

**MEMORANDUM OF AGREEMENT
AMONG
THE DEPARTMENT OF INTERIOR (DOI)
UNIVERSITY OF NEVADA, RENO (UNR) AND
THE NEVADA STATE HISTORIC PRESERVATION OFFICER
REGARDING UNR'S REMEDIATION AND SEISMIC REHABILITATION OF THE FACILITY SERVICES
BUILDING (BUILDING 58)
RENO, WASHOE COUNTY, NEVADA
University Project #20DRPR01782; TSK# 20-049.10; (UT 2021-6770)**

WHEREAS, the U.S. Department of the Interior (DOI) has funded a University of Nevada, Reno (UNR) proposal for the decontamination of radium-226 and seismic rehabilitation the University of Nevada, Reno's Facility Services Building (Building 58), identified as Building 11- Physical Plant within the University of Nevada Reno National Register Historic District (Historic District; NRIS #87000135) in Washoe County, Nevada (the undertaking); and

WHEREAS, the DOI considers the funding of these decontamination and rehabilitation efforts to be an undertaking subject to review under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (NHPA), Title 54 U.S.C. § 300101, et seq., and its implementing regulations at 36 C.F.R. Part 800; and

WHEREAS, the undertaking entails full remediation, decontamination, seismic retrofit, and rehabilitation of Building 58 in order to allow full and unrestricted occupancy; and

WHEREAS, the DOI has defined the undertaking's Area of Potential Effects (APE) as the existing footprint of Building 58 (Appendix A); and

WHEREAS, the DOI, in consultation with the Nevada State Historic Preservation Officer (SHPO), has determined that Building 58 is a historic property individually eligible for listing in the National Register of Historic Places (NRHP) under the Secretary of the Interior's Significance Criteria A-C as well as a contributing element to the NRHP listed Historic District; and

WHEREAS, the DOI, in consultation with the SHPO, has determined that the undertaking will have an adverse effect on Building 58; and

WHEREAS, the DOI has notified the Advisory Council on Historic Preservation (ACHP) pursuant to 36 C.F.R. § 800.6(a)(l) of its determination of adverse effect and provided the ACHP with the documentation specified in 36 C.F.R. § 800.11(e) to facilitate its review, and the ACHP has chosen not to participate in the consultation in correspondence dated August 23, 2021 pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

WHEREAS, the DOI has consulted with UNR regarding the effects of the undertaking on historic properties and has invited them to sign this Memorandum of Agreement (MOA) as an Invited Signatory; and

WHEREAS, jointly the DOI, the SHPO, and UNR will be called the Signatories and individually as Signatory or by their name; and

WHEREAS, the DOI has consulted with local interested parties and informed all faculty and students, and no comments were received; and

WHEREAS, the Signatories agree that this MOA may be signed in counterparts and the executed MOA, and each signature, will be effective and binding as if all Signatories had signed the same document; and

NOW THEREFORE, the DOI, UNR, and the SHPO agree that the undertaking will be implemented in accordance with the following stipulations in order to resolve the adverse effects of the undertaking on historic properties and to satisfy the Section 106 responsibilities of the DOI for all aspects of the undertaking.

STIPULATIONS

The DOI shall ensure the following measures are carried out.

I. Roles and Responsibilities

The Signatories agree that the DOI will be responsible for administering and implementing this MOA. This includes, but is not limited to, overseeing all cultural resources work; assembling all submissions to the SHPO including reports and supplementary documentation; and seeking the SHPO concurrence with all agency compliance decisions.

II. Area of Potential Effects

The DOI has identified the APE as the existing footprint of Building 58, along with the hardscape areas to the east and west, for staging and construction purposes (Appendix A).

