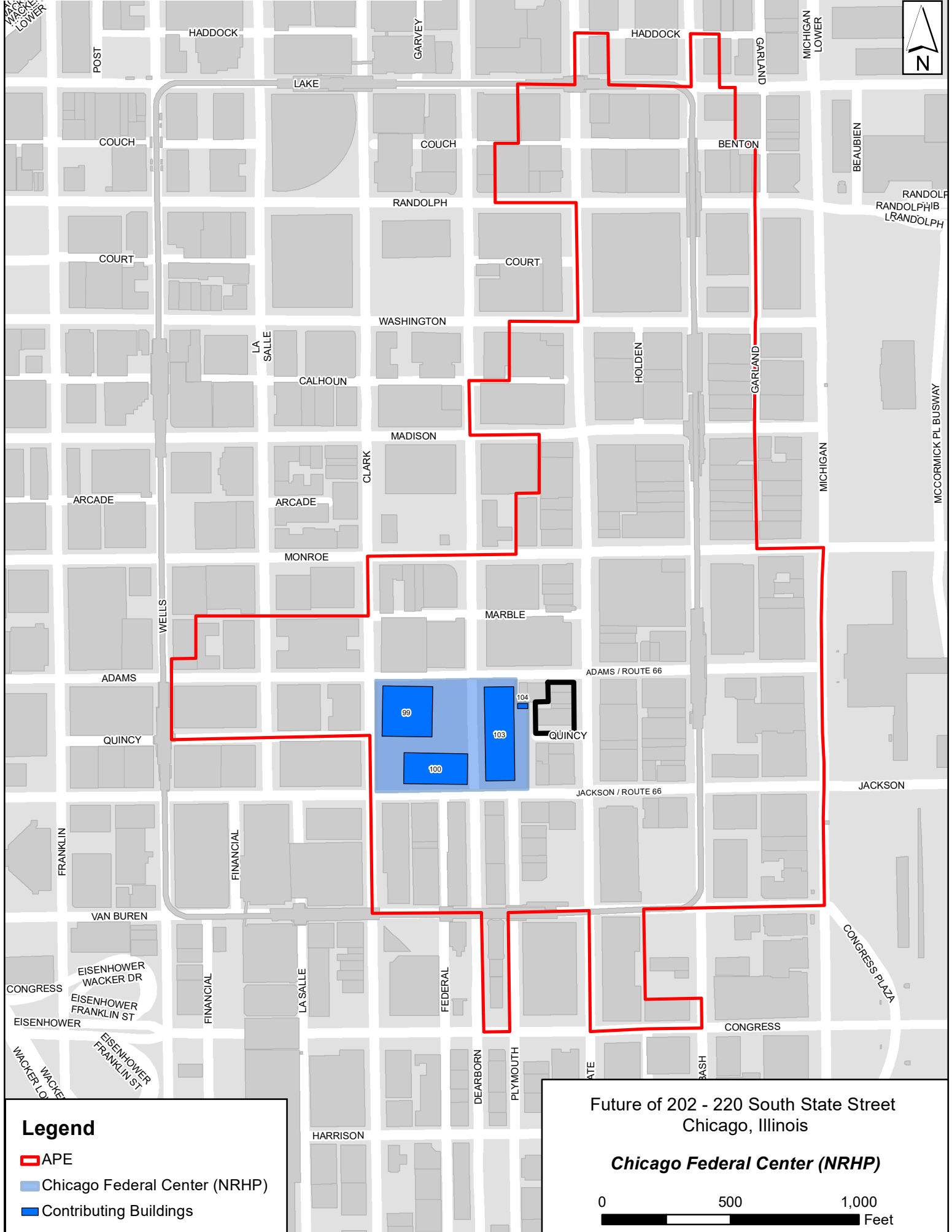
- APE
- Loop Retail Historic District (NRHP)
- Contributing
- Not Historic

