

**MEMORANDUM OF AGREEMENT  
AMONG  
THE BUREAU OF RECLAMATION  
AND  
THE NEVADA STATE HISTORIC PRESERVATION OFFICER  
FOR PROPOSED CHANGES TO THE ADMINISTRATION BUILDING, BOULDER  
CITY, CLARK COUNTY, NEVADA**

**WHEREAS**, the Bureau of Reclamation, Lower Colorado Regional Office (Reclamation) is proposing to make modifications to the Administration Building that includes installation of a vent, a egress door, and replacement entry doors (the "Undertaking"), that are listed and described in Attachment 1 and that will occur within the Undertaking's area of potential effect (APE) (Attachment 2). The APE for the Undertaking includes the Administration Building property and two adjacent private residential properties on the west; the area is bounded by Park Street on the south, Nevada Way on the west and north, and the eastern boundary of the Reclamation property on the east; and

**WHEREAS**, Reclamation, in consultation with the Nevada State Historic Preservation Officer (SHPO), has previously determined that the Administration Building is a contributing element to the Boulder City Historic District; and

**WHEREAS**, this activity is not exempted in the Programmatic Agreement "Regarding the Management of Historic Bureau of Reclamation Properties in Boulder City, Nevada"; and

**WHEREAS**, Reclamation has found the Undertaking will have an adverse effect on the Administration Building and has consulted with the SHPO pursuant to 36 CFR § 800 of the regulations implementing Section 106 of the National Historic Preservation Act (NHPA; 54 U.S.C. § 306108) concerning its finding; and

**WHEREAS**, in accordance with 36 CFR § 800.6(a)(1) Reclamation has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect finding and provided the ACHP with the documentation specified at 36 CFR § 800.11(e) and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

**NOW, THEREFORE**, Reclamation and the SHPO 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**

Reclamation shall ensure the following stipulations are carried out:

1. The color of the paint that will be used for the vent and egress door will blend with the existing building color.
2. Reclamation will install a sign(s) on Park Street, somewhere near the interface with the

sidewalk and admin lawn, looking up at the front/main entrance to the building. Content, sizing, materials (e.g., aluminum, embedded fiberglass), and number of signs (or sign) to be determined in consultation with SHPO.

### Duration of This Agreement

This Memorandum of Agreement (MOA) will expire if its stipulations are not carried out within five (5) years from the date of its execution. At such time, and prior to work continuing on the Undertaking, Reclamation shall either (a) execute a MOA pursuant to 36 CFR § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. Prior to such time, Reclamation may consult with the SHPO to reconsider the terms of the MOA and amend it in accordance with Stipulation 4 below. Reclamation shall notify the SHPO as to the course of action it will pursue.

### Dispute Resolution

Should any Signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, Reclamation shall consult with such party to resolve the objection. If Reclamation determines that such objection cannot be resolved, Reclamation will:

- a. Forward all documentation relevant to the dispute, including Reclamation's proposed resolution, to the ACHP. The ACHP shall provide Reclamation 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, Reclamation shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, the SHPO, and other consulting parties, and provide them with a copy of this written response. Reclamation 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 time period; Reclamation may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, Reclamation shall prepare a written response that takes into account any timely comments regarding the dispute from the SHPO and other consulting parties to the MOA, and provide them and the ACHP with a copy of such written response.
- c. Reclamation's responsibilities to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

### Amendments

This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy signed by all of the Signatories is filed with the ACHP.

Termination

If any Signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other party to attempt to develop an amendment per Stipulation 5, above. If within thirty (30) days an amendment cannot be reached, any Signatory may terminate the MOA upon written notification to the other Signatory.

Once the MOA is terminated, and prior to work continuing on the Undertaking, Reclamation must either (a) execute an MOA pursuant to 36 CFR § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. Reclamation shall notify the SHPO as to the course of action it will pursue.

**EXECUTION** of this MOA by Reclamation and the SHPO, and the implementation of its terms, will evidence that Reclamation has afforded the ACHP an opportunity to comment on the Undertaking and that Reclamation has taken into account the effects of the Undertaking on historic properties.

**SIGNATORY PARTIES**

BUREAU OF RECLAMATION

By:  Date: 12/21/16  
for Terrance J. Fulp, Ph.D., Regional Director, Lower Colorado Region

NEVADA STATE HISTORIC PRESERVATION OFFICER

By:  Date: 12/28/16  
Rebecca L. Palmer, Nevada Historic Preservation Officer

**Attachment 1. Modifications to the Administration Building**

1. Air-handling equipment (economizers):
  - i. One outside air intake vent to be installed on the rear (north) façade.
  - ii. One well for the exhaust of relief air in the landscaped area near the rear (north) entrance.
  - iii. One louvered box for the outside air intake ductwork.
2. Install a pedestal for the card reader/ADA opener
3. Replacement of the non-original front and rear doors with doors matching the original 1932 doors.

**Attachment 2. 2014 Aerial Photo of the Administration Building  
the stars show where the modifications will occur.**

