

**MEMORANDUM OF AGREEMENT
BETWEEN THE
FEDERAL HIGHWAY ADMINISTRATION
THE NEVADA DEPARTMENT OF TRANSPORTATION,
NEVADA STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE SIERRA STREET BRIDGE REPLACEMENT PROJECT
RENO, WASHOE COUNTY, NEVADA
FHWA # BR-0191-343, NDOT EA # 74508, SHPO # 2024-8139**

WHEREAS, the Federal Highway Administration (FHWA) and the Nevada Department of Transportation (NDOT) propose the Sierra Street Bridge Replacement Project (Project) to replace the aging and structurally deficient structure over the Truckee River in Reno, Washoe County, Nevada; and

WHEREAS, the Undertaking includes replacement of the Sierra Street Bridge (NDOT Bridge number B-303), which will require temporary water diversions; general roadway improvements; pedestrian and bicycle improvements; replacement of floodwalls along the Truckee River; and minor beautification and landscaping improvements; and

WHEREAS, FHWA has determined the Project is an Undertaking under Section 106 (54 *United States Code* [USC] § 306108) of the National Historic Preservation Act (NHPA) (54 USC § 300101 et seq.) and its implementing regulations at 36 *Code of Federal Regulations* [CFR] Part 800; and

WHEREAS, in accordance with 36 CFR § 800.5(c)(3)(ii)(B), and the *Programmatic Agreement Among the Federal Highway Administration, the Nevada Department of Transportation, the Nevada State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Implementation of Federal-Aid Transportation Projects in the State of Nevada* (2014 PA, amended 2024), FHWA authorizes NDOT to carry out FHWA's responsibilities and to act as an Invited Signatory to this MOA; and

WHEREAS, FHWA and NDOT, in consultation with the Nevada State Historic Preservation Officer (SHPO), have defined the Area of Potential Effects (APE) for the Project, comprising the Direct APE plus the Indirect APE, as depicted on the attached map and aerial image (Attachment A); and

WHEREAS, FHWA, in consultation with the SHPO, NDOT, and consulting parties, has determined that the undertaking may have an adverse effect on the Sierra Street Bridge (B-303; B3265/S101/S501), which is determined eligible for listing in the National Register of Historic Places under the Secretary of Interior's Significance Criterion C; and

WHEREAS, FHWA and NDOT has consulted with, and will continue to consult with, have the Washoe Tribe of Nevada and California, the Pyramid Lake Paiute Tribe, and the Reno-Sparks Indian Colony as part of the Project and has invited these Tribes to be Concurring Parties to this MOA; and

WHEREAS, FHWA and NDOT has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination and invited the ACHP to participate in the consultation pursuant to 36 CFR § 800.6(a)(1) in an email dated November 13, 2025; and

WHEREAS, the ACHP declined to participate in the consultation in a letter dated December 2, 2025; and

NOW, THEREFORE, FHWA, NDOT and the SHPO agree that the Project will be implemented in accordance with the following stipulations to take into account the effect of the Project on historic properties in compliance with Section 106 of the NHPA.

STIPULATIONS

The FHWA and NDOT will ensure the following stipulations are implemented:

I. MITIGATION

NDOT will implement the mitigation detailed in *Historic Properties Treatment Plan for the Sierra Street Bridge Replacement Project, Reno, Washoe County, Nevada* in attachment B to resolve adverse effects from the project.

II. NOTICE TO PROCEED FOR GROUND-DISTURBING ACTIVITIES OUTSIDE OF THE AVOIDANCE AREA ITIGATION

- A. Upon execution of this MOA, FHWA and NDOT shall not proceed with ground disturbing activities (construction) in the APE for the Project until the CRS has verified that an Avoidance Area (AA) to protect the historic property **B3265/S101/S501** (Sierra Street Bridge) within the APE has been established. The AA for **B3265/S101/S501** will be defined within the Special Provisions of the advertised project.
1. NDOT, in consultation with FHWA and the construction contractor, shall ensure that the construction contractor has adequately marked the AA on construction plans and that the AA is protected by physical barriers, by the means stipulated in the Special Provisions.
 2. FHWA and NDOT, in consultation with the SHPO, shall approve the AA. Once the AA is approved and established per the Special Provisions, NDOT may issue a Notice to Proceed (NTP) for Project activities outside of the AA.