Future of 202 - 220 South State Street  
Chicago, Illinois

**Loop Retail Historic District (NRHP)**

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Feet



**Legend**

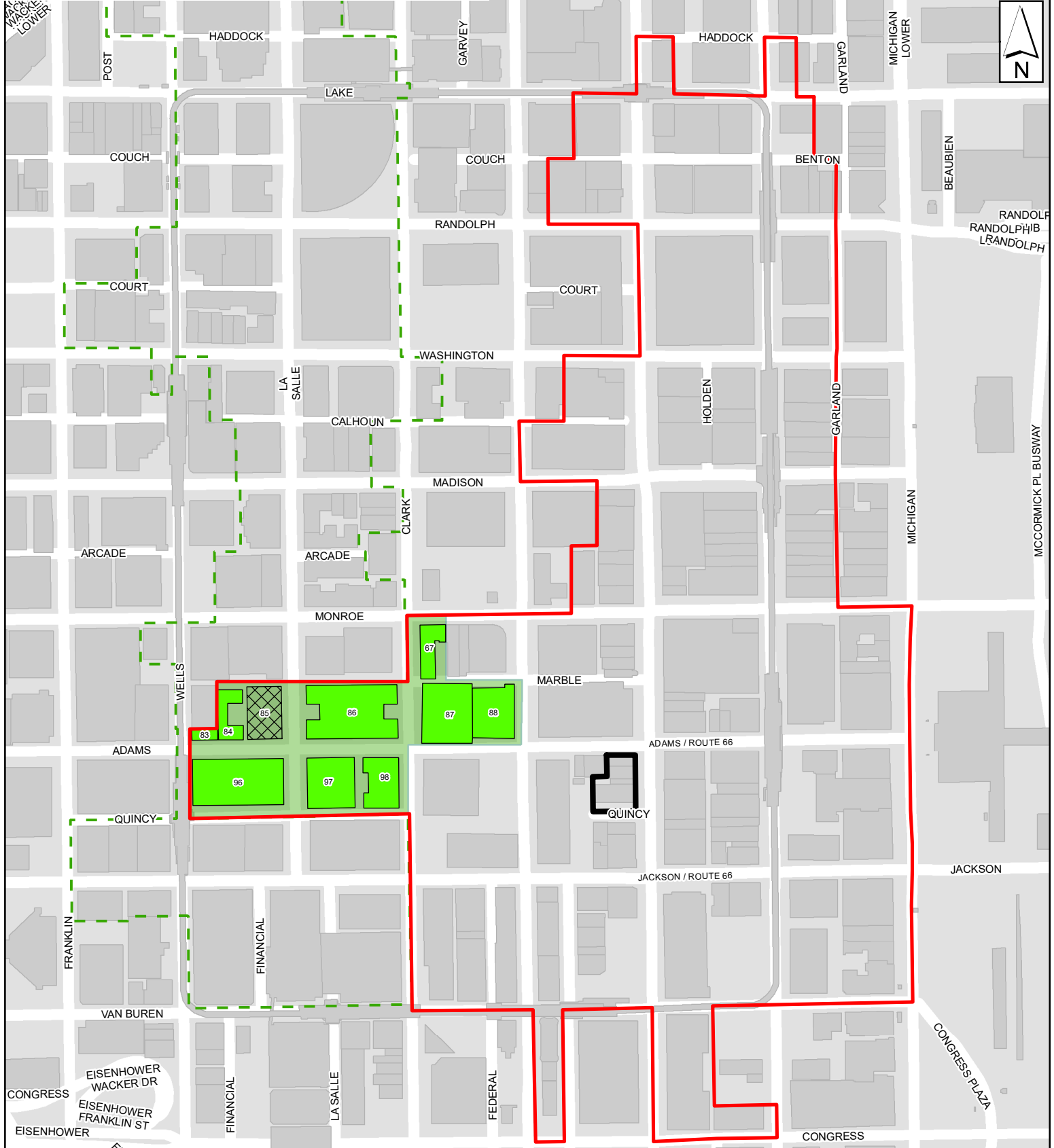
- ▭ APE
- Chicago Federal Center (NRHP)
- Contributing Buildings

Future of 202 - 220 South State Street  
Chicago, Illinois

**Chicago Federal Center (NRHP)**

0                      500                      1,000  
 Feet

PROGRAMMATIC AGREEMENT AMONG THE UNITED STATES GENERAL SERVICES ADMINISTRATION, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER REGARDING THE FUTURE OF 202, 208-212, 214, AND 220 SOUTH STATE STREET CHICAGO, ILLINOIS 8.15.2024



**Legend**

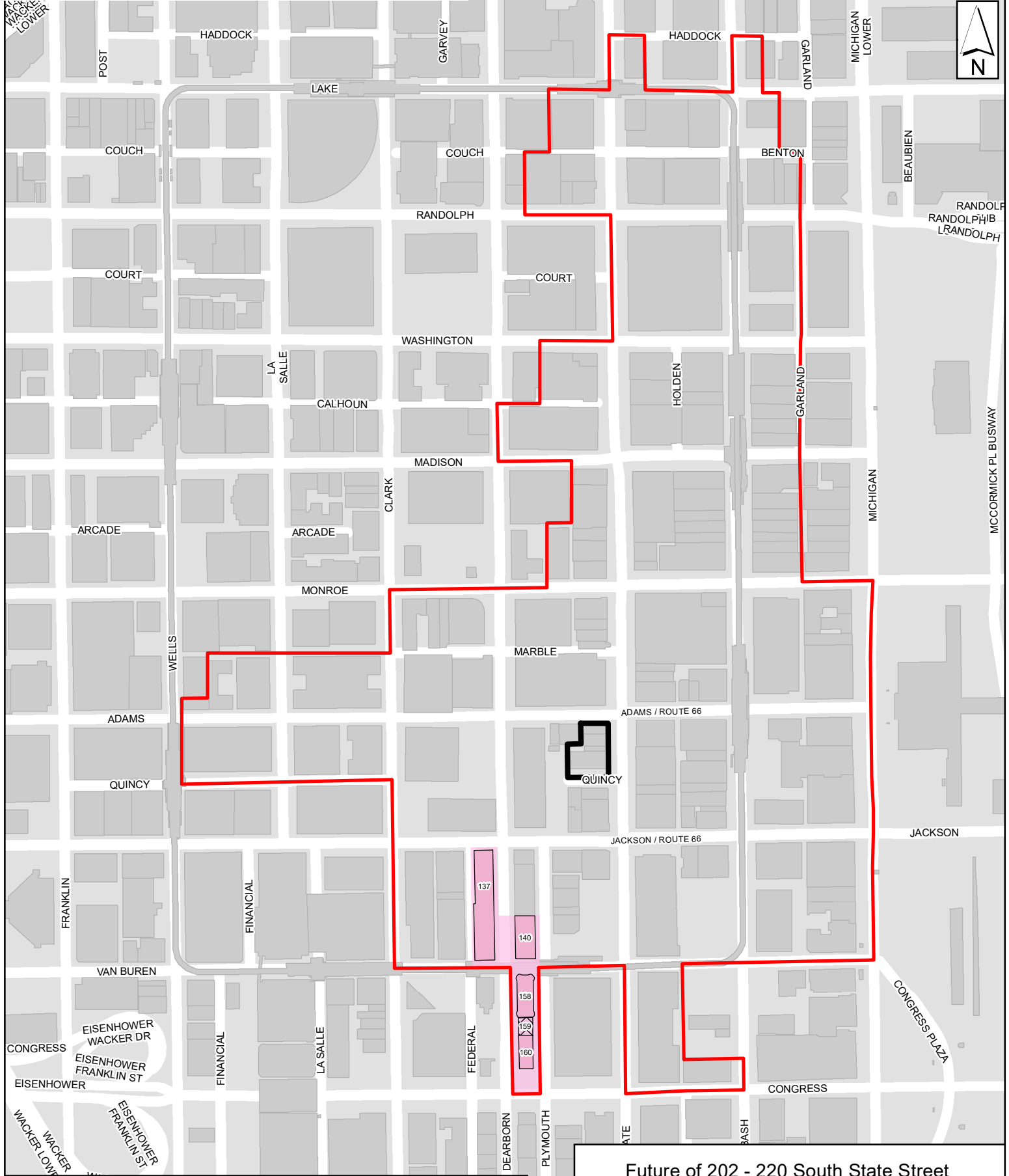
- APE
- West Loop - LaSalle Street Historic District (NRHP) within APE
- West Loop - LaSalle Street Historic District outside APE
- Contributing
- Not Historic