III. Mitigation of Adverse Effects

A. Photo Documentation:

UNR, through its consultant, shall take high resolution digital color images of exterior and interior views in accordance with the National Park Service's Photo Policy for best practices as outlined in their

document: https://www.nps.gov/subjects/nationalregister/upload/Photo_Policy_update_2013_05_15_508.pdf

1. Images will be accompanied by a log that includes the name of the property, city, county, state, the date the image was taken, the name of the photographer, and the orientation of the image. All exterior images must be keyed to an aerial photograph/site plan and all interior images to the existing floor plans.
2. UNR, through its consultant, shall document Building 58 by the following views (note: all elevations of buildings must be recorded to the greatest extent possible, dependent on vegetation and access) including:
 - a) the front and one side; and
 - b) the rear and one side; and
 - c) all four full building elevations to the greatest extent possible; and
 - d) an environmental view showing the building as part of its larger landscape; and
 - e) major architectural features, elements, and stylistic details, such as windows, doors etc.; and
 - f) details, such as materials and hardware; and
 - g) details of the main entrance stone steps and brick cheek walls; and
 - h) Interior images will yield information about the floor plan on all floors (excluding attic). Images shall illustrate where historic walls are intact (e.g. all exterior walls and any remaining interior partitions that are original to the building). Images shall include remaining historic finishes including detail images of original wood doors, transoms, interior partition windows on the first floor, stair hall, millwork, plaster, and wood flooring.
 - i) All building elevations of the transformer house to the greatest extent possible; and
 - j) Details of the transformer house including historic finishes and detail images; and
 - k) Interior images of the transformer house.
3. UNR shall submit draft digital images keyed to drawings electronically to the SHPO for review and approval prior to the start of construction. The SHPO shall have fifteen (15) calendar days from their receipt to provide comments to the DOI and UNR. If the SHPO fails to provide timely comments, the DOI and UNR may finalize the images and prepare final draft documents consistent with Stipulation III.F.5 below.

4. UNR shall address all timely SHPO comments on the draft digital images and provide revised draft digital images to the SHPO for review and comment.
 5. The SHPO shall have fifteen (15) calendar days from their receipt of the revised draft digital images to provide comments to the DOI and UNR. If the SHPO fails to provide timely comments, the DOI and UNR may finalize the images and prepare final draft documents consistent with Stipulation III.F.5 below.
- B. UNR, through its consultant, shall prepare an Architectural Resource Assessment (ARA) form. The form may be downloaded from the SHPO website: <http://shpo.nv.gov/welcome-to-review-and-compliance/compliance-forms>. UNR shall submit the draft ARA form to the SHPO for review and approval in accordance with Stipulation III.F.1 below.
- C. Demolition of the Transformer House:
If UNR determines that the undertaking's structural seismic retrofit requires the demolition of the Transformer House during construction, UNR, through its consultant shall:
1. Salvage the original brick to be reused for needed infill and repairs on Building 58; and
 2. Submit a hard copy of the proposed elevation drawings illustrating the scope of repairs for this section of exterior wall relating to the Transformer house to the SHPO for review and comment.
 - a) The SHPO will review the proposed elevation drawings within fifteen (15) calendar days of receipt. If the SHPO fails to provide timely comments to UNR, UNR may finalize the elevation drawings.
 3. Address all timely SHPO comments on the proposed elevation drawings.
 4. Submit a hard copy of the revised elevation drawings to the SHPO for review and comment.
 - a) The SHPO will review the revised elevation drawings within fifteen (15) calendar days of receipt. If the SHPO fails to provide timely comments to UNR, UNR may finalize the elevation drawings.
- D. If UNR determines during decontamination work that interior character-defining features including, but not limited to, the first level staircase and railing, lobby partition window wall, and historic transoms, doors, and casework, are able to be safely decontaminated, they will be treated and left in place after remediation work.

E. Historical Documentation:

UNR, through its consultant, shall prepare a detailed record of the historical context and significance of Building 58 presented in a report format. Sources will be cited so that other researchers can verify or locate information discovered during research. Historical research to create documentation uses secondary source materials, archival materials, and primary sources, such as personal records, deed and title books, newspapers, plats, maps, atlases, photographs, vital records, censuses, historical narratives, and interviews with individuals. The documentation will include, but not be limited to, the following elements:

1. Title Page--shall include the title of the report, including the nature and location of the project, the author of the report, the sponsoring institution, association or agency, and the date the report was prepared.
2. Table of Contents--shall list report chapters and all subdivisions thereof, including study unit sections. Page numbers must be shown in the Table of Contents.
3. Introduction--shall summarize the purpose of the documentation and the reason for the treatment (e.g., impending adverse effect to the resource), objectives for conducting the historical documentation, the scope of the project, and the agencies involved. A map showing the location of the project must be included.
4. Documentation Methodology--shall include an explanation of the procedures used to execute the documentation, including the name of the researcher, date(s) of the research, sources searched, and limitations of the project.
5. Historical Narrative--shall provide a full description of Building 58, a historical context, and a comprehensive history of Building 58. The following elements shall be included in this section:
 - a) Historical Context (brief)--including a historical overview of the University, physical development of the project area around Building 58, and some background about the US Bureau of Mines' experiment stations (explain if Reno was in any way unique compared to other stations in the US).
 - b) Designers, Engineers, and Builders--including biographical information on architects, landscape architects, engineers, builders and contractors, and other designers connected with each historic property, if known.
 - c) Notable People--including biographical information on major figures and individuals connected with the history of the historic property, if applicable.

- d) Narrative shall explain the original interior floor plans and how the building's various rooms were used when the US Bureau of Mines occupied it. The narrative should include descriptions from any primary or secondary references that may be found that describe the building's use, construction, and materials.
 - e) The following agencies will be contacted to determine if they have any historic records, especially historic photos, drawings, and/or specifications for Building 58:
 - 1. National Archives may have information for the various US Bureau of Mines experiment stations; and
 - 2. USGS. When the US Bureau of Mines closed in 1996, the USGS assumed many duties for that agency and may also have retained their records; and
 - 3. As the Nevada Bureau of Mines occupied this building for several years, this state agency may also have information about this building in its archives, including historic photographs; and
 - 4. Other federal or state agencies that may have reference materials.
 - f) Specific narrative calling out the development, construction, and use of the Transformer House.
6. Bibliography--references to secondary sources shall indicate author, title, and date of publication. Primary sources shall be identified by name, collection identifier, and location. Interviews shall be noted including the date and location of the interview, and names of both parties, and where the interviews have been curated.
 7. Appendices--If applicable, the report will include an appendix or appendices containing photocopies of DeLongchamps' historic drawings, existing conditions drawings, historic photos, and/or current photographs. The photocopies will not exceed 11" x 17" in size.
 8. The draft report will be submitted to the SHPO for review and approval in accordance with Stipulation III.F.1 below.

F. Draft and Final Report:

1. UNR, through its consultant, shall submit a draft report to the SHPO for review and comment. The draft report shall contain the following elements:
 - a) An ARA form for Building 58; and
 - b) Historic Documentation prepared in accordance with Stipulation III.E above.

2. The SHPO will review the draft report within forty-five (45) calendar days of receipt. If the SHPO fails to provide timely comments to UNR, UNR may finalize the report.
3. UNR, through its consultant, will address all SHPO comments on the draft report and provide a revised draft final report to the SHPO for review and comment.
4. The SHPO will review the revised draft final report within thirty (30) days of receipt. If the SHPO fails to provide timely comments to UNR, UNR may finalize the report.
5. UNR, through its consultant, will save the final report on an archival CD and on archival paper. The final report shall also include all final images and the photo log.
6. UNR, through its consultant, will submit one archival copy to the SHPO. Additional other copies may be required by DOI or UNR.

IV. Qualifications

The DOI will ensure that all actions prescribed by this MOA must be carried out by or under the supervision of a person or persons meeting, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (Qualification Standards) for historic architecture, history, or architectural history, as appropriate ([48 F.R. 44738-44739](#)). All treatment of historic fabric, including decontamination, remediation and removal, shall be overseen by a historic monitor from, or on behalf of, the DOI that meets the Qualification Standards for historic architecture, history, or architectural history.

V. Post Review Effects

If unanticipated impacts/effects on Building 58 occur or a cultural resource is discovered within the APE after decontamination, remediation, and removal activities have been initiated, then DOI and/or UNR personnel will implement the following procedure:

- A. The Project Manager will immediately cease all operations for that portion of the activity and notify the DOI of the discovery or effect.
- B. The DOI will begin an assessment on whether the unanticipated effect will impact the NRHP eligibility of Building 58 and the potential of the activity to affect its qualifying characteristics, along with an analysis of the 1996 covenant. The DOI may require the development of a treatment plan to avoid or mitigate the effect as needed and appropriate.
- C. The DOI will consult with the SHPO on the discovery or unanticipated effect and the draft treatment plan within five (5) working days of the discovery. The SHPO will have five (5) working days to provide any comments on the discovery or unanticipated effect and DOI's determination of NRHP eligibility or effect. If the SHPO concurs with this determination or does not respond within five (5) working days of receipt, the DOI will

proceed with the proposed treatment plan developed in accordance with Stipulation V.B.

