FINDING OF NO SIGNIFICANT IMPACT

WORLD WAR I MEMORIAL

Washington, District of Columbia

The National Park Service (NPS) prepared an environmental assessment (EA) to evaluate alternative actions and environmental impacts associated with the proposed project to enhance the former Pershing Park as a national World War I Memorial. The Memorial is needed to fulfill the Congressional mandate for the establishment of a national World War I Memorial at the former Pershing Park.

The EA was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the regulations of the Council on Environmental Quality (CEQ) for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and NPS Director's Order (DO) 12, *Conservation Planning, Environmental Impact Analysis, and Decision-making*. The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

SELECTED ALTERNATIVE

Based on the analysis presented in the EA, the NPS selected Alternative B: Action Alternative (pages 8 through 13 the EA) with the Freestanding Sculpture Option and Island Walkway Option for implementation. The selected alternative will remove the existing cascade fountain and kiosk and add a commemorative sculpture that includes a fountain, a walkway through the pool, and an elevated interpretive area. The selected alternative will also modify vegetation and remove small-scale features: the granite trash enclosures and the drinking fountains. These elements are described below.

The Selected Action will retain the site's existing circulation framework and access with minor modifications to the ramps connecting the General Pershing Commemorative Work to the south side of the upper terrace and tree grove along Pennsylvania Avenue NW to improve universal accessibility.

The existing cascade fountain will be removed and the granite steps extended through the former fountain structure location. The six granite planters on the western edge of the pool will shift to align with the sculpture fountain. A freestanding 56.5-foot long commemorative sculpture fountain will be inserted into the pool between the pool's western edge and the proposed walkway. The eastern face of the commemorative sculpture will include a high relief sculpture with a fountain below, while the western face will include an etched quotation and a full height cascade fountain. Water will flow from the top of the sculpture fountain and cascade over the west face down to the pool to generate a sound and a cooling effect in a manner consistent with the original design of the historic fountain.

The existing pool basin will be modified to accommodate a walkway through the water. The island walkway (page 10 of the EA) will extend along the southern, northern, and western portions of the pool with a central entry point at the east side of the pool. The tree planters at the eastern edge of the pool and one tree planter to the east of the pool on the lower plaza will be modified to accommodate the walkway. The island walkway will enclose a scrim of water, 0.25 inches in depth, and set to be coplanar with the walkway itself. The exterior perimeter of the pool basin, along the pool edges will contain water at a depth of approximately 16 inches. The basin's existing concrete material will be replaced by dark granite. The walkway across the pool will be the same dark granite material; the walkway may be elevated slightly above the water or coplanar with the water surface.

The Selected Action will remove and replace all vegetation in-kind or with compatible vegetation, cultivars, or species, alter the configuration of planting beds throughout the park, and reduce the total number of trees from the Oehme van Sweden planting plan to provide more soil volume per tree and increase tree viability. Details of the vegetation modifications are described in detail on page 12 of the EA.

The Selected Action will replace the circular metal and plastic kiosk with an elevated interpretive overlook (referred to as the belvedere), which will offer a semi-enclosed area from which to view the park. The design will remove the elevator from associated with the kiosk, remove and replace the existing wall with a larger footprint to accommodate an accessible ramp, and install a new stone cap.

The Selected Action will retain the General Pershing Commemorative Work in its current condition and location. The Bex Eagle will also remain in its current location. The Selected Action will remove the granite trash enclosures and replace the drinking fountains.

A flagstaff will be placed in the northwest berm, near the edge of the existing wall bordering the amphitheater-style steps. The face of the eastern existing wall of the northwest berm will include an etched quotation. A door will be added to the southern wall of the northwest berm to provide access to below grade spaces. The eastern and southern edges of the northwest berm will be elevated to accommodate access to below grade spaces.

Rationale For Decision

The NPS selected Alternative B for implementation because it best meets the purpose and need of the World War I Memorial, as it further honors the service members of the U.S. Armed Forces in World War I by enhancing the General John J. Pershing Commemorative Work as a national World War I Memorial by constructing appropriate sculptural and commemorative elements, including landscaping as provided within Public Law 113-291.

Alternatives Considered

Alternatives considered during this planning process are described in detail in Appendix A of the EA.

Mitigation Measures

The selected alternative incorporates the mitigation measures listed in Attachment A of this document.

Finding Of No Significant Impact

As documented in the EA, the selected alternative has the potential for adverse impacts on cultural landscape, however, the NPS has determined that the selected alternative can be implemented without significant adverse effects, as defined in 40 CFR §1508.27.

