

PROGRAMMATIC AGREEMENT AMONG
NATIONAL PARK SERVICE,
COLORADO STATE HISTORIC PRESERVATION OFFICER, AND
ADVISORY COUNCIL ON HISTORIC PRESERVATION
FOR
PARK HOUSING CAPITAL IMPROVEMENTS WITHIN
ROCKY MOUNTAIN NATIONAL PARK,
LARIMER, BOULDER, AND GRAND COUNTIES, COLORADO

This Programmatic Agreement, inclusive of all Exhibits (PA or Agreement) is made by and among the U.S. Department of Interior, National Park Service (NPS), the Colorado State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) (Signatory or Signatories), pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. § 306108), and its implementing regulations, 36 CFR § 800.14(b)(3); and

WHEREAS, the NPS at Rocky Mountain National Park (ROMO, or Park) owns and operates approximately 101 units and 5 dormitory buildings in areas on the east and west sides of the Park (Appendix A) and housing areas include related utilities and adjacent landscapes (i.e., yards, wooded buffers, neighborhood gardens, playgrounds, driveways, parking areas, sidewalks, trails, and other hardscapes and roads) (Staff Housing); and

WHEREAS, Staff Housing consists of units that were: built during the initiation of ROMO to the Civilian Conservation Corps (CCC) period or NPS Rustic period (approximately 1920 to 1945, Period One Housing) as documented in the 1987 Multiple Resource Nomination for Rocky Mountain National Park and subsequent documentation; units that were built during the NPS Mission 66-era (1945-1972, Period Two Housing) as documented in the Mission 66-Era Multiple Property Nomination Form for the National Register of Historic Places (NRHP); and, units that were acquired by ROMO during these periods (Other Period Housing), collectively referred to as Period Housing but which may or may not be historic properties. NPS also owns and operates Staff Housing units that were built between 1972 and the present and that will be built during the term of this PA, and in accordance with this PA they are not historic properties; and

WHEREAS, the NPS indicated in the 2025 Park Housing Needs Assessment that substantial improvements and additions are needed to Staff Housing to account for an increase in permanent and seasonal staff, to improve general housing conditions, accessibility (i.e., the Architectural Barriers Act of 1968 and the related Architectural Barriers Act Accessibility Standards, ABA and ABAAS, respectively) and safety (i.e., including but not limited to the International Code Council family of codes and the National Electrical Code, as they may be revised and adopted, in

accordance with NPS Policy Memorandum 23-01 and 40 U.S.C. § 3312, collectively, Building Codes), and to assist with employee retention and morale; and

WHEREAS, in the next ten (10) years, subject to available funding, NPS shall phase planning, design, and construction of numerous large-scale Staff Housing projects at the Park, including capital improvements and new housing, full and partial rehabilitation as described in the Secretary of the Interior's Treatment Standards, and demolition (Undertaking); and

WHEREAS, the area of potential effects (APE) for the Undertaking includes Staff Housing areas (Appendix A) and a buffer surrounding these areas, which contain historic properties including buildings, structures, districts, cultural landscapes, and archeological resources that are listed in or eligible for listing in the NRHP, as well as properties that may be identified in the future. the APE for this project shall be the existing housing area and utility corridors to those housing areas; and

WHEREAS, NPS determined that the Undertaking has the potential to affect historic properties and initiated consultation with the SHPO, pursuant to 36 CFR § 800.14(b)(3), on March 4, 2025, and NPS notified the Advisory Council on Historic Preservation (ACHP) of the development of this PA and the ACHP is also participating; and

WHEREAS, the Signatories have identified a need for a more consistent and predictable approach to consultation to establish a process to facilitate identification, assessments of effects, and the development of measures to avoid, minimize, and mitigate adverse effects, ensuring that such measures are commensurate with the effects to historic properties; and

WHEREAS, the *Programmatic Agreement Among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers for Compliance with Section 106 of the National Historic Preservation Act (2008 PA)* and the *Programmatic Agreement Among the National Park Service at Rocky Mountain National Park, the Advisory Council on Historic Preservation, and the Colorado State Historic Preservation Officer Regarding Compliance with Section 106 of the National Historic Preservation Act for Routine Operations, Management, and Administrative Undertakings Occurring within Rocky Mountain National Park (2022 Parkwide PA)* shall still be utilized by the Park for certain discrete repair and maintenance activities associated with Staff Housing and related features. However, they do not address this Undertaking's capital improvements scope, including full rehabilitation, renovation, and demolition, nor circumstances in which full identification of historic properties has not occurred; and