Future of 202 - 220 South State Street  
Chicago, Illinois

***West Loop - LaSalle Street Historic District (NRHP)***

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Feet



**Legend**

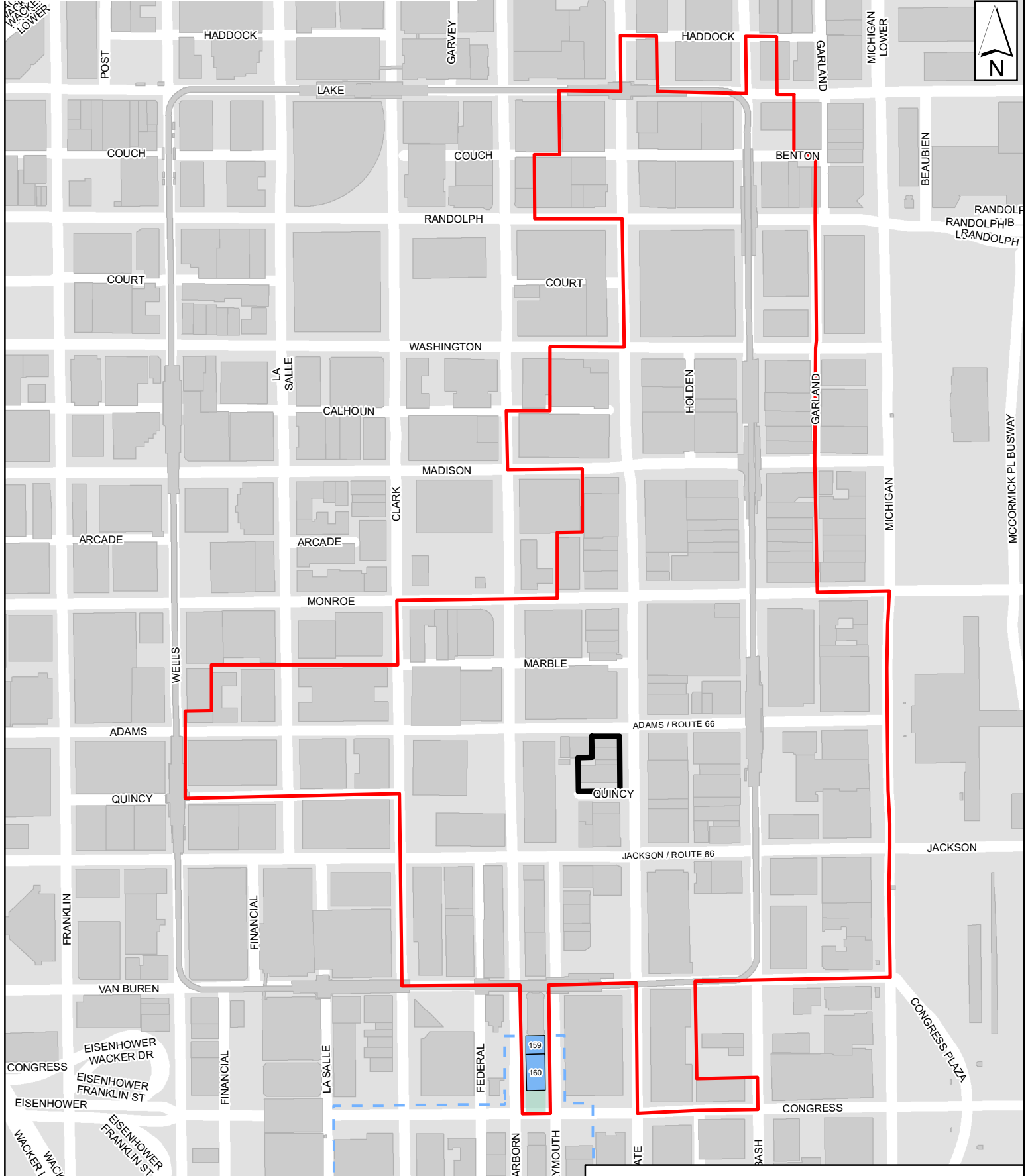
- APE
- South Dearborn Street - Printing House Row North Historic District (NHL)
- Contributing
- Non-Contributing\*

\* Contributing to the South Loop Printing House District

**Future of 202 - 220 South State Street**  
 Chicago, Illinois  
**South Dearborn Street - Printing House Row**  
**North Historic District (NHL)**

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 Feet

PROGRAMMATIC AGREEMENT AMONG THE UNITED STATES GENERAL SERVICES ADMINISTRATION, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER REGARDING THE FUTURE OF 202, 208-212, 214, AND 220 SOUTH STATE STREET CHICAGO, ILLINOIS 8.15.2024