Implementing the selected alternative will result in detectable long-term adverse impacts on cultural landscapes. Changes to the site's spatial organization, omnidirectional views, built features (including water features), vegetation, and small-scale built features, will result in detectable long-term adverse impacts on the former Pershing Park, and therefore the Pennsylvania Avenue, NW – White House to the Capitol Cultural Landscape. The selected alternative will replace the existing cascade fountain with a freestanding commemorative sculpture fountain, place a central island walkway across the pool basin, remove steps and planters, replace vegetation, and remove trash cans. However, several of the site's missing functions and characteristics will be reinstated. The selected alternative will retain pool basin footprint, repair the pool to be operational, and replace the cascading water in the pool basin, which is currently dry. Although the fountain feature will change, the Freestanding Sculpture Option will recreate a focal feature at the western portion of the pool. The fountain will help create ambient noise and visual interest that can be seen and heard from various points around the park, recreating a condition that is similar to the original design of Pershing Park. Modifications to the ramps to improve universal accessibility will be undertaken in a manner that is consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, and will not substantively alter the spatial organization or character-defining features of the park. All vegetation will be replaced in-kind or with

compatible vegetation, cultivars, or species. Although the total number of trees from the Oehme van Sweden planting plan will be reduced, the reduction will result in more soil volume per tree and increased tree viability. Temporary changes to the Pennsylvania Avenue street trees will occur during construction when the trees are replaced. However, these changes will be consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* because the trees will be replaced in-kind.

The selected alternative includes the construction of new elements within the site that will expand the commemorative experience, expand circulation, and reinstate the intended experience of a pool and fountain. These improvements will temporarily prohibit visitor use at the site during construction, resulting in temporary noticeable adverse impacts on visitor use and experience during construction; however, the impacts will be short-lived.

PUBLIC INVOLVEMENT/AGENCY CONSULTATION

Throughout the planning process, the World War I Centennial Commission (WWICC) and NPS have coordinated with multiple agencies and members of the public, including through the public scoping, the Section 106 historic preservation review, and the design review processes. The following summarizes the coordination that has taken place.

A public scoping period for the EA for the memorial design was held in May 2015, coinciding with the initiation of the design competition. The public was invited to comment on the proposed establishment of the World War I Memorial within the former Pershing Park and to identify potential issues or concerns for consideration in the EA. At that time, the WWICC and NPS received comments from multiple organizations, as well as individuals.

The EA was released for public comment on December 17, 2018 and ran through February 20, 2019. The comment period was extended due to the partial lapse of appropriations, which began on December 22, 2018 and lasted through February 27, 2019. The comment period was extended to account for the 35 day partial lapse of appropriations.

In addition, the WWICC and NPS have held seven Section 106 consulting parties meetings, the first of which occurred in December 2015, prior to the selection of a design concept. Since that time, the design concept has evolved to avoid and minimize adverse effects to contributing features of historic properties, including Pershing Park, which was determined eligible for listing in the National Register of Historic Places. Consulting parties have reached consensus that an adverse effect to Pershing Park will occur; the WWICC and NPS are have identified minimization and mitigation strategies and signed a memorandum of agreement (MOA).

Both the National Capital Planning Commission (NCPC) and U.S. Commission of Fine Arts (CFA) have reviewed the design concept on multiple occasions. NCPC has reviewed the design concept four times, between November 2016 and October 2018, providing comments. CFA has reviewed the design multiple times between December 2015 and November 2018. CFA granted concept approval in May 2017 and revised concept approval in July 2018.

CONCLUSION

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

Recommended: 4/9/2019

Jeffrey P. Reinbold
Acting Superintendent
National Mall and Memorial Parks
National Capital Region

Date

Approved: Lisa A Mendelson-Ielmini 4/10/2019

Lisa A. Mendelson-Ielmini
Acting Regional Director
National Capital Region

Date

Documents appended to the FONSI include:

- Attachment A: Mitigation Measures
- Attachment B: Non-impairment determination;
- Attachment C: Response to public comments;
- Attachment D: Section 106 coordination letters

ATTACHMENT A: MITIGATION MEASURES

CULTURAL LANDSCAPES

In order to mitigate potential impacts on cultural landscapes, a Memorandum of Agreement (MOA) between the WWICC, NPS, DC State Historic Preservation Office (SHPO), and other parties as appropriate will be undertaken to identify measures to mitigate impacts on Pershing Park, and include the following strategies:

DESIGN REVIEW

The NPS shall review the final design documentation after approval by NCPC and CFA, focusing on any substantive changes from the design as presented at the February 25, 2019 Consulting Parties meeting and at the February 7, 2019 NCPC meeting, at which time NCPC approved the preliminary memorial and site development plans, and make a determination as to whether the proposed final design may result in new adverse effects that have not already been resolved and/or the intensification of known adverse effects on historic properties. If the NPS determines that a new or intensified adverse effect will result, the Signatories and Consulting Parties will consult further to determine whether additional mitigation and/or an amendment to this Agreement will be necessary.