WHEREAS, the NPS Program Comment on Stewardship and Management of National Park Service Mission 66-Era Facilities (1945-1972) (2024) may also be an optional compliance tool for the Park for certain discrete repair and maintenance activities associated with Period Two Housing, but it cannot be used when an undertaking has potential to affect historic properties from the Mission 66-era such that they would become ineligible for listing in the NRHP, cannot be used when there may be adverse effects to historic properties that are not from the Mission 66-era, and also does not address the Undertaking's larger scope; and

WHEREAS, in accordance with ACHP guidance, different program alternatives may not be used to fulfill a federal agency's Section 106 review responsibility for a single undertaking. To clarify, NPS may not use more than one program alternative to fulfill their Section 106 compliance for a single undertaking and its dependent (i.e., not having independent utility) parts; and

WHEREAS, the NPS consulted with the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Cheyenne and Arapaho Tribes, Oklahoma; Comanche Nation, Oklahoma; Eastern Shoshone Tribe of the Wind River Reservation, Wyoming; Kiowa Indian Tribe; Northern Arapaho Tribe of the Wind River Reservation, Wyoming; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah and Ouray Reservation, Utah; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, and Utah; and White Mesa Ute; and each have been invited to sign this PA as concurring parties (Concurring Parties); and

WHEREAS, the NPS consulted with Boulder County, Grand County, Larimer County, the Town of Estes Park, and the Town of Grand Lake as well as the Colorado Council of Professional Archaeologists, the Grand Lake Area Historical Society, and the Rocky Mountain Conservancy, and together with the Signatories and Concurring Parties they are consulting parties (Consulting Parties); and

WHEREAS, the NPS is coordinating its Section 106 compliance with the applicable requirements of the National Environmental Policy Act (NEPA) pursuant to 36 CFR § 800.8(a), and providing opportunities for review and comment on the Undertaking, including on the NPS Planning, Environment & Public Comment (PEPC) website, and the administrative record of consultation is retained by NPS, and NPS shall continue to provide an opportunity for public involvement in the development of this Undertaking through the public participation process under NEPA and via this Agreement; and

NOW, THEREFORE, the NPS, 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

The NPS shall ensure that the following measures are carried out:

I. STANDARDS AND QUALIFICATIONS

- A. Professional Qualifications. NPS and ROMO shall ensure that all historic preservation and archeological work performed pursuant to this PA shall be accomplished by or under the direct supervision of a person or persons who meet(s) or exceed(s) the pertinent qualifications in the Secretary of the Interior's Professional Qualification Standards (48 FR 44716, September 29, 1983, Qualified Personnel), and located at <https://www.nps.gov/subjects/historicpreservation/upload/standards-guidelines-archeology-historic-preservation.pdf>, as they may be amended or updated, in those areas

in which the qualifications are applicable for the specific work performed, and for non-NPS specialists or NPS Director's Order 28: Cultural Resource Management Guidelines for NPS staff.

- B. Other Qualifications. ROMO shall ensure that all work carried out pursuant to this Agreement shall be monitored by the ROMO Qualified Personnel in consultation with members of the Cultural Resource Management (CRM) Team who meet the requirements stipulated in NPS Director Order 28: Cultural Resource Management Guidelines, Appendix E: Qualification Standards and Selective or Quality Ranking Factors for Cultural Resource Specialists, and by tribal representatives, as requested.
- C. Documentation Standards. Any identification and documentation of historic properties, completed pursuant to implementation of this PA, shall meet the provisions of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716, September 29, 1983), as amended, and NPS Director's Order 28: Cultural Resource Management Guidelines. The Park shall follow the documentation standards set out in the ROMO Parkwide PA as applicable.
 - 1. ROMO Qualified Personnel shall utilize the current approved version of the ROMO Cultural Resource Documentation Forms to inventory archeological resources.
 - 2. ROMO Qualified Personnel shall utilize the NPS Cultural Landscape Inventory or Colorado Office of Archaeology and Historic Preservation (OAHP) forms to inventory built environment resources.
- D. Building Codes and Standards. ROMO shall ensure that all work performed pursuant to this PA shall follow all applicable International Existing Building Code (IEBC) Building Codes as adopted by NPS. NPS shall also ensure that all work performed pursuant to this PA shall be consistent with NPS Electrical and Lighting Design Standards, Fire Protection Engineering Design Standards, Landscape Architecture Design Standards, Mechanical Design Standards, Occupational Health & Safety Engineering Design Standards, and Structural Design Standards, and other standards as required by NPS policies and guidance.
- E. Preservation Standards. ROMO shall make efforts to: (a) avoid adverse effects to historic properties, so as to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for the Treatment of Cultural Landscapes, and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; (b) minimize adverse effects (e.g., so activities are completed in accordance with various NPS Preservation Briefs; and (c) resolve adverse effects in the process described in this PA Stipulation IV.D).