**Legend**

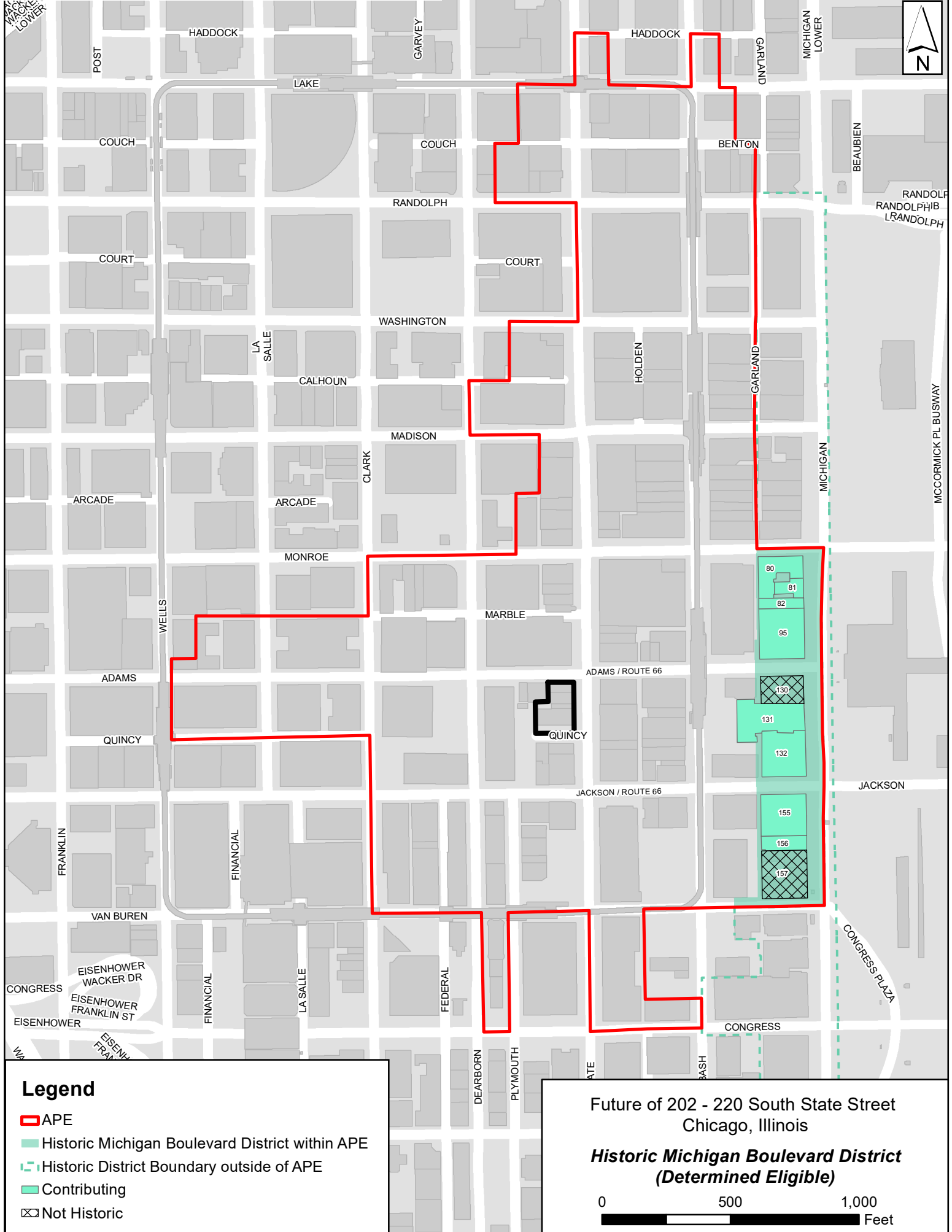
- ▭ APE
- ▭ South Loop Printing House District (NRHP) within APE
- ▭ South Loop Printing House District (NRHP) outside APE
- ▭ Contributing

Future of 202 - 220 South State Street  
Chicago, Illinois

***South Loop Printing House District (NRHP)***

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Feet

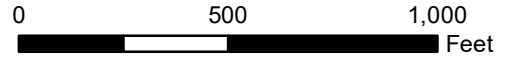


**Legend**

- ▬ APE
- Historic Michigan Boulevard District within APE
- Historic District Boundary outside of APE
- Contributing
- Not Historic

Future of 202 - 220 South State Street  
Chicago, Illinois

**Historic Michigan Boulevard District  
(Determined Eligible)**





## Attachment F Table of Historic Properties including National Historic Landmarks

<b>Historic Properties in the APE</b>			
<b>Map Ref#</b>	<b>Name</b>	<b>Address/Location</b>	<b>NRHP Eligibility</b>
Note: Excluded resources, such as Map Reference #1, are no longer extant, do not contribute to an NRHP-listed or eligible historic district, or have been determined not eligible for the NRHP. As such, these resources are not considered historic and are not included below.			
-	Loop Retail Historic District	Roughly bounded by Lake St, Wabash Ave, Ida B. Wells Dr, and State St.	Listed (NRHP #98001351)
-	South Dearborn Street-Printing House Row North Historic District	South Dearborn Street between Jackson Blvd, Plymouth Ct., Ida B. Wells Dr., and Federal St.	National Historic Landmark (NRHP #76000705)
-	Chicago Federal Center	Block bounded by Jackson Blvd., Clark, Adams, and Dearborn Sts., and the contiguous half-block east of Dearborn St.	Listed (NRHP #8001165)
-	South Loop Printing House District	Roughly bounded by Wells, Polk, Taylor and State Sts., and Ida B. Wells Dr.	Listed (NRHP #78001130)
-	West Loop-LaSalle Street Historic District	Roughly bounded by Wacker Dr., Wells, Van Buren, and Clark Sts.	Listed (NRHP #12001238)
-	Historic Michigan Boulevard District	Michigan Ave. from 11th St. to Randolph St.	Determined Eligible (SHPO Reference #305968)
2	Old Dearborn Bank Building	201-209 N Wabash Ave	Contributes to the Loop Retail Historic District
3	Chicago Union Loop Elevated Structure and Stations	Lake St, Wabash Ave, Van Buren St, and Wells St  Sections within historic district: 1. From State and Lake east to Wabash then south to half a block south past Jackson 2. Half-block section from State and Van Buren east to an alley	Contributes to the Loop Retail Historic District  The entirety of the elevated rail in the Loop is individually Determined Eligible (SHPO Reference #137218)
4	State-Lake Building (WLS-TV)	174-186 N State St/1-19 W Lake St	Contributes to the Loop Retail Historic District
5	Page Brothers Building	177-191 N State St/1-3 E Lake St	Contributes to the Loop Retail Historic District  Individually Listed (NRHP #75000649)
6	Chicago Theater (Balaban and Katz)	175 N State St/5-23 E Lake St	Contributes to the Loop Retail Historic District  Individually Listed (NRHP #79000822)
7	LeMoyné Building	172-186 N Wabash Ave/25-39 E Lake St	Contributes to the Loop Retail Historic District
8	Medical and Dental Arts Building (181 North Wabash Building)	179-187 N Wabash Ave/51-63 E Lake St	Contributes to the Loop Retail Historic District
10	New United Masonic Temple and Balaban & Katz Oriental Theatre Oriental Theater	18-32 W Randolph St	Contributes to the Loop Retail Historic District  Individually Listed (NRHP #78003401)
11	Old Heidelberg	14-16 W Randolph St	Contributes to the Loop Retail Historic District
12	Butler Building	162-168 N State St	Contributes to the Loop Retail Historic District
20	Wetten Building	62-64 E Randolph St	Contributes to the Loop Retail Historic District