MINIMIZATION

- **Structural Elements:** New paving or other stone elements shall contain materials consistent with the original design of the former Pershing Park as appropriate. The WWICC and the NPS shall retain the circular shape of the kiosk at the new belvedere. The WWICC and the NPS will continue to minimize the number and size of walkway connections to the pool edge.
- **Incorporation of Fountain:** The WWICC and the NPS shall include a fountain in the design of the new commemorative sculpture in order to replicate the historic auditory experience and movement to the pooled water.
- **Treatment of Vegetation**: The WWICC and the NPS shall replace vegetation at the site in-kind, i.e. with same or like vegetation , or with vegetation that adheres to the planting strategies and framework to perpetuate the historic landscape design, to the extent practicable with current NPS policies (i.e. non-invasive and native and devoid of neonictonoids), as shown in Appendix A. The soils will be amended within planting areas, including planters, the quantity of trees per planter will be reduced in some planters, and plant spacing will be improved to increase soil volume per tree and maximize the long-term viability of vegetation based on Best Management Practices.

MITIGATION

- Treatment of General Pershing Commemorative Work Text: The WWICC and the NPS shall improve the readability of the existing General Pershing Commemorative Work. These improvements will re-letter the remaining poorly legible text in a manner consistent with improvements undertaken in 2018.
- NRHP Nomination: Prior to the issuance of a construction permit, the WWICC shall provide funding not to exceed $25,000 for the NPS, under the appropriate authority, to contract with a qualified consultant meeting the Secretary of the Interior's Professional Qualification Standards to prepare an NRHP nomination for the World War I Memorial in order to document the site's history, changes to the site, and the various elements of the World War I Memorial.
- Historic American Landscape Survey Documentation: Prior to the issuance of a construction permit, the WWICC shall provide funding not to exceed $45,000 for the NPS to contract with a qualified consultant meeting the Secretary of the Interior's Professional Qualification Standards to complete Level I Historic American Landscape Survey (HALS) documentation as specified in the Heritage Documentation Programs standards (Drawings: full set of measured drawings depicting existing conditions; Photographs: photographs with large-format negatives of views; photocopies

with large-format negatives of select, existing drawings or historic views that are produced in accordance with U.S. Copyright Act; Written data: history and description).

- Modernist Landscape Context Study: Prior to the issuance of the construction permit, the WWICC shall provide funding not to exceed $25,000 for the NPS to contract with a qualified consultant meeting the Secretary of the Interior's Professional Qualification Standards to develop a contextual study building upon existing surveys of publicly accessible Modernist Landscapes in Washington, DC. The study will consider the timeline of landscapes, identify key features of the style, and begin to identify relationships between them. The NPS shall provide a draft document for DC SHPO and NCPC comment prior to finalizing the document. This information will be made available to the public through an NPS website or other electronic means.

ATTACHMENT B: NON-IMPAIRMENT DETERMINATION

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the US Department of the Interior and NPS to manage units "to conserve the scenery and the natural and historic objects and wild life therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations" (54 United States Code [USC] 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no "derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress" (54 USC 100101).

The NPS *Management Policies 2006*, Section 1.4.4, explains the prohibition on impairment of park resources and values:

> *While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the NPS. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.*

NPS has discretion to allow impacts on park resources and values when necessary and appropriate to fulfill the purposes of a park (NPS Management Policies 2006, Section 1.4.3). However, NPS cannot allow an adverse impact that will constitute impairment of the affected resources and values (Section 1.4.3). An action constitutes an impairment when its impacts "harm the integrity of Park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values" (Section 1.4.5). To determine impairment, NPS must evaluate "the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts" (Section 1.4.5).

The *World War I Memorial Environmental Assessment* analyzes impacts to cultural landscapes and visitor use and experience. NPS *Guidance for Non-Impairment Determinations and the NPS NEPA Process* states that:

> *The impairment determination does not include discussion of impacts to visitor experience, socioeconomics, public health and safety, environmental justice, land use, park operations, etc., as those do not constitute impacts to park resources and values subject to the non-impairment standard.*

As a result, for purposes of this document, impairment findings are required for cultural landscapes.

CULTURAL LANDSCAPES

Cultural landscapes at the World War I Memorial site include Pershing Park and the Pennsylvania Avenue, NW – White House to the Capitol. The replacement of the existing cascade fountain with a freestanding commemorative sculpture fountain, placement of a central island walkway across the pool basin, removal of steps and planters, replacement of vegetation, and removal of the trash cans under the preferred alternative would have noticeable adverse impacts on cultural landscapes. However, several of the site's missing functions and characteristics would be reinstated. The preferred alternative would retain pool basin footprint, repair the pool to be operational, and replace the cascading water in the pool basin, which is currently dry. Although the fountain feature would change, the Freestanding Sculpture Option would recreate a focal feature at the western portion of the pool. The fountain would help create ambient noise and visual interest that can be seen and heard from various points around the park, recreating a condition that is similar to the original design of Pershing Park. Modifications to the ramps to improve universal accessibility would be undertaken in a manner that is consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, and would not substantively alter the spatial

organization or character-defining features of the park. All vegetation would be replaced in-kind or with compatible vegetation, cultivars, or species. Although the total number of trees from the Oehme van Sweden planting plan would be reduced, the reduction would result in more soil volume per tree and increased tree viability. Temporary changes to the Pennsylvania Avenue street trees would occur during construction when the trees are replaced. However, these changes would be consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* because the trees will be replaced in-kind.