III. NOTICE TO PROCEED FOR GROUND-DISTURBING ACTIVITIES INSIDE OF THE AVOIDANCE AREA

NDOT authorizes the construction contractor to start construction within the AA when an NTP for the AA is issued. An NTP may be issued for the AA after the Signatories have reviewed the summary of fieldwork to ensure that sufficient work has been completed and complies with the requirements outlined in the HPTP. To ensure compliance with this stipulation, the following will be carried out:

- A. NDOT will provide a summary of all necessary fieldwork and photos within thirty (30) calendar days after the field work at **B3265/S101/S501** has been completed as stipulated in the Historic Properties Treatment Plan (HPTP).
- B. FHWA shall review the summary of fieldwork within two (2) working days of receipt and either accept or reject the summary.
- C. If FHWA rejects the summary, NDOT will have fifteen (15) calendar days from receiving the comments to amend the summary.
- D. If FHWA and NDOT approve of the summary of fieldwork, NDOT will provide a copy of the summary to the SHPO for review.
- E. The SHPO will review the summary of fieldwork and provide any comments within five (5) working days of receipt. If the SHPO does not respond within five (5) working days of receipt, NDOT will issue the NTP to the construction contractor for work within the AA.
- F. FHWA and NDOT will ensure that the comments provided by the SHPO on the summary of fieldwork are addressed. FHWA and NDOT will provide a revised document to the SHPO for review.
- G. The SHPO will review the revised summary of fieldwork and provide any comments within two (2) working days of receipt. If the SHPO does not respond within two (2) working days of receipt or has no comments, NDOT will issue the NTP to the construction contractor for work within the AA.
- H. Upon receipt of the NTP, the construction contractor will remove the AA.

IV. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. At such time, and prior to continuing work on the undertaking, FHWA shall either (a) execute a MOA pursuant to 36 CFR § 800.6, or (b) request, consider, and respond to the comments of the ACHP under 36 CFR § 800.7. Prior to such time, FHWA may consult with the SHPO, and NDOT to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below. FHWA shall notify the SHPO, BLM, and

NDOT as to the course of action it will pursue.

V. MONITORING AND OBSERVING

POST-REVIEW DISCOVERIES

- A. In the event that previously unidentified historical, archaeological, or paleontological objects are discovered during construction operations, NDOT Standard Specification Section 107.12 will be implemented. NDOT Standard Specification Section 107.12 stipulates that construction operations will be immediately suspended within 200 feet of the vicinity of the discovery and the discovery will be secured. The Resident Engineer will be notified concerning the nature and location of the findings. The Resident Engineer will then notify the NDOT Chief Cultural Resources Program Manager as identified in the project Stipulations. The Resident Engineer will keep the Contractor informed about the status of the discovery.
- B. In the event of a discovery, FHWA and NDOT will consult with the SHPO and the ACHP, in accordance with 36 CFR 800.13(b)(3), with regard to developing and implementing an appropriate treatment plan prior to resuming construction.
- C. FHWA and NDOT will ensure that Native American human remains, grave goods, items of cultural patrimony, and sacred objects encountered during the Undertaking that are located on state or private land are treated in accordance with the requirements of Nevada Revised Statute 383.121.

VI. DISPUTE RESOLUTION

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

- A. Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to the ACHP. If the ACHP does not provide FHWA with its advice on the resolution of the objection within thirty (30) calendar days of receiving adequate documentation, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching a final decision on the dispute, FHWA will prepare a written response that considers any timely advice or comments regarding the dispute from the ACHP, the SHPO, and NDOT, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
- B. FHWA's responsibility to carry out all other actions under this MOA that are not subjects of the dispute remain unchanged.