21	Bowen Building	66 E Randolph St	Contributes to the Loop Retail Historic District
22	Marshall Field and Company Department Store	101-139 N State St/1-37 E Randolph St/2-24 E Washington St/112-138 N Wabash St	Contributes to the Loop Retail Historic District National Historic Landmark (NRHP #78001123)
23	Marshall Field and Company Department Store Annex	26-38 E Washington St/102-112 N Wabash Ave	Contributes to the Loop Retail Historic District National Historic Landmark (NRHP #78001123)
25	Couch Building	139 N Wabash Ave	Contributes to the Loop Retail Historic District
26	Peck Building	133-137 N Wabash Ave/132-136 N Garland Ct	Contributes to the Loop Retail Historic District
27	Burton Building (B. Dalton Booksellers)	129 N Wabash Ave/128 N Garland Ct	Contributes to the Loop Retail Historic District
28	Porter Building (McDonald's)	125 N Wabash Ave	Contributes to the Loop Retail Historic District
30	Garland Building (Staples)	101-111 N Wabash Ave/50-68 E Washington St	Contributes to the Loop Retail Historic District
31	Woolworth Building (Champs Sports; Arrowsmith Shoes)	20-30 N State St/9-21 W Washington St	Contributes to the Loop Retail Historic District
32	Reliance Building	32-36 N State St	Contributes to the Loop Retail Historic District National Historic Landmark (NRHP #70000237)
33	Boston Store (State-Madison Building)	2-16 N State St/2-38 W Madison St /1-17 N Dearborn St	Contributes to the Loop Retail Historic District
35	Marshall Field & Company Men's Store (Washington & Wabash Building)	26-36 N Wabash Ave/25-35 E Washington St	Contributes to the Loop Retail Historic District
36	Charles A. Stevens & Bro. Building	17-25 N State St/16-22 N Wabash Ave	Contributes to the Loop Retail Historic District
37	Mandel Brothers Department Store (T. J. Maxx; Filene's Basement)	1-15 N State St/2-14 E Madison St	Contributes to the Loop Retail Historic District
38	Mandel Brothers Department Store Annex	2-14 N Wabash Ave/20-34 E Madison St	Contributes to the Loop Retail Historic District
39	Pittsfield Building	31-39 N Wabash Ave/53-65 E Washington St	Contributes to the Loop Retail Historic District
40	Shops Building (Wabash Jewelers Mall)	17-25 N Wabash Ave	Contributes to the Loop Retail Historic District
41	Commonwealth Edison Company, Garland Court Substation (New York Jewelers)	11-15 N Wabash Ave	Contributes to the Loop Retail Historic District
42	Von Lengerke & Antoine Building (Jacob M. Cohen Building)	7-9 N Wabash Ave	Contributes to the Loop Retail Historic District
43	Kesner Building	1-7 N Wabash Ave/50-66 E Madison St	Contributes to the Loop Retail Historic District
44	Chicago Savings Bank Building (Chicago Building)	1-11 W Madison St/2-4 S State St	Contributes to the Loop Retail Historic District Individually Listed (NRHP #75000645)
46	Majestic Building and Theater (Schubert Theater)	16-22 W Monroe St	Contributes to the Loop Retail Historic District
47	Kresge Building	26-28 S State St	Contributes to the Loop Retail Historic District
48	McCrary Store	32-34 S State St	Contributes to the Loop Retail Historic District
49	North American Building (Evans Furs)	36-42 S State St/2-10 W Monroe St	Contributes to the Loop Retail Historic District
50	Schlesinger & Mayer Department Store (Carson, Pirie, Scott & Co. Department Store)	1-31 S State St/1-19 S Madison St	Contributes to the Loop Retail Historic District National Historic Landmark (NRHP #70000231)
52	Mentor Building (County Seat)	39-41 S State St/2-6 E Monroe Blvd	Contributes to the Loop Retail Historic District