II. UNDERTAKING ACTIVITIES

In the next ten (10) years, subject to available funding, NPS shall phase planning, design, and construction of numerous large-scale Staff Housing projects including capital improvements and new housing, full and partial rehabilitation as described in the Secretary of the Interior's Treatment Standards, and demolition.

A. Planning for Staff Housing Projects

1. Separate Specialized Plan Documents. The Park may create planning documents to guide Staff Housing projects (for example Master Plans, Historic Preservation Treatment Plans, and Cultural Landscape Reports), which may be submitted to SHPO and THPOs separately from design documents.

2. Geotechnical Investigations and Topographic Survey and Reports. Geotechnical investigations using a drilling rig and geophysical and topographic surveys using surface equipment that are limited in geographic scope may be conducted to determine soil and bedrock conditions.

- a. Topographic surveys include the use of surface equipment to map the physical features on the surface of the area and do not involve ground disturbance.
- b. Geophysical surveys employ a variety of methods to map the subsurface conditions at the location, including Electrical Resistivity Tomography (ERT), Ground Penetrating Radar (GPR), and Seismic methods. These methods are primarily surface-based, with the need to install small, temporary probes in some cases, the 2008 NPS Programmatic Agreement may be applicable; this work can be instead of geotechnical drilling. Or, it may be a precursor to such drilling for determining locations where drilling is needed.
- c. Geotechnical drilling requires a drill rig, in many cases outside of existing road or other developed surfaces, boring a hole with an augur, approximately 4-10 inches in diameter. These holes are drilled to the necessary depth, which can be up to 100 feet or more, depending on the location.

However, prior to conducting such investigations, the NPS Qualified Personnel shall:

- a. Define the project APE taking into account direct, indirect, and cumulative effects on historic properties.
- b. Determine if the proposed project area has been previously subject to adequate historic property identification. Identification of and evaluation of all types of historic properties within the APE must have been previously undertaken, sufficient to assess effects on those resources.
- c. The park CRM team shall review the project to assess potential effects on historic properties from the undertaking by applying the Criteria of Adverse Effect set forth in 36 CFR§ 800.5(a)(1) and certify that the effects on historic properties shall not be adverse. All identified historic properties and any precontact or historic site, district, building, structure or object, including traditional cultural properties, that do not have consensus determination of eligibility and are located within the APE shall be treated as historic properties and subject to avoidance measures and/or best management practices.

d. If the undertaking meets the criteria outlined in steps a-c, ROMO shall document the historic property identification determination in the project record, including the basis for the finding and any proposed protection measures, and shall make such documentation available to the SHPO upon request or as part of annual reporting under this Agreement.

B. Design for Staff Housing Projects

The NPS design process includes the following steps for large construction projects, not all of which apply to every project:

1. Early Design. including Predesign (PD) and Schematic Design (SD) Documents, include specific ideas of what functions should be included (or excluded) in a design, how the functions should be used, and how other functions should relate. SD Documents shall be in sufficient detail to show the massing and general exterior appearance of the planned Staff Housing improvements in their physical context, illustrating the scale and relationship of project components. When historic properties are present in the APE, including Period Housing, SDs shall provide general information about them and their relationship to the improvements. ROMO shall provide one submission to SHPO/THPO during the Early Design phase (PD or SD), or, if not available, at the earliest stage available, in accordance with Stipulation V below.
2. Construction Design (CD). Following the Early Design, more detailed documents are developed. ROMO shall provide one submission to SHPO/THPO in this phase, at the Construction Documents (60% CD) stage.
 - a. Design Development Documents (DD or 40% CD). DD Documents shall be in sufficient detail to show the exterior design intent as well as the general size of rooms or spaces, types of materials, and exact siting within a setting, and shall be completed to approximately 40% Construction Drawing (40% CD) level. When historic properties are present in the APE, ROMO DDs shall provide more specific information about the activities and whether they shall adversely affect such historic properties. Avoidance areas shall be indicated on drawings, as appropriate, for both sensitive cultural and natural resources, and will protect confidential information.
 - b. Construction Documents (60% CD). Construction Documents (60% CD) shall be in sufficient detail to show the exterior design intent as well as the specific size of rooms and spaces, types of materials, and exact siting within a setting and shall be completed to approximately 60% CD. When historic built environment properties are present in the APE, ROMO CDs shall provide specific information about the ways in which the improvements will adversely affect such properties, and specify which character-defining features will be affected. Avoidance areas will be indicated on drawings, as appropriate, for both sensitive cultural and natural resources, and the NPS shall protect confidential information.