VII. CONFIDENTIALITY

All parties to this MOA acknowledge that information about historic properties is or may be subject to the provisions of Section 304 of the NHPA and 36 CFR § 800.11(c) relating to the disclosure of sensitive information, and they will ensure that all actions and documentation associated with this MOA are consistent with the requirements of Section 304 of the NHPA, 36 CFR § 800.11(c) and 5 USC § 552, as amended.

VIII. AMENDMENTS

If any Signatory or Invited Signatory to this MOA determines that its terms will not or cannot be carried out, that party will immediately consult with the other parties to attempt to develop an amendment. All parties to this MOA will consult for no more than thirty (30) calendar days to consider such amendment. FHWA may extend this consultation period at its discretion. The amendment process will comply with 36 CFR § 800.6(c)(1) and § 800.6(c)(7). The MOA will only be amended upon the written agreement of the Signatories and Invited Signatories. If the Signatories and Invited Signatories cannot reach agreement on an amendment, this MOA may be terminated in accordance with Stipulation IX. of this MOA.

IX. TERMINATION

- A. If any Signatory or Invited Signatory to this MOA determines that its terms will not or cannot be carried out, that party will immediately consult with the other parties to attempt to develop an amendment per Stipulation VIII of this MOA. If, after thirty (30) calendar days, an amendment has not been reached, any Signatory or Invited Signatory may terminate the MOA upon written notification to the other Signatories.
- B. When the MOA is terminated, and prior to work continuing on the Undertaking, FHWA must either (a) execute another 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. FHWA will notify the Signatories and Invited Signatories as to the course of action it will pursue.

X. DURATION

This 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 continuing work on the Undertaking, FHWA shall either (a) execute an MOA pursuant to 36 CFR § 800.6, or (b) request, consider, and respond to the comments to the ACHP under 36 CFR § 800.7. Prior to such time, FHWA may consult with the SHPO to reconsider the terms of the MOA and amend it in accordance with Stipulation VII of this MOA. FHWA will notify the SHPO as to the course of action it will pursue.

XI. EFFECTIVE DATE

This MOA will take effect immediately upon execution by all of the Signatories.

XII. EXECUTION AND COMPLETION OF SECTION 106 OF THE NHPA

The execution of this MOA by the FHWA and SHPO, together with implementation of its terms, is evidence that FHWA has considered the effects of this Undertaking on historic

properties and has fully satisfied its obligations under Section 106 of the NHPA and its implementing regulations.

XIII. AUTHORIZING SIGNATURES

Signatories may sign the MOA using photocopy, facsimile, digital, or counterpart signature pages. FHWA will distribute digital copies of the complete MOA to the Signatories and Invited Signatories when the MOA is fully executed.

SIGNATORIES:

FEDERAL HIGHWAY ADMINISTRATION

KHOA T
By: **NGUYEN** Digitally signed by KHOA T NGUYEN
Date: 2026.02.25
11:26:04 -08'00'

Date: _____

Khoa Nguyen
Nevada Division Administrator

NEVADA STATE HISTORIC PRESERVATION OFFICER

Arthur Krupicz
By: _____ Digitally signed by Arthur Krupicz
Date: 2026.02.05 10:47:17
-08'00'

Date: _____

Arthur Krupicz
State Historic Preservation Officer

INVITED SIGNATORIES:

NEVADA DEPARTMENT OF TRANSPORTATION

By: DocuSigned by:
Tracy Larkin Thomason
632931E930B041F _____

Date: 02/04/2026

Tracy Larkin Thomason
Director

CONCURRING PARTIES:

WASHOE TRIBE OF NEVADA AND CALIFORNIA

By: _____

Date: _____

Serrell Smokey
Chairperson

PYRAMID LAKE PAIUTE TRIBE

By: _____

Date: _____

Steven Wadsworth
Chairperson

RENO-SPARKS INDIAN COLONY

By: _____

Date: _____

Daryl Gardipe
Chairperson

ATTACHMENT A
Area of Potential Effects Maps

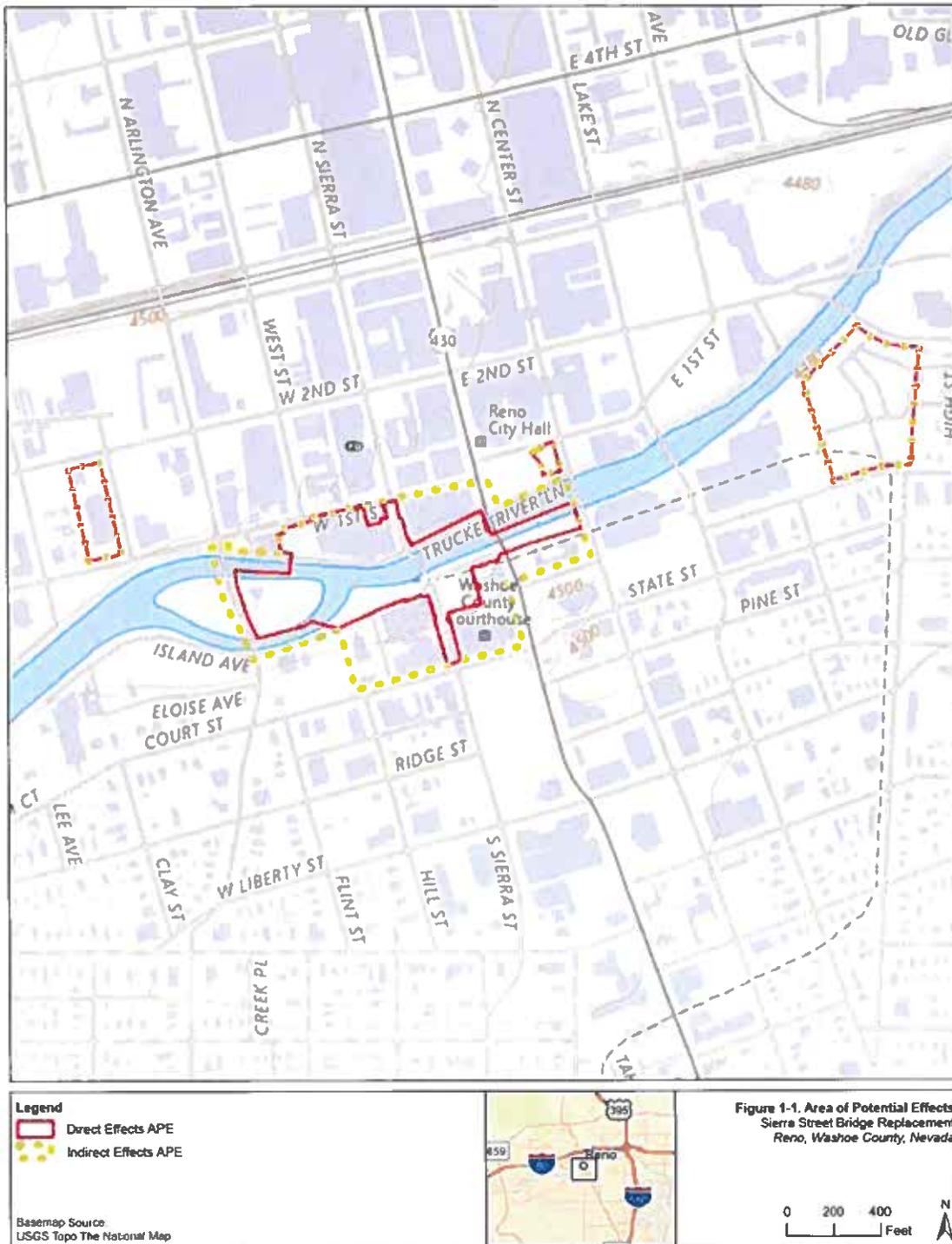


Figure 1-1. Area of Potential Effects.