Overall, the preferred alternative would have noticeable adverse impacts on the cultural landscapes of Pershing Park and the Pennsylvania Avenue, NW – White House to the Capitol. However, the adverse impacts would not diminish the integrity of the cultural landscape and would enhance opportunities for enjoyment of the cultural landscape within the World War I Memorial site. Therefore, there will be no impairment to the park's resources related to cultural landscapes because no major, long-term adverse impacts to those resources would occur from implementation of the preferred alternative.

MEMORANDUM OF AGREEMENT
AMONG
THE NATIONAL PARK SERVICE
THE WORLD WAR I CENTENNIAL COMMISSION
THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER
THE NATIONAL CAPITAL PLANNING COMMISSION
AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE ESTABLISHMENT OF THE NATIONAL WORLD WAR I MEMORIAL
WASHINGTON, DC

This Memorandum of Agreement ("MOA") is made as of this 10th day of April, 2019, by and among the National Park Service (NPS), the World War I Centennial Commission, the District of Columbia State Historic Preservation Officer (DC SHPO), the National Capital Planning Commission (NCPC), and the Advisory Council on Historic Preservation (ACHP) (referred to collectively herein as the "Parties" or "Signatories" or individually as a "Party" or "Signatory"), pursuant to Section 106 of the National Historic Preservation Act ("NHPA"), 54 U.S.C. §§ 306108, and its implementing regulations 36 CFR Part 800 ("Section 106") regarding the Establishment of the National World War I Memorial in Washington, DC; and

WHEREAS, through Public Law 113-291, 3091 Stat. 3292 (December 19, 2014), the U.S. Congress redesignated Pershing Park in the District of Columbia as a World War I Memorial; and

WHEREAS, through Public Law 113-291, 3091 Stat 3292, the U.S. Congress has authorized the World War I Centennial Commission (WWICC) to enhance the General Pershing Commemorative Work on the World War I Memorial site by constructing appropriate sculptural and other commemorative elements, including landscaping, to further honor the service of members of the United States Armed Forces in World War I; and

WHEREAS, the World War I Memorial site is located within the Pennsylvania Avenue National Historic Site (Pennsylvania Avenue NHS), which is under the jurisdiction of the National Mall and Memorial Parks (NAMA), a unit of the National Park Service (NPS); and

WHEREAS, after detailed study of various alternatives to avoid and minimize adverse effects of the proposed World War I Memorial, the NPS has defined the preferred option as the Proposed Action in the *World War I Memorial Assessment of Effects,* as reflected in the plans attached hereto as Appendix A; and

WHEREAS, the World War I Memorial would result in a cumulative adverse effect on the Pershing Park due to the following actions:

- Removal of the existing cascade fountain structure;
- Alteration of the materials of the existing pool basin and modification of its depth;
- Insertion of a freestanding commemorative sculpture in the pool basin;
- Replacement of the circular metal and plastic kiosk with an elevated interpretive viewing platform; and

- Modification, replacement, or removal of existing vegetation

WHEREAS, the proposed World War I Memorial constitutes a federal Undertaking subject to Section 106 of the NHPA; and

WHEREAS, pursuant to Section 106, federal agencies must take into account the effects of their undertakings on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register of Historic Places, and afford the ACHP a reasonable opportunity to comment; and

WHEREAS, the NPS is entering into this Memorandum of Agreement (Agreement) pursuant to 36 CFR 800.6(c) to fulfill its responsibilities under Section 106; and

WHEREAS, the Memorial is being established pursuant to the Commemorative Works Act, 40 USC Chapter 89 (CWA); and

WHEREAS, the CWA requires that memorials are designed and located to protect open space (40 USC 8905), and cultural and natural resources (40 USC 8905(b)(2)(B)) to the extent practicable; and

WHEREAS, the National Capital Planning Commission (NCPC) has approval authority over the proposed World War I pursuant to the CWA, and NCPC is required to comply with Section 106 of the NHPA; and

WHEREAS, the NPS and NCPC have agreed that the NPS will be the lead agency pursuant to 36 CFR 800.2(a) (2) for the Undertaking to fulfill their collective Section 106 responsibilities; and