53	Monroe Garage (Carson, Pirie, Scott and Company Department Store)	10-12 E Monroe St	Contributes to the Loop Retail Historic District
54	Heyworth Building	19-37 E Madison St/2-8 S Wabash Ave	Contributes to the Loop Retail Historic District
55	Silversmith Building (Crown Plaza Hotel)	10-16 S Wabash Ave	Contributes to the Loop Retail Historic District Individually Listed (NRHP #97000435)
56	Haskell Building (Carson, Pirie, Scott and Company Department Store)	18-20 S Wabash Ave	Contributes to the Loop Retail Historic District
57	Barker Building (Carson, Pirie, Scott and Company Department Store)	22-24 S Wabash Ave	Contributes to the Loop Retail Historic District
58	Atwater Building (Carson, Pirie, Scott and Company Department Store)	26-28 S Wabash Ave	Contributes to the Loop Retail Historic District
59	Thomas Church Building (Carson, Pirie, Scott and Company Department Store)	30 S Wabash Ave	Contributes to the Loop Retail Historic District
60	Carson, Pirie, Scott and Company Men's Store	36-44 S Wabash Ave/16-34 E Monroe Blvd	Contributes to the Loop Retail Historic District
61	Mallers Building	1-7 S Wabash Ave/53-69 W Madison Ave	Contributes to the Loop Retail Historic District
62	Jewelers' Building (Iwan Ries & Company Building)	15-19 S Wabash Ave	Contributes to the Loop Retail Historic District Individually Listed (NRHP #74000752)
63	Rae Building (Charette)	21-23 S Wabash Ave	Contributes to the Loop Retail Historic District
64	(Walgreens Drugstore)	25-27 S Wabash Ave	Contributes to the Loop Retail Historic District
65	Crozen/Griffiths Building	29-35 S Wabash Ave	Contributes to the Loop Retail Historic District
66	Powers Building (Champlain Building)	37-43 S Wabash Ave/50-64 E Monroe Blvd	Contributes to the Loop Retail Historic District
67	Rector Building (Chicago Trust Building; Bell Savings Building)	79 W Monroe St	Contributes to the West Loop-LaSalle Street Historic District
69	Italian Village Restaurant	71 W Monroe St	Determined Eligible (GSA 2023)
70	55 West Monroe (formerly Xerox Center)	55 W Monroe St; 100 S Dearborn St	Determined Eligible (GSA 2023)
71	Skidmore, Owings & Merrill Building	33 W Monroe St; 111 S Dearborn St	Determined Eligible (GSA 2023)
74	Richman Brothers Building	114-116 S State St	Contributes to the Loop Retail Historic District
75	Singer Building	120 S State St	Contributes to the Loop Retail Historic District Individually Listed (NRHP #83000314)
76	Palmer House	101-125 S State St/3-19 E Monroe St/112-132 S Wabash Ave	Contributes to the Loop Retail Historic District
77	Goodard Building	27-35 E Monroe St/100-104 S Wabash Ave	Contributes to the Loop Retail Historic District
78	Palmer House Addition	106-108 S Wabash Ave	Contributes to the Loop Retail Historic District
79	Mid-Continental Plaza	55 E Monroe St	Determined Eligible (GSA 2023)
80	Monroe Building	104 S Michigan Ave	Contributes to the Historic Michigan Boulevard District
81	Illinois Athletic Club	112 S Michigan Ave	Contributes to the Historic Michigan Boulevard District
82	Lakeview Building (Municipal Courts Building)	116 S Michigan Ave	Contributes to the Historic Michigan Boulevard District Individually Listed (NRHP #85001912)
83	Textile Building	180 W Adams St	Contributes to the West Loop-LaSalle Street Historic District

84	Midland Building (W Chicago City Center)	172 W Adams St	Contributes to the West Loop-LaSalle Street Historic District
86	Field Building (Bank of America)	135 S LaSalle St	Contributes to the West Loop-LaSalle Street Historic District
87	Edison Building (Commercial National Bank Building)	125 S Clark St/72 W Adams St	Contributes to the West Loop-LaSalle Street Historic District
88	Marquette Building	140 S Dearborn St	Contributes to the West Loop-LaSalle Street Historic District National Historic Landmark (NRHP #73000697)
91	Edison Brothers Shoes (Baker's Shoes)	131-133 S State St	Contributes to the Loop Retail Historic District
93	(Russian Palace Restaurant, Wigfield)	18-26 E Adams St	Contributes to the Loop Retail Historic District
94	Hartman Building (Bennett Brothers)	30 E Adams St/134-146 S Wabash Ave	Contributes to the Loop Retail Historic District
95	People's Gas, Light, and Coke Building	122-150 S Michigan Ave	Contributes to the Historic Michigan Boulevard District Individually Listed (NRHP #84000293)
96	Continental and Commercial National Bank Building	208 S La Salle St	Contributes to the West Loop-LaSalle Street Historic District Individually Listed (NRHP #07000064)
97	Rookery Building	209 S La Salle St	Contributes to the West Loop-LaSalle Street Historic District National Historic Landmark (NRHP #70000238)
98	Bankers Building	105 W Adams St/200 S Clark	Contributes to the West Loop-LaSalle Street Historic District
99	U.S. Post Office Loop Station	211 S Clark St	Contributes to the Chicago Federal Center
100	John C. Kluczynski Federal Building	230 S Dearborn St	Contributes to the Chicago Federal Center
101	Plazas	Chicago Federal Center	Contributes to the Chicago Federal Center
102	<i>Flamingo</i>	Chicago Federal Center	Contributes to the Chicago Federal Center
103	Everett M. Dirksen U.S. Courthouse	219 S Dearborn St	Contributes to the Chicago Federal Center
104	Mechanical Building	Chicago Federal Center	Contributes to the Chicago Federal Center
105	Palmer Building (Berghoff's Restaurant)	25-27 W Adams St	Contributes to the Loop Retail Historic District
106	Stone Building (Berghoff's Restaurant)	15-23 W Adams St	Contributes to the Loop Retail Historic District
107	Century Building (Buck and Rayner Building)	202-204 S State St	Contributes to the Loop Retail Historic District
109	214 South State Street (Roberto's)	214 S State St	Contributes to the Loop Retail Historic District (GSA 2023)
110	Consumers Building	220 S State St/1 North Quincy Court	Contributes to the Loop Retail Historic District
111	Benson and Rixon Building	230 S State St	Contributes to the Loop Retail Historic District
115	Woolworth Building	211-229 S State St	Contributes to the Loop Retail Historic District
117	Lytton Building	235-243 S State St/2-14 E Jackson Blvd	Contributes to the Loop Retail Historic District
119	Hawley Building (Tower Records)	214 S Wabash Ave	Contributes to the Loop Retail Historic District
120	Ayer Building/McClurg Building (Pakula Building)	218-222 S Wabash Ave	Contributes to the Loop Retail Historic District Individually Listed (NRHP #70000235)