3. As-Builts. Upon completion of a project, ROMO develops As-Builts (100% CDs) in sufficient detail to show how the project was executed, how it relates to the larger Undertaking, and which may serve as a reference. As-Builts shall be internal to NPS and for the purposes of the administrative record but may be provided to SHPO and THPOs upon written request. If historic properties are impacted, that shall be noted on the as-builts, protecting any confidential information.

C. Construction of Staff Housing Projects

1. ROMO Construction of various large-scale capital improvements to Staff Housing will include full and partial rehabilitation (as described in the Secretary of the Interior's Treatment Standards and Guidelines for Rehabilitation), construction (e.g., additions, infill) of new housing and related utilities and landscape features, and demolition (e.g. entire housing unit or group of units or selective demolition of interior spaces, additions, etc.) of housing and related utilities and adjacent landscape features (e.g., yards, wooded buffers, neighborhood gardens, playgrounds, fencing, parking areas, sidewalks, and other hardscapes and roads).
2. Additional construction activities may include:
 - a. removal of hazardous materials (e.g., lead and asbestos abatement);
 - b. features for resilience to natural hazards (e.g., wildland fire protection);
 - c. sustainability features (e.g., Leadership in Energy and Environmental Design [LEED]);
 - d. limited reconstruction of buildings and landscapes (i.e., of the form, features, and detailing of a non-surviving historic element, for the purpose of replicating its appearance at a specific time in its historic location);

II. IDENTIFICATION OF HISTORIC PROPERTIES

A. The APE for these projects may include (Appendix A):

1. Staff Housing units and associated landscape features that are individually listed in the National Register of Historic Places (NRHP), and/or individually eligible for listing in the NRHP, and/or contribute to historic districts and cultural landscapes that are listed in or eligible for listing in the NRHP;
2. Numerous archeological resources that may or may not also be historic properties; and
3. Non-historic housing (Non-Historic Housing) units that are either determined not-eligible by NPS Qualified Personnel, in consultation with SHPO **or per the below** or that

are less than 50 years old; but unless other historic properties may be affected by a project, as determined in accordance with this PA, NPS shall make no efforts to consider whether the Non-Historic Housing is NRHP-eligible (e.g., Criteria Consideration G) and shall have no further Section 106 responsibilities with respect to the Non-Historic Housing.

- B. NPS shall follow 36 CFR § 800.4 to identify historic properties that may be affected by the Undertaking. Any new historic properties, including utilities and landscape features, shall be documented using the ROMO and/or OAHP forms specified in I.C. ROMO Qualified Personnel shall consult with both SHPO and THPOs in this process.
- C. NPS shall ensure sensitive and confidential archeological and ethnographic information are not released or used by a third party in such a way that would compromise archeological site location information. Archeological site location information is protected under Title 54 (54 U.S.C. 307103) (formerly the National Historic Preservation Act, Section 304); the Archaeological Resources Protection Act, Section 9 (16 U.S.C. 470hh(a), 470hh(b) and 43 C.F.R.7.18), and NPS Management Policies 5.2.3.

III. DETERMINATION OF EFFECTS TO HISTORIC PROPERTIES

- A. Determination of Effects. For each project proposed as part of the Undertaking which has historic properties in the APE, NPS shall follow 36 CFR § 800.5 to determine the potential effects to historic properties.
- B. Temporary Effects. ROMO anticipates visual and auditory effects associated with construction activities that may not be entirely avoidable but will cease once construction is complete. These are anticipated to be short-term and reversible and which do not rise to the level of being adverse. ROMO shall ensure the DDs and CDs include best management practices and temporary mitigation measures (as noted in C. below) to minimize temporary effects and to restore conditions to their prior state upon construction completion.
- C. Construction Staging and Access. ROMO shall ensure that construction staging and access areas and temporary facilities (such as, temporary restroom facilities, construction trailers, etc.) are properly identified in the DDs and CDs. In addition, DDs and CDs shall identify best management practices to minimize ground disturbance and avoid adverse effects to historic properties, as noted in B. (above). Mitigation measures for resource protection, selected by ROMO from the Mitigation Menu (Appendix B), shall be included in DDs and CDs.
- D. Adverse Effects to Historic Properties
 - 1. If NPS makes a Finding of Adverse Effect the Park Qualified Personnel, using recommendations from SHPO and THPOs received during consultation, the NPS shall work with the project team to re-scope the project to avoid the adverse effect, if possible.