WHEREAS, the NPS initiated Section 106 consultation with the District of Columbia State Historic Preservation Officer (DCSHPO) on May 1, 2015; and

WHEREAS, the NPS has consulted with other parties including, but not limited to, the US Commission of Fine Arts (CFA), the Committee of 100 on the Federal City, the National Trust for Historic Preservation, the DC Preservation League, and the Cultural Landscape Foundation (see Appendix C for complete list of consulting parties); and

WHEREAS, the NPS notified the public and conducted a combined National Environmental Policy Act (NEPA) scoping and Section 106 consultation meeting on May 20, 2015, to inform the public of the World War I Memorial and solicit comments, followed by Section 106 consultation meetings held on December 16, 2015; September 21, 2016; February 9, 2017; June 28, 2017; February 13, 2018; November 5, 2018 ; and February 25, 2019 to provide additional opportunities for the Consulting Parties to comment on historic preservation concerns regarding the World War I Memorial; and

WHEREAS, in accordance with 36 CFR 800.4, the NPS and DCSHPO defined the Undertaking's Area of Potential Effects (APE) to include the structures, buildings, cultural landscapes, and viewsheds surrounding the project area and to encompass the geographic areas within which the Undertaking may directly or indirectly cause alterations in the character or use of historic properties, as shown in Appendix B; and

Memorandum of Agreement
The Establishment of the National World War I Memorial

WHEREAS, Pershing Park, the name by which the World War I Memorial site was formerly known, was determined individually eligible for listing in the National Register of Historic Places (NRHP) because it is a signature designed landscape by M. Paul Friedberg, one of American landscape architecture's most accomplished designers; it includes an overlay planting design by the noted landscape architecture firm of Oehme van Sweden; it demonstrates a high degree of integrity in location, design, and setting; it and contains original plant materials, including trees, lawn, grasses, and flowers; it , contains contributing features of historic, architectural, and symbolic significance in the Pennsylvania Avenue National Historic Site, a property listed in the NRHP; and because it contains contributing features in the Pennsylvania Avenue, NW-White House to the Capitol Cultural Landscape, which has been determined eligible for the NRHP; and

WHEREAS, the WWICC and the NPS substantially minimized the changes to the park from the initial design concept by adhering to the Secretary of Interior's Standards for the Treatment of Historic Properties as closely as possible; retaining the berms, the General Pershing Commemorative Work, the Bex Eagle sculpture, and much of the spatial relationship, seating, paving, vegetation, views and vistas, and sound of the fountain; and by minimizing the length of the commemorative sculpture, as shown in Appendix C; and

WHEREAS, the NPS, in consultation with the WWICC, DCSHPO, NCPC and the Consulting Parties, has determined that the Undertaking will have adverse effects on the World War I Memorial site (formerly Pershing Park), as described in the Summary of Adverse Effects Determination in Appendix E; and

WHEREAS, in accordance with 36 CFR 800.6(a)(1), the NPS has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effects determination and provided the documentation specified in 36 CFR.11(3) and the ACHP elected to participate in the consultation; and

WHEREAS, the Signatories to this Agreement are the NPS, WWICC, NCPC, DCSHPO and ACHP; and

WHEREAS, the NPS submitted the concept design for the World War I Memorial to the NCPC on June 9, 2017 and on August 30, 2018, and the NCPC provided comments on the concept design on July 13, 2017 and October 4, 2018 respectively, and NPS subsequently submitted the revised concept for the World War I Memorial to the NCPC on December 7, 2018, and the NCPC approved the preliminary memorial and site development plans on February 7, 2019; and

WHEREAS, on July 5, 2018 the NPS submitted the revised concept design for the World War I Memorial to the CFA, and on July 19, 2018 "… the [CFA] members commented that the presentation demonstrated that the new commemorative purpose and the preservation of the historic park are not antithetical goals, and that the insertion of the freestanding sculpture wall at the western end of the central pool would successfully reinterpret the existing landscape. They also endorsed the project team's preferred configuration of creating a large paved area or viewing platform within the historic pool, bordered by a significant perimeter of water;" and

Memorandum of Agreement
The Establishment of the National World War I Memorial

WHEREAS, the NPS has released for public review and comment the *World War I Memorial Environmental Assessment*, which analyzed the potential environmental impact from the World War I Memorial; and

NOW, THEREFORE, the NPS and Signatories agree that the Undertaking shall be carried out in accordance with the following stipulations in order to take into account the effects of the Undertaking on historic properties.