121	Atlas Building (Exchequer Restaurant and Pub)	226 S Wabash Ave	Contributes to the Loop Retail Historic District
122	Starck Building	228-230 S Wabash Ave	Contributes to the Loop Retail Historic District
123	Gibbons Building	18-20 E Jackson Blvd	Contributes to the Loop Retail Historic District
124	Col. Abson's Chop House	22 E Jackson Blvd	Contributes to the Loop Retail Historic District
125	Ampico Building	234 S Wabash Ave	Contributes to the Loop Retail Historic District
126	Steger Building	28 E Jackson Blvd; 230-232 S Wabash	Contributes to the Loop Retail Historic District
127	Chapin and Gore Building	63 E Adams St	Individually Listed (NRHP #79000823)
129	Lyon and Healy Building (De Paul University)	243-249 S Wabash Ave/50-60 E Jackson Blvd	Contributes to the Loop Retail Historic District
131	Orchestra Hall (Theodore Thomas Orchestra Hall)	220 S Michigan Ave	Contributes to the Historic Michigan Boulevard District  National Historic Landmark (NRHP #78001127)
132	Railway Exchange Building (Santa Fe Building)	222-238 S Michigan Ave	Contributes to the Historic Michigan Boulevard District  Individually Listed (NRHP #82002530)
134	Union League Club of Chicago	65-67 W Jackson Blvd	Determined Eligible (SHPO Reference #137049)
135	Chicago Engineers Club	314 S Federal St	Determined Eligible (GSA 2023)
137	Monadnock Building	53 W Jackson Blvd	Contributes to the South Dearborn Street-Printing House Row North Historic District  Individually Listed (NRHP #70000236)
138	33 W. Jackson Boulevard	27-33 W Jackson Blvd	Determined Eligible (SHPO Reference #137047)
139	Standard Club	306-332 S Plymouth Ct	Determined Eligible (GSA 2023)
140	Fisher Building	343 S Dearborn St	Contributes to the South Dearborn Street-Printing House Row North Historic District  Individually Listed (NRHP #76000691)
141	Sears Building	17-23 W Jackson Blvd	Determined Eligible (GSA 2023)
142	City Club	315 S Plymouth Ct	Determined Eligible (GSA 2023)
146	Maurice L. Rothschild Store (Walgreen Drugs; John Marshall Law School)	300-306 S State St/1-11 W Jackson Blvd	Contributes to the Loop Retail Historic District
147	A.M. Rothschild and Company Department Store (Goldblatt's Department Store, DePaul Center)	301-347 S State St/1 E Jackson	Contributes to the Loop Retail Historic District  Individually Listed (NRHP #89002025)
149	Finchley Building (Comerfield J. O'Malley Place, DePaul University)	19-23 E Jackson Blvd	Contributes to the Loop Retail Historic District
150	Kimball Building (Franklin J. Lewis Center, DePaul University)	300-308 S Wabash Ave	Contributes to the Loop Retail Historic District
153	Continental Center II	55 E Jackson Blvd	Determined Eligible (GSA 2023)
154	333 South Wasbash (formerly "Big Red", CNA Center, Continental Center III)	325-333 S Wabash Ave/60 E Van Buren St	Determined Eligible (GSA 2023)
155	Straus Building (Continental Center, Metropolitan Tower)	310 S Michigan	Contributes to the Historic Michigan Boulevard District
156	Richelieu Hotel	318 S Michigan Ave	Contributes to the Historic Michigan Boulevard District

158	Old Colony Building	407 S Dearborn St	Contributes to the South Dearborn Street-Printing House Row North Historic District  Individually Listed (NRHP #76000701)
159	Plymouth Building	417 S Dearborn St	Contributes to the South Loop Printing House District  Also within, but not contributing to, the South Dearborn Street-Printing House Row North Historic District
160	Manhattan Building	431 S Dearborn St	Contributes to the South Loop Printing House District and the South Dearborn Street-Printing House Row North Historic District  Individually Listed (NRHP #76000697)
161	Second Leiter Building (Sears, Roebuck & Co., Robert Morris College)	401-441 S State St/1-15 E Van Buren St/2-14 Ida B. Wells Pkw	Contributes to the Loop Retail Historic District  National Historic Landmark (NRHP #76000695)
162	George F. Kimball Building (24 East Congress Building, J. Ira and Nicki Harris Family Hostel)	434-438 S Wabash Ave/18-32 Ida B. Wells Pkw	Contributes to the Loop Retail Historic District

## Attachment G Mitigation Measures



As stated in Stipulation III., prior to viable adaptive reuse construction, GSA, in consultation with the Consulting Parties, will develop detailed plans for the mitigation measures outlined in the body of the PA to resolve adverse effects on historic properties that may result from the Undertaking. Those measures, detailed below, may be revised or updated without amendment of the PA, as long as all Signatories agree to the proposed changes. Such agreement will be provided by the Signatories via electronic mail to GSA. Upon receipt of Signatories' agreement to any revisions and updates to this Attachment, GSA will provide those revisions and updates to the Consulting Parties.