Memorandum of Agreement between the Nevada Department of Transportation and Nevada State Historic Preservation Officer Regarding the Sierra Street Bridge Replacement Project, Reno, Washoe County, Nevada
FHWA # BR-1091-343, NDOT EA # 74508, SHPO # 2024-8139

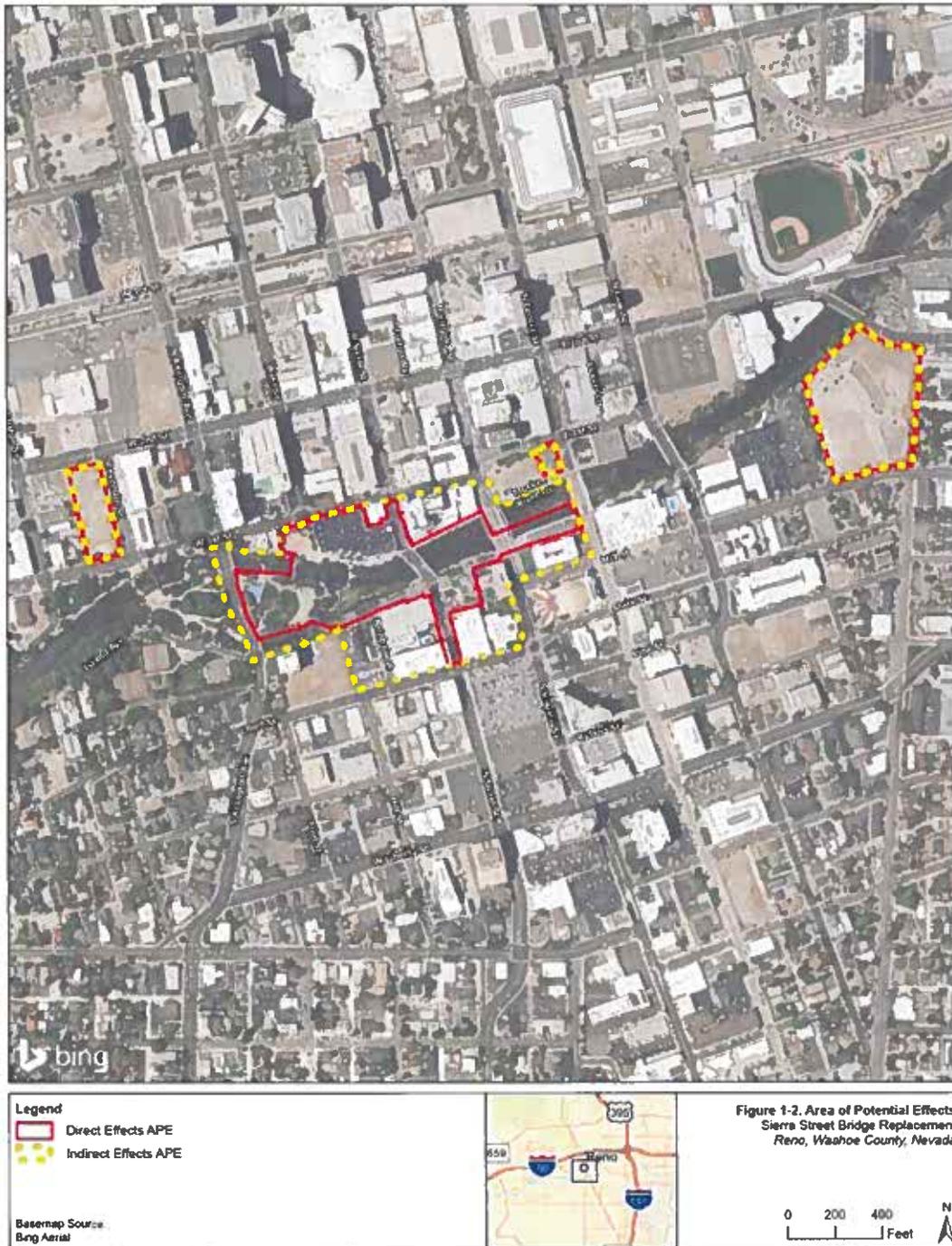


Figure 1-2. Area of Potential Effects.