STIPULATIONS

The WWICC, the NPS and NCPC shall ensure that the following measures are carried out:

1. **DESIGN REVIEW**
   The NPS shall review the final design documentation after approval by NCPC and CFA, focusing on any substantive changes from the design as presented at the February 25, 2019 Consulting Parties meeting and at the February 7, 2019 NCPC meeting, at which time NCPC approved the preliminary memorial and site development plans, and make a determination as to whether the proposed final design may result in new adverse effects that have not already been resolved and/or the intensification of known adverse effects on historic properties. If the NPS determines that a new or intensified adverse effect will result, the NPS shall immediately notify the Signatories and Consulting Parties and will consult further to determine whether additional mitigation and/or an amendment to this Agreement will be necessary. Any such amendment will be addressed in accordance with Administration Stipulation 5.d.

2. **MINIMIZATION**

a. Structural Elements

   New paving or other stone elements shall be materials consistent with the original design of the former Pershing Park as appropriate. The WWICC and the NPS shall retain the circular shape of the kiosk at the new belvedere. The WWICC and the NPS will continue to minimize the number and size of walkway connections to the pool edge.

b. Incorporation of Fountain

   The WWICC and the NPS shall include a fountain in the design of the new commemorative sculpture in order to replicate the historic auditory experience of moving water and movement to the pooled water.

c. Treatment of Vegetation

   The WWICC and the NPS shall replace vegetation at the site in-kind (i.e. with same or like vegetation), or with vegetation that adheres to the planting plan and that perpetuates the historic landscape design to the extent practicable with current NPS policies (i.e. non-invasive and native), as shown in Appendix A.

3. MITIGATION

a. Treatment of General Pershing Commemorative Work Text

The WWICC and the NPS shall improve the readability of the existing General Pershing Commemorative Work. These improvements will re-letter the remaining poorly legible text in a manner consistent with improvements undertaken in 2018.

b. NRHP Nomination

Prior to the issuance of a construction permit, the WWICC shall provide funding not to exceed $25,000 for the NPS, under the appropriate authority, to contract with a qualified consultant meeting the *Secretary of the Interior's Professional Qualification Standards* to prepare an NRHP nomination for the World War I Memorial in order to document the site's history, changes to the site, and the various elements of the World War I Memorial.

c. Historic American Landscape Survey Documentation

Prior to the issuance of a construction permit, the WWICC shall provide funding not to exceed $45,000 for the NPS to contract with a qualified consultant meeting the *Secretary of the Interior's Professional Qualification Standards* to complete Level I Historic American Landscape Survey (HALS) documentation as specified in the Heritage Documentation Programs standards (Drawings: full set of measured drawings depicting existing conditions; Photographs: photographs with large-format negatives of views; photocopies with large-format negatives of select, existing drawings or historic views that are produced in accordance with U.S. Copyright Act; Written data: history and description). The field work, including photographs and measurements, for the HALS documentation shall be completed before any work on the site is carried out.

d. Modernist Landscape Context Study

Prior to the issuance of the construction permit, the WWICC shall provide funding not to exceed $25,000 for the NPS to contract with a qualified consultant meeting the *Secretary of the Interior's Professional Qualification Standards* to develop a contextual study building upon existing surveys of publicly accessible Modernist Landscapes in Washington, DC. The study will consider the timeline of landscapes, identify key features of the style, and begin to identify relationships between them. The NPS shall provide a draft document for DC SHPO and NCPC comment prior to finalizing the document. This information will be made available to the public through an NPS website or other electronic means.

e. Interpretative Materials

The WWICC and the NPS shall prepare interpretative materials covering the development and history of the World War I Memorial site, including the M. Paul Friedberg design, for use at the site as part of physical improvements and as part of an on-line database with the District of Columbia Office of Planning. The WWICC and the NPS shall provide drafts of the interpretive materials for DC SHPO and NCPC comment prior to finalizing the document. The type of materials produced and their method of distribution shall be determined by the Interpretation Division of NAMA. Historical interpretation shall be incorporated into the Memorial Site before the Memorial is opened to the public.

f. Donation of PADC Pavers

The WWICC shall obtain a stock of new 8" x 8" PADC custom pavers and provide them to the NPS to assist in ongoing replacement and maintenance of the Pennsylvania Avenue NHS. The new stock shall include up to 300 new pavers.

4. ARCHEOLOGY AND UNANTICIPATED DISCOVERIES

a. Post Review Discovery of Historic Properties.

Should historic properties including archeological resources be unexpectedly identified during the implementation of the Project or any actions taken pursuant to this Agreement, NPS shall immediately stop work in the location and contact NCPC and DC SHPO to report the discovery. NPS will consult with NCPC and DC SHPO to ensure that reasonable efforts are made to avoid, minimize, or mitigate adverse effects to such properties. NPS shall ensure that any resulting cultural resources work is accomplished in accordance with the relevant performance standards in Stipulation I, including the District of Columbia's Guidelines for Archaeological Investigations, applicable Secretary of Interior's Standards, and following appropriate ACHP guidance. Any dispute on the treatment of resources will be handled in accordance with Stipulation 5.c.

b. Treatment of Human Remains.