- A. Rehabilitation of One or More of the State Street Buildings. Rehabilitations to facilitate viable adaptive reuse of one or more of the buildings at 202, 214 or 220 South State Street will be subject to GSA approval and oversight, including compliance with Section 106 of the NHPA, and will follow the Secretary of the Interior's Rehabilitation Standards and Guidelines, to the extent possible, as it relates to the operational needs of the program for reuse or to the financial needs of the offeror's proforma. The outlease will allow for the offeror's participation in the federal Historic Rehabilitation Tax Credit program.
- B. Reuse 214 South State Street Storefront. If viable adaptive reuse requires the demolition of 214 South State Street for new construction on the site, then GSA will consult with the SHPO on selecting historic elements of the first floor, including the storefront, interior, and stairway, to be salvaged for re-use and incorporation into the project or made available for another reuse. The re-use design will be done in cooperation with GSA and in consultation with SHPO.
- C. Re-Install Parapet on 202 South State Street. In 2023 the historic decorative terra cotta cladding on the parapet of 202 South State Street was documented, disassembled, and stored for future restoration. Rehabilitation of 202 South State Street for adaptive reuse will include re-installation of the salvaged terra cotta.
- D. Reuse 202 South State Street Fire Escape. The decorative horizontal portions of the fire escape on 202 South State Street, which are a character-defining feature, were salvaged, crated, and stored in 2023 for documentation and future reuse. Rehabilitation of 202 South State Street for adaptive reuse will include incorporating these decorative portions of the fire escape into the project design.
- E. Reuse 220 South State Street Flagpole. The original 50-foot flagpole atop 220 South State Street was removed and disassembled in 2021. The sections were subsequently stored in a nearby, secured facility owned by GSA. Rehabilitation of 220 South State Street for adaptive reuse will include repairing, restoring, reassembling and remounting the flagpole in its original location.
- F. Redevelopment of 208-212 South State Street or Other New Construction. Any redevelopment of the landscaped lot at 208-212 South State Street or other new construction at 202-220 South State Street will be subject to GSA approval and oversight. The design will be done in cooperation with GSA and in consultation with SHPO, NPS, and other Consulting Parties.
- G. Rehabilitation of Quincy Court. GSA, in consultation with SHPO and other Consulting Parties, will develop a conceptual plan to rehabilitate Quincy Court to complement the Chicago Federal Center and enhance the reuse of the State Street Buildings in conjunction with the Viable Adaptive Reuse project.

SIGNATORY PAGE

PROGRAMMATIC AGREEMENT  
AMONG

THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING

THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS

Signatory:

United States General Services Administration

DocuSigned by:  
*Beth Savage*  
8EAG20932479482...  
Date 8/15/2024  
Beth L. Savage, Federal Preservation Officer and Director, Center for Historic Buildings


DocuSigned by:  
*Robert Green*  
FD6EDCEA103E41A...  
Date 8/16/2024  
Robert Green, Acting Regional Commissioner, Public Buildings Service

**SIGNATORY PAGE**

**PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS**

Signatory:

Illinois State Historic Preservation Officer

  
\_\_\_\_\_  
Natalie Phelps Finnie, Director, Illinois Department of Natural Resources

Date 8/19/24

**SIGNATORY PAGE**

**PROGRAMMATIC AGREEMENT**

**AMONG**

**THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER**

**REGARDING**

**THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS**

Signatory:

Advisory Council on Historic Preservation



---

Sara C. Bronin, Chair

Date

August 23, 2024

CONCURRING PARTY SIGNATURE PAGE

PROGRAMMATIC AGREEMENT

AMONG

THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND

THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER

REGARDING

THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS

Concurring Party:

Landmarks Illinois

Organization



Signature

Kendra Parzen, Advocacy Manager

Date

8/28/2024

Name and Title

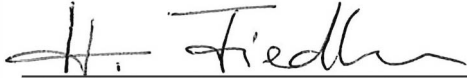
CONCURRING PARTY SIGNATURE PAGE

PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS

Concurring Party:

Chicago Collaborative Archive Center

Organization



Signature

Holly Fiedler, Board Member

Name and Title

Date

8/29/2024

**CONCURRING PARTY SIGNATURE PAGE**

**PROGRAMMATIC AGREEMENT**

**AMONG**

**THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND**


**THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER**

**REGARDING**

**THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS**

Concurring Party:

\_\_\_\_\_  
Organization

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title

Date \_\_\_\_\_

**CONCURRING PARTY SIGNATURE PAGE**

**PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS**

Concurring Party:

**Bradford J. White, Individual Consulting Party**

Organization

  
Signature

**Bradford J. White, Individual Consulting Party**

Date August 28, 2024

Name and Title



CONCURRING PARTY SIGNATURE PAGE

PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES GENERAL SERVICES ADMINISTRATION, THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND THE  
ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING  
THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS

Concurring Party:

Mies van der Rohe Society, Illinois Institute of Technology

Organization



Signature

Rolf Achilles

Aug 30, 2024

Date

Member

and

Former chair of Landmarks Illinois

Former chair of Glessner House

Former Faculty Historic Preservation Program, School of the Art Institute of Chicago

International Preservationist



Signature

Kevin Harrington

Sept 3, 2024

Date

Member

Professor Emeritus, Architectural History, Illinois Institute of Technology

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PROGRAMMATIC AGREEMENT  
AMONG

THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER

REGARDING

THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS

Concurring Party:

Chicago Architecture Center

Organization

Michael Wood

Digitally signed by Michael Wood

Date: 2024.08.30 14:18:52 -05'00'

Signature

Michael Wood, Senior Curator

Date

August30,2024

Name and Title

*Jorrie Jarrett for Eleanor Gorski*

Signature

Eleanor Gorski, CEO & President

Date

September 3, 2024

Name and Title

**CONCURRING PARTY SIGNATURE PAGE**

**PROGRAMMATIC AGREEMENT**

**AMONG**

**THE UNITED STATES GENERAL SERVICES ADMINISTRATION,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER**

**REGARDING**

**THE FUTURE OF 202, 208-212, 214, and 220 SOUTH STATE STREET  
CHICAGO, ILLINOIS**

Concurring Party:

National Trust for Historic Preservation in the United States

\_\_\_\_\_  
Organization

  
\_\_\_\_\_  
Signature

Thompson M. Mayes, Chief Legal Officer

\_\_\_\_\_  
Name and Title

Date

September 3, 2024  
\_\_\_\_\_