Memorandum of Agreement between the Nevada Department of Transportation and Nevada State Historic Preservation Officer Regarding the Sierra Street Bridge Replacement Project, Reno, Washoe County, Nevada
FHWA # BR-1091-343, NDOT EA # 74508, SHPO # 2024-8139

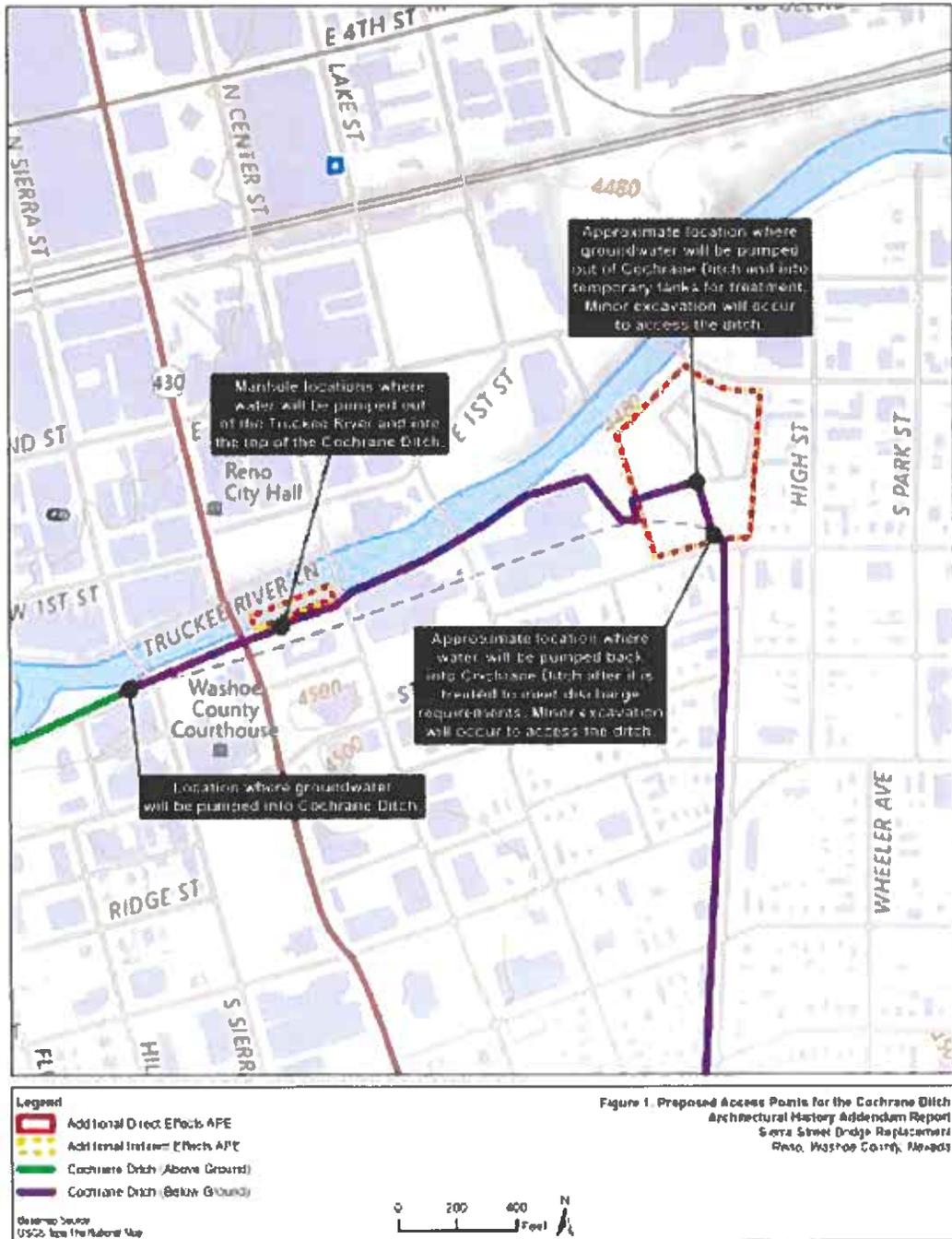


Figure 1-3. Proposed access points for the Cochrane Ditch as depicted in the Architectural History Addendum Report.