In the event that human remains, burials, or funerary objects are discovered during construction of the Project or any action taken pursuant to this MOA, NPS shall immediately halt subsurface construction disturbance in the area of the discovery and in the surrounding area where additional remains can reasonably be expected to occur and shall immediately notify NCPC, DC SHPO, and the District of Columbia Chief Medical Examiner ("CME") of the discovery under DC Code Section 5-1406 and other applicable laws and regulations.

If the CME determines that the human remains are not subject to a criminal investigation by federal or local authorities, NPS shall comply with the applicable federal or local laws and regulations governing the discovery and disposition of human remains and consider the ACHP's Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects (2007).

For actions involving Native American human remains or burials, NPS and shall comply with applicable laws in accordance with provisions of the Native American Graves Protection and Repatriation Act, as amended (Public Law 101-601, 25 USC 3001 et seq) and regulations of the Secretary of the Interior at 43 CFR Part 10.

5. ADMINISTRATION

a. Reporting. The NPS will update the Signatories, the Consulting Parties, and the public on the actions taken to implement the terms of this Agreement and the status of the World War I Memorial by providing an annual report on or before the effective date of this Agreement. Annual reports shall be developed for the duration of this Agreement and posted on PEPC, at a minimum. The NPS shall notify the Signatories and Consulting Parties identified in Appendix D via email, and the public when such annual reports are available.

b. Duration. This Agreement will be valid for a period of seven (7) years from the date of execution by the last Signatory. If the World War I Memorial has not been fully constructed and/or all of the mitigation measures in this Agreement have not been implemented after five (5) years from the date of execution, the Signatories and Consulting parties shall reconsider the terms of this Agreement.

c. Dispute Resolution. Should any Signatory object in writing to the NPS regarding any action carried out in accordance with this Agreement, the Signatories and Consulting Parties shall consult to resolve the objection. Should the Signatories be unable to resolve the disagreement, the NPS shall forward its background information on the dispute as well as the NPS's proposed resolution of the dispute to the ACHP. Within 45 days after receipt of all pertinent documentation, the ACHP shall provide the NPS with written recommendations, which the NPS shall take into account in reaching a final decision regarding the dispute, or notify the NPS that it shall comment pursuant to 36 CFR 800.7(c) and then proceed to comment. The NPS shall take the ACHP comments into account, in accordance with 36 CFR 800.7(c)(4). Any ACHP recommendation of comment shall be understood to pertain only to the subject matter of the dispute; the NPS's responsibility to carry out all actions under this Agreement that are not subjects of the dispute shall remain unchanged.

d. Amendments. This Agreement may be amended when an Amendment is agreed to in writing by all Signatories. The Amendment will be effective on the date of the last signature.

e. Termination. If any Signatory to this Agreement determines that the terms of the Agreement cannot be or are not being carried out, that party shall so notify the other Signatories and Consulting Parties in writing and consult with them to seek resolution or Amendment of the Agreement. If within 60 days a resolution or Amendment cannot be reached, any Signatory may terminate the Agreement upon written notification to the other Signatories. If the Agreement is terminated, and prior to work continuing on the Undertaking, the NPS must either execute a new Agreement or comply with 36 CFR Part 800 for any aspects of the World War I Memorial that have not yet been completed. The NPS will notify each Signatory as to the course of action it will pursue.

f. Anti-Deficiency Act. The obligations of federal agencies under this Agreement are pursuant to 31 USC 1341(a)(1), therefore nothing in this Agreement shall be construed as binding the United States to expend in any one fiscal year any sum in excess of appropriations made by Congress for this purpose, or to involve the United States in any contract or obligation for the further expenditure of money in excess of such appropriations.

g. Electronic Copies. Within one (1) week of the last signature on this Agreement, the NPS shall provide each Signatory with one legible, color, electronic copy of this fully-executed Agreement and all of its attachments. Internet links shall not be used as a means to provide copies of the attachments since web-based information often changes. If the electronic copy is too large to send by email, the NPS shall provide each Signatory with a copy of this Agreement on an external digital storage device.

Execution of this Agreement and the implementation of its terms evidence that the NPS and NCPC have taken into account the effects of the Undertaking on historic properties and afforded the ACHP a reasonable opportunity to comment, and thereby satisfy their Section 106 responsibilities.