2. If NPS determines the adverse effect is unavoidable, the NPS shall consult with SHPO, THPOs, and Concurring Parties to decide upon mitigation measures to resolve the adverse effects.

a. Mitigation measures shall be commensurate with the nature and severity of the adverse effect and take into account the significance of the affected historic property.

b. In developing mitigations, SHPO, THPOs, Concurring Parties, and NPS shall use the proposed mitigations identified in Appendix B, before alternative mitigations are proposed.

c. The SHPO, THPOs, and Concurring Parties shall have fifteen (15) calendar days upon receipt to review and comment on the proposed mitigation measure.

d. ROMO shall have fifteen (15) calendar days to respond to and resolve comments by SHPO, THPOs, and Concurring Parties.

3. ROMO shall document the resolution of adverse effects in a letter, including all correspondence/consultation, to be signed by the SHPO and the Park.

4. If disagreement on the resolution of adverse effects among NPS, SHPO, THPOs, and Concurring Parties cannot be resolved in 180 days, then NPS shall follow the dispute resolution process found in Stipulation VIII.

IV. SUBMISSIONS REVIEW

A. Planning Document Review Submissions. ROMO shall provide planning documents to SHPO, THPOs, and Concurring Parties who shall have thirty (30) calendar days to provide review and comment to ROMO.

B. Design Review Submissions. Undertaking activities may be submitted in accordance with this PA as part of a large package with multiple interrelated project parts or as a small package for a single project.

1. For each project proposed as part of the Undertaking, ROMO shall submit two submissions to SHPO and THPOs, per 36 CFR § 800.3, 800.4, and 800.5,

a. one submission occurring during Early Design stage (PD or SD, or, if those are not available, at the earliest stage available), with a review period of thirty (30) calendar days,

and,

b. a second during the Construction stage (DD or CD), as determined by ROMO. The review period shall be twenty-one (21) calendar days.

C. SHPO and THPOs may request in writing additional or fewer review opportunities on individual projects during the review process

D. In the event of changes to the scope of the undertaking (e.g., changes in final construction drawings following review at 60%, or changing conditions during the construction), the following measures shall be implemented:

1. NPS shall assess and revise the APE as needed to incorporate any additional areas that have the potential to affect historic properties
2. NPS shall carry out additional investigations to identify additional historic properties that may be affected.
3. NPS shall assess the effect on any new historic properties and explore measures to avoid, minimize, or mitigate effects on these properties, NPS shall consult with Qualified Personnel and/or the CRM Team to determine whether the matter can be resolved, and NPS's initial effect finding can be maintained. If it cannot, Section 106 compliance shall be reopened following Stipulations IV.A-C above with an abbreviated 15 calendar day timeline for review.

V. ARCHEOLOGY METHODOLOGY

A. Archeological Testing and Cultural Monitoring

1. If a project includes excavation or significant surface disturbance, ROMO shall assure archeological and/or cultural monitoring, including tribal monitors, takes place in accordance with the recommendations of the Park Qualified Personnel, SHPO and THPOs.

B. Post-Review Discoveries

1. In the event of a post-review discovery, NPS shall comply with Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001 et seq.).
2. In accordance with 36 CFR § 800.13(a)(1), this PA establishes an alternative procedure for post-review discoveries as follows:
 - a. If archeological materials are discovered as a result of any undertaking, ROMO shall protect the discovery, and all earth disturbing activities shall cease within 30 meters of the discovery until the discovery is assessed by an Archeologist who meets the Professional Qualifications (Stipulation I.A).
 - (a) If the Archeologist determines that the discovery is an isolated find that is not eligible for NRHP listing, it shall be and the project shall proceed with no further consultation.
 - (b) For all other discoveries, ROMO shall either assume the materials eligible for NRHP listing pursuant to 36 CFR § 800.13(c) or consult with SHPO and THPOs regarding eligibility and effect.

- (i) ROMO shall avoid and protect the site when possible.
- (ii) If avoidance and protection is not possible, ROMO shall follow 36 CFR § 800.13(c) regarding notification and resolution of effects.

VI. COMMUNICATION, MONITORING, and REPORTING

- A. Electronic mail shall serve as the official correspondence method for all communications between NPS, and SHPO, THPOs, and Concurring parties regarding this PA and its provisions. To transfer files and correspondence between NPS and SHPO for formal and informal review and consultation, NPS shall use SHPO's file transfer system (MoveIT, or any future system). In addition, the NPS has a variety of communication resources, including PEPC and email.
- B. Starting on March 31st of each year, ROMO shall provide SHPO, THPOs, and ACHP an annual report detailing work undertaken pursuant to its terms.
- C. In addition to annual reporting, the ROMO and SHPO shall meet quarterly to discuss the implementation of this PA, including discussing the undertakings using this agreement, new projects in the planning phase, and any disputes and objections.
 - 1. ROMO shall invite ACHP, THPOs, and Concurring Parties to these meetings.
 - 2. The frequency of meetings may be adjusted upon mutual written agreement of ROMO and SHPO, which shall be made available to the other Signatories and Concurring Parties. One-time adjustments to schedule due to inability to find a common meeting time shall be made by mutual agreement. ROMO shall meet with the other Signatories and Concurring Parties more or less frequently upon request.

VII. DISPUTE RESOLUTION

- A. Should any Signatory to this PA object at any time to actions proposed or the manner in which the terms of this PA are implemented, the NPS shall consult with such party to resolve the objection. If NPS determines such objection cannot be resolved, the NPS shall:
 - 1. Forward all documentation relevant to the dispute, including the NPS's proposed resolution, to the ACHP. The ACHP shall provide NPS with its advice on the resolution of the objection within thirty (30) calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, NPS shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the Signatories and Concurring Parties, and provide them with a copy of this written response. NPS shall then proceed according to its final decision.

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

- B. NPS's responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute shall remain unchanged.

VIII. DURATION AND AMENDMENT

- A. This PA shall expire if its terms are not carried out within ten (10) years from the date of execution. Prior to such time, NPS may consult with the other Signatories to reconsider the terms of the PA and amend it in accordance with Stipulation VIII.B
- B. This PA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment shall be effective on the date a copy, signed by all of the Signatories, is filed with the ACHP.

IX. TERMINATION

- A. If any Signatory to this agreement determines that its terms shall not or cannot be carried out, that party shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation IX.B., above. If within thirty (30) calendar days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate this PA upon written notification to the other Signatories.
- B. Once this PA is terminated, and prior to work continuing on the Undertaking, the NPS must either (a) execute a new PA 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. The NPS shall notify the Signatories as to the course of action it shall pursue.

X. EMERGENCY SITUATIONS

- A. Should an emergency situation occur which represents an imminent threat to public health or safety, or creates a hazardous condition, the NPS shall follow Stipulation VII (Emergency Actions) of the 2008 NPS Nationwide PA.
1. Emergency actions are only those actions required to resolve the emergency at that time and they are limited to undertakings that shall be started within thirty (30) days after the emergency has been declared.
 2. Such emergency actions shall be consistent with the NPS Environmental Safeguards Plan for All-Hazards Emergencies and any other approved servicewide emergency response plans.
 3. The Superintendent shall notify the SHPO/THPO within 24 hours of the declared emergency or as soon as conditions permit.

XI. ANTI-DEFICIENCY ACT

- A. The NPS's obligations under this PA are subject to the availability of appropriated funds, and the stipulations of this PA are subject to the provisions of the Anti-Deficiency Act. The NPS shall make reasonable and good faith efforts to secure the necessary funds to implement this PA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs the NPS's ability to implement the stipulations of this PA, the NPS shall consult in accordance with the amendment and termination procedures found in Stipulations IX.B and/or X of this PA.