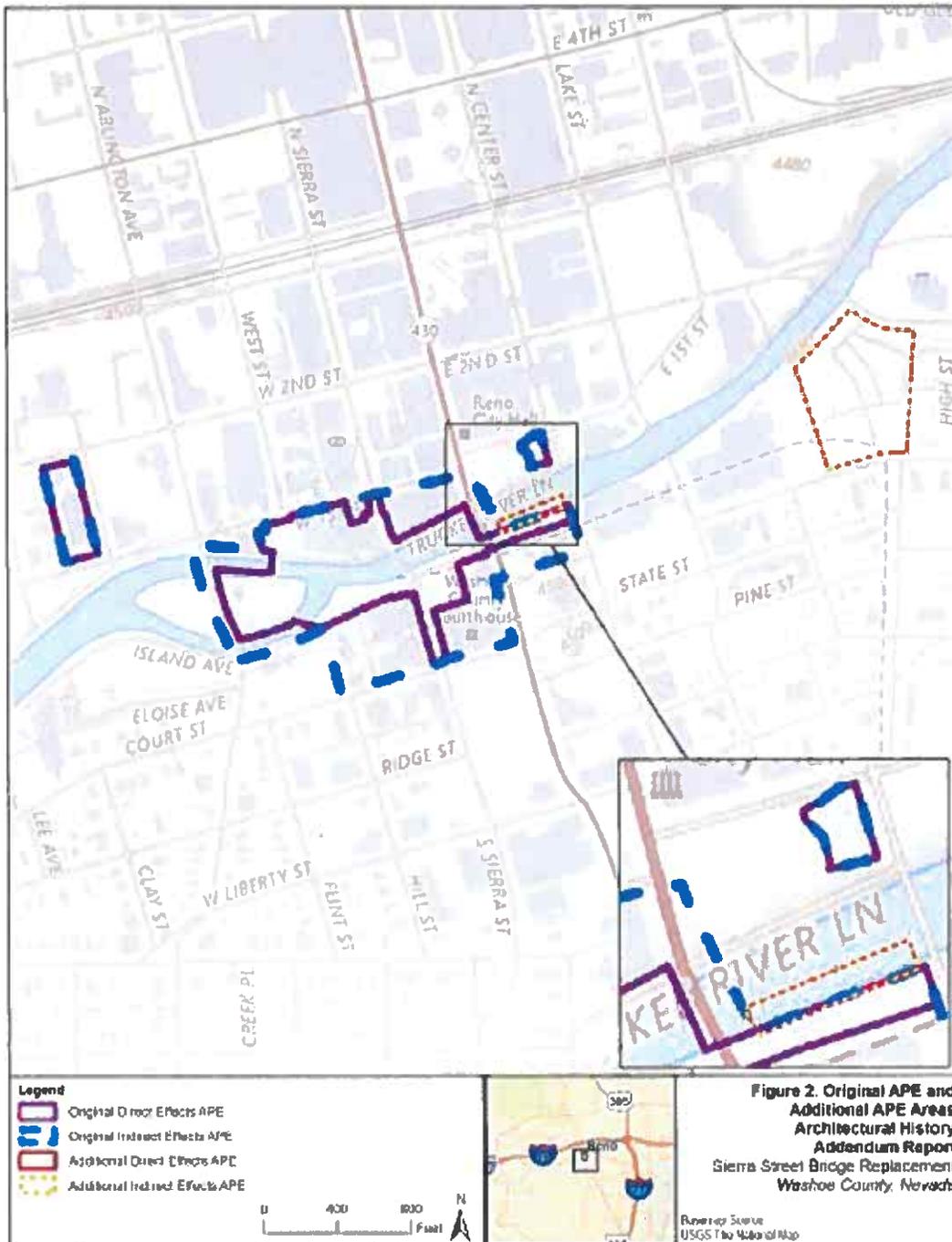


Figure 1-4. Original APE and Additional APE as depicted in the Architectural History Addendum Report.

ATTACHMENT B

***Historic Properties Treatment Plan for the Sierra Street Bridge Replacement Project,
Reno, Washoe County, Nevada***



**TREATMENT PLAN FOR
THE ADVERSELY
AFFECTED
SIERRA STREET BRIDGE**

**NEVADA DEPARTMENT OF
TRANSPORTATION
ENVIRONMENTAL SERVICES DIVISION
CULTURAL RESOURCES SECTION
1263 SOUTH STEWART STREET
CARSON CITY, NEVADA 89712**

January 2025

TREATMENT PLAN FOR THE ADVERSELY AFFECTED SIERRA STREET BRIDGE

INTRODUCTION

Under the *Programmatic Agreement Among the Federal Highway Administration, the Nevada Department of Transportation, the Nevada State Historic Preservation Office, and the Advisory Council on Historic Preservation Regarding Implementation of Federal-Aid Transportation Projects in the State of Nevada* (resigned 2024) (PA), NDOT may “develop treatments for resolving adverse effects to certain types of properties or that are caused by specific classes of undertakings” (see PA, Stipulation V. G.).

NDOT has prepared this Treatment Plan for the Adversely Affected Sierra Street Bridge in accordance with Chapter 6 of the Handbook, Standard Treatments – Historic Architecture (pages 46-49) of the PA. This Treatment Plan has been developed because the following conditions are met:

- The undertaking is a Federal-aid transportation project; and
- The undertaking affects a bridge that is eligible for listing at the State or Local level under Criterion C; and
- The bridge itself will be directly impacted by the undertaking in an adverse way, as defined by 36 CFR §800.5.E

This treatment plan contains two components:

- Photographic documentation of the bridge *before* it is adversely affected by the project.
- Public outreach that includes an educational or interpretative component.

A. Photographic Documentation

NDOT will ensure the adversely affected bridge is thoroughly documented using high-quality digital images prior to the issuance of a Notice to Proceed (NTP). The following conditions must be met to meet expectations for documenting adversely affected bridges:

- Digital images will be a minimum of 8 inches wide at 600 dpi. Digital photographs shall follow the requirements for file format, image resolution, naming convention, labeling the disk, and type of archival disk as outlined in the National Register of Historic Places website’s Photograph Policy Factsheet updated 5/15/2013 or a more recent version. Digital photographs will be saved on an archival CD as recommended by the NPS *National Register Photo Policy Factsheet*.
- All photographs must be accompanied by a photo log detailing the image number, date recorded, name of bridge, location of bridge, description, orientation of the photograph, and name of photographer.
- Photographs must adequately illustrate the significance or value of the historic bridge. Views of the bridge shall include a minimum of ten (10) images, including:
 - Elevations of the bridge, the approaches to the bridge, and the roadway on either side of the bridge facing out;

- Environmental views showing the bridge as part of its larger landscape;
 - Major elements of the bridge, including railings, piers, end posts, deck, abutments, etc.;
 - Significant details of the bridge, such as attachments, manufacturer's marks, hardware, and other distinguishable details.
- NDOT may supply additional photographic documentation, but doing so does not negate the current requirement. Additional documentation can be used when a bridge has a national level of significance or has an unusual design or engineering feature that is best captured through documentation beyond photographs. Additional documentation may include but is not limited to digital scanning or photogrammetry documentation (e.g. LiDAR) or aerial drone photography.

B. Public Outreach

This mitigation proposal includes a Public Outreach component.

- Produce a booklet, publication, activity book or interactive activity regarding the history of the bridge and the surrounding landscape. These will be developed for a specific audience, such as grade-schoolers or museum visitors. NDOT proposes to develop materials for use in the K-12 Washoe County Public School System as well as make the materials available as a teaching module on the public NDOT Cultural Resources website.
- Materials will also be distributed to the following entities/agencies: Reno-Sparks Indian Colony, Washoe Tribe of Nevada and California, Pyramid Lake Paiute Tribe, Washoe County Library System, the Historic Reno Preservation Society, and The Discovery.
- Outreach emails will be sent as the list is expanded, directing entities to the NDOT website for materials and will provide a method for requesting paper materials. The expanded list will be provided with the final SHPO submittal.

All Public Outreach materials will be submitted by NDOT to the SHPO as part of the final mitigation submission (Stipulation VII. A.).