SIGNATURES FOLLOW ON SEPARATE PAGES

ATTACHMENTS
Appendix A: Preferred Alternative
Appendix B: Project Area and Area of Potential Effect
Appendix C: Evolution of World War I Memorial Design
Appendix D: List of Consulting Parties
Appendix E: Summary of Adverse Effects Determination

Memorandum of Agreement
The Establishment of the National World War I Memorial

SIGNATORY PAGE

World War I Centennial Commission

04/05/2019

Daniel Dayton | Date

Executive Director, World War I Centennial Commission

Memorandum of Agreement
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SIGNATORY PAGE

NATIONAL PARK SERVICE

4/9/2019

Jeffrey P. Reinbold — Date

Acting Superintendent, National Mall and Memorial Parks, National Park Service

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SIGNATORY PAGE

DC STATE HISTORIC PRESERVATION OFFICER

CAMCOTT FOR MALONEY 4-8-19

David Maloney Date

District of Columbia State Historic Preservation Officer

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SIGNATORY PAGE

NATIONAL CAPITAL PLANNING COMMISSION

April 5, 2019

Marcel Acosta — Date

Executive Director, National Capital Planning Commission

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SIGNATORY PAGE

ADVISORY COUNCIL ON HISTORIC PRESERVATION

John M. Fowler 4/10/19

John M. Fowler Date

Executive Director, Advisory Council on Historic Preservation

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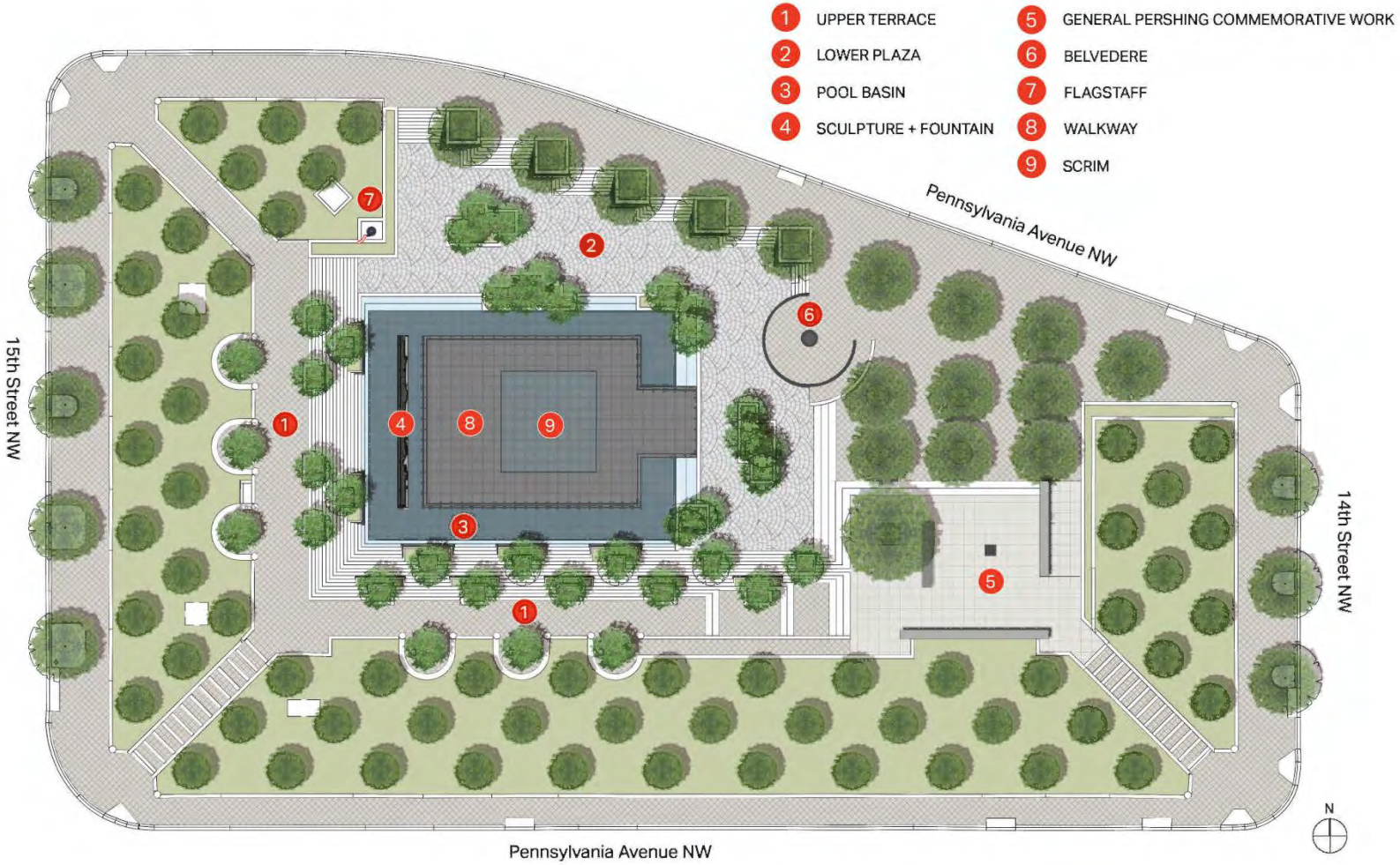