- D. Once the fieldwork portion of the treatment plan is completed, UNR will submit a summary of the fieldwork activities to the DOI within 30 days after the completion of fieldwork. The DOI will submit this fieldwork summary to the SHPO for review and comment.
- E. The SHPO will have five (5) working days from receipt of the fieldwork summary to provide comment to the DOI.
- F. If the SHPO has timely comments regarding the fieldwork summary, then the DOI will have UNR complete any additional activity to address these comments and resubmit the revised fieldwork summary to the SHPO for review and comment.
- G. The SHPO will have five (5) working days from receipt of the revised fieldwork summary to provide comment to the DOI. If the SHPO concurs with this determination, the DOI will advise the Project Manager to resume the activities that were halted to address the situation.

VI. Initiating Undertaking Activities

The DOI may issue a Notice to Proceed to UNR for any decontamination or treatment of historic fabric related to the undertaking upon the completion of Stipulation III.A.3 through Stipulation III.A.5. The mitigation measures specified in Stipulation III.B through Stipulation III.E may occur concurrent with the undertaking.

VII. 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, the DOI shall consult with such party to resolve the objection. If the DOI determines that such objection cannot be resolved, the DOI will:

- A. Forward all documentation relevant to the dispute, including the DOI's proposed resolution, to the ACHP. The ACHP shall provide the DOI 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, the DOI 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. The DOI 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, the DOI may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the DOI shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.

- C. The DOI's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VIII. Amendments

This MOA or any portion may be amended at any time 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 the Signatories. The DOI shall file a copy of the amendment with the ACHP.

IX. Effective Date

This MOA shall become effective on the date when the last party to sign executes the MOA and sends notice to the other Signatories that it has done so.

X. Compliance with Applicable Laws and Regulations

All understandings herein are subject to, and will be carried out in accordance with, all applicable laws, regulations, and other legal requirements.

XI. Termination

If any Signatory to this MOA determines that its terms will not or cannot be carried out, then that party will immediately consult with the other Signatories to attempt to develop an amendment per Stipulation VIII above. If within thirty (30) days, or other time period agreed to by all Signatories, an amendment cannot be negotiated, then any Signatory may terminate the MOA upon written notification to the other Signatories.

Once this MOA is terminated, prior to any work continuing on the undertaking, the DOI must either (a) execute an MOA pursuant to 36 C.F.R. § 800.6 or (b) request comment from the ACHP, take into account these comments, and provide a response to the ACHP pursuant to 36 C.F.R. § 800.7. The DOI must also notify the SHPO and any other consulting parties, as to the course of action it will pursue.

XII. Duration of the Agreement

The MOA shall remain in effect for a five (5) year term from the effective date, unless terminated earlier in accordance with Stipulation XI. This MOA will expire if its stipulations are not carried out within this time frame. Prior to such time, the DOI may consult with the SHPO to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII above.

EXECUTION of this MOA by the DOI, UNR, and the SHPO and the implementation of its terms, constitutes evidence that the DOI has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

Signatories

_____ Stephen G. Tryon Department of the Interior	_____ Date
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_____ Rebecca Lynn Palmer Nevada State Historic Preservation Officer	_____ Date
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Invited Signatory

_____ Name University of Nevada Reno	_____ Date
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Appendix A

Project Description

Exterior: The exterior of Building 58 will be treated according to the Secretary of the Interior's Standards for Rehabilitation and will include tuckpointing exterior brick where cracked, replacing the concrete front steps of the building in-kind, and reconstruction of the original cheek walls using the original brick.

Interior: UNR will determine the level of decontamination necessary for the interior during construction, however the scope of work may include demolition and disposal of all remaining historic interior materials including:

- Removal and disposal of all historic lath and plaster on ceilings and walls (plaster ceilings above the dropped ceilings appear to be in fair to poor condition; most plaster walls have a textured surface).
- Removal and disposal of all historic wood floors (condition under modern materials appears to be fair to poor).
- Removal and disposal of all remaining historic interior wood doors and transoms.
- Removal and disposal of all interior wood window trim and sills (some components may be from the 2000 window replacement, but other components are likely original to the building).
- Removal and disposal of original interior partition windows along the first-floor main entrance hallway.
- Removal of the first-floor wood stair and railing system.
- Installing new ceilings throughout.
- Re-configuration of office layouts and fixtures.