Appendix A: Rocky Mountain National Park Housing Areas and Area of Potential Effects
Appendix B: Mitigation Menu

PROGRAMMATIC AGREEMENT AMONG
NATIONAL PARK SERVICE,
COLORADO STATE HISTORIC PRESERVATION OFFICER, AND
ADVISORY COUNCIL ON HISTORIC PRESERVATION
FOR
PARK HOUSING CAPITAL IMPROVEMENTS WITHIN
ROCKY MOUNTAIN NATIONAL PARK,
LARIMER, BOULDER, AND GRAND COUNTIES, COLORADO

Name. Organization, Title	Date
---------------------------	------

APPENDIX A: ROCKY MOUNTAIN NATIONAL PARK HOUSING AREAS AND AREAS OF POTENTIAL EFFECTS

Figure 1: Map of Rocky Mountain National Park and the housing areas located within the Park; primary housing areas for the Park are the East Side HQ/High Drive area on the east, and KVC Housing on the west; the area of potential effects (APE) for the Undertaking includes Staff Housing areas and related utility corridors

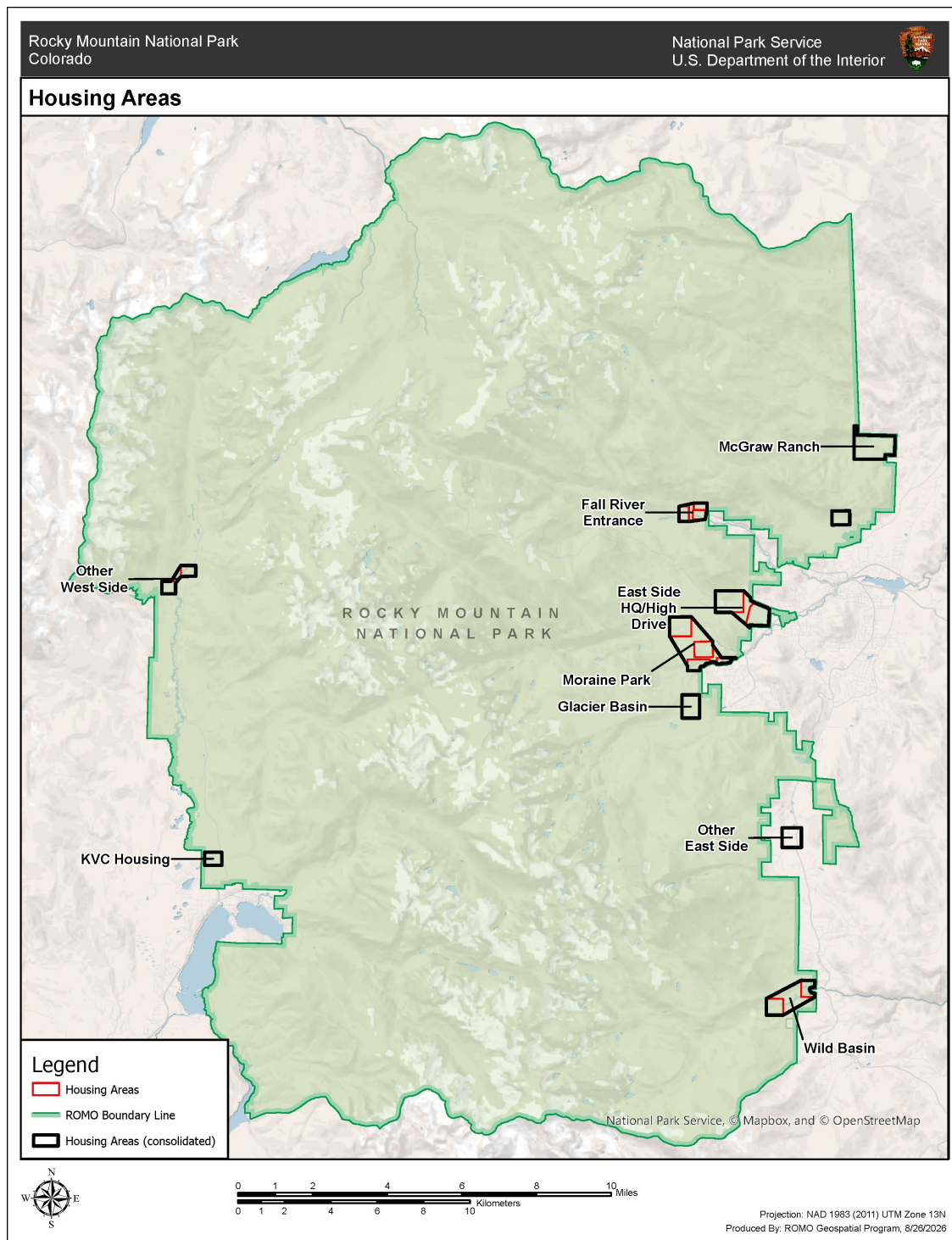


Table 1: Existing housing areas within the Park and the potential types of work in each area, as described in this document (note: all work types indicated below might not be performed in these areas, as work is dependent on funding and capacity; this table is designed to illustrate where areas of focus are planned for the Park).

Housing Area	# Bldgs	Presence of [NPS Rustic / M66 / Other]	Routine Repair/ Maintenance	Rehabilitation	New Construction	Infrastructure	Demolition
<i>East Side HQ/High Drive</i>	81	Y / Y / Y	X	X	X	X	X
<i>Fall River Entrance (FRE, Horseshoe Park, Smith Sisters</i>	3	Y / N / Y	X	X			X
<i>Moraine Park (MPCG, Kaley, Mill Creek, Tuxedo Park)</i>	13	Y / Y / Y	X	X		X	X
<i>McGraw Ranch</i>	10	N / N / Y	X	X			X
<i>Wild Basin (Wild Basin Entrance and Trailhead, Deerhaven)</i>	7	Y / N / N	X	X			X
<i>Glacier Basin</i>	2	Y / N / N	X	X			X
<i>Other East Side (Twin Owls, Leiffer)</i>	4	Y / N / Y	X	X			X
<i>KVC Housing</i>	29	N / Y / N	X	X	X	X	
<i>Other West Side (Timber Creek, Holzwarth)</i>	3	N / Y / Y	X	X		X	

APPENDIX B: MITIGATION MENU

All proposed mitigations are subject to availability of funding, per Stipulation X.

Data Management – appropriate for all adverse effects

- NPS Cultural Resource Information System Data Entry – NPS shall update/revise/add records related to the historic properties impacted by the Undertaking
- NPS Geodatabase Data Entry – NPS shall update/revise/add records related to the historic properties impacted by the Undertaking
- NPS Museum Data Entry – NPS shall update/revise/add records related to museum objects impacted by the Undertaking.

Staff Training - appropriate for adverse effects to a component or feature of a historic property

- In-House Training (staff, volunteers, Tribes, partners) – Training to include review of documentation or materials developed in mitigations (e.g., field review of Utility Area CLI following XXX), in field visits to describe and discuss the adverse effect to the historic property impacted by the Undertaking, or other topics; this mitigation is in addition to other mitigations and can be used to strengthen those mitigations where needed/applicable

Public Education – appropriate for adverse effects when historic properties are interpreted by NPS (note that as of May 2026 all NPS public information is subject to review under Secretarial Order 3431)

- Sign installation – NPS shall design and install a sign interpreting the historic property, subject to DOI policies and approval
- NPS.gov webpage – NPS shall interpret the historic property impacted by the adverse effect

Inventory and Revisitation – appropriate for adverse effects to archeological sites, historic structures, cultural landscapes, and historic districts

- Cultural Resource Inventories with THPOs and TCSs – subject to availability of funds; work with tribal partners to complete documentation of cultural resources in areas related to the project, including conducting inventories [the inventory and revisitation activities below can and will be conducted in consultation with THPOs and with Tribal Cultural Specialists as appropriate].
- Determinations of Eligibility – For properties determined significant at the local level, NPS shall re-evaluate historic properties using the documentation standards in Stipulation I.C.

- Revised or Amended National Register Nominations – For properties listed in the National Register of Historic Places at the National or State level, NPS shall revise or amend the National Register nomination. This mitigation would also include data management mitigations.
- Revised or Amended Cultural Landscape Inventories – For Cultural Landscapes determined eligible, NPS shall revise or amend the Cultural Landscape Inventory. This mitigation would also include data management mitigations.

Historic Preservation Planning -

- Headquarters Area Cultural Landscape Report (Treatment Plan) or Master Plan – For adverse effects to a majority of properties identified within the boundary of the Headquarters Area Cultural Landscape, NPS shall write a Cultural Landscape Report (treatment plan) for the Headquarters Area Cultural Landscape.
- Cultural Landscape Report (Treatment Plan), Master Plan, or other planning document for additional areas, as appropriate

Historic Property Documentation – appropriate for demolitions

- Photo documentation of historic properties – NPS shall take NHRP level photos of historic properties - appropriate for partial demolition or when a property has good inventory (nominations, planning documents, etc.).
- Historic American Building Survey or Historic American Landscapes Survey documentation of the historic property to be demolished - appropriate for total (not selective) demolition projects
- 3D recording or scanning of historic property to be demolished - appropriate for total (not selective) demolition projects for National or State listed historic properties
- 3D recording or scanning of archeological sites or ethnographic resources – only in consultation and with permission of Associated Tribes