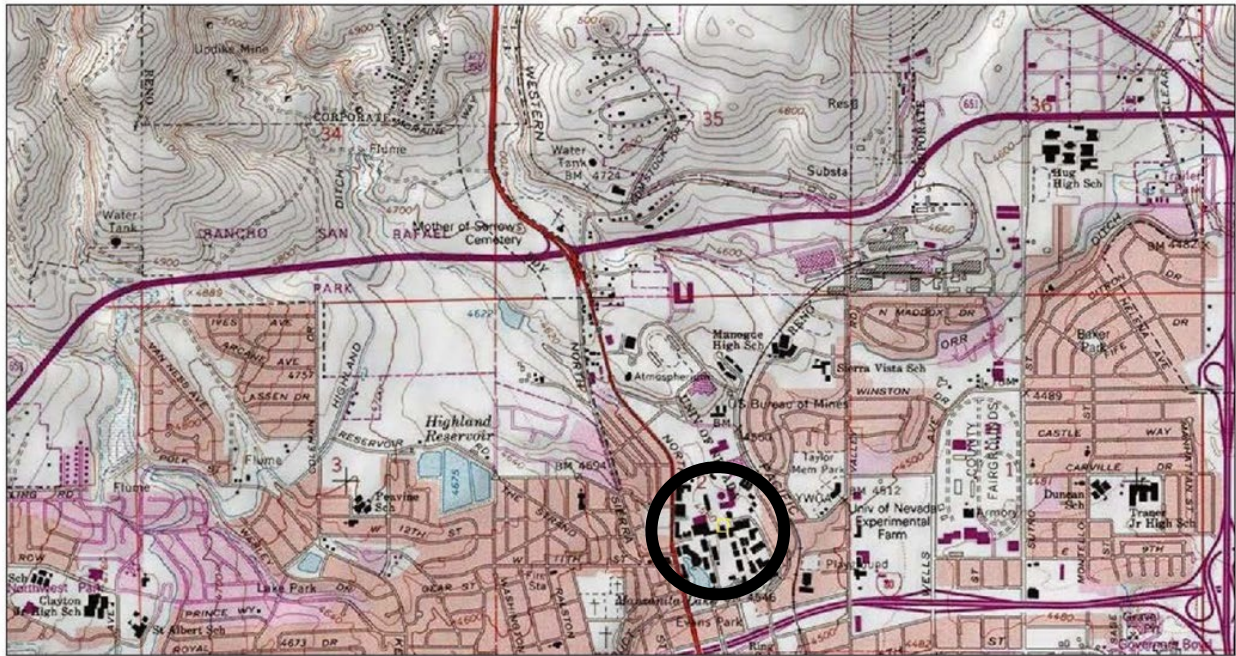
Regarding the seismic retrofit rehabilitation work, the scope of work, includes but is not limited to:

- Strengthening interior walls by adding reinforced shotcrete on the first and second floors.
- Installing braces for parapets to the roof framing.
- Installing corner beams on the interior corners of the buildings.
- Installing new sheathing over existing board sheathing to increase stiffness of existing roof diaphragm.
- Installing new shear and tension anchors on the roof and each floor level to anchor walls to diaphragms.
- New plywood sheathing on floors throughout.

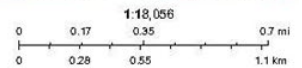
Appendix A

Project Location Map

UNR Building 58 Project Area



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Memorandum of Agreement Regarding the University of Nevada, Reno Remediation and Seismic Rehabilitation of the Facility Services Building (Building 58); Reno, Washoe County, Nevada.

University Project # 20DRPR01782; TSK# 20-049.10; (UT 2021-6770)

APE Map



Memorandum of Agreement Regarding the University of Nevada, Reno Remediation and Seismic Rehabilitation of the Facility Services Building (Building 58); Reno, Washoe County, Nevada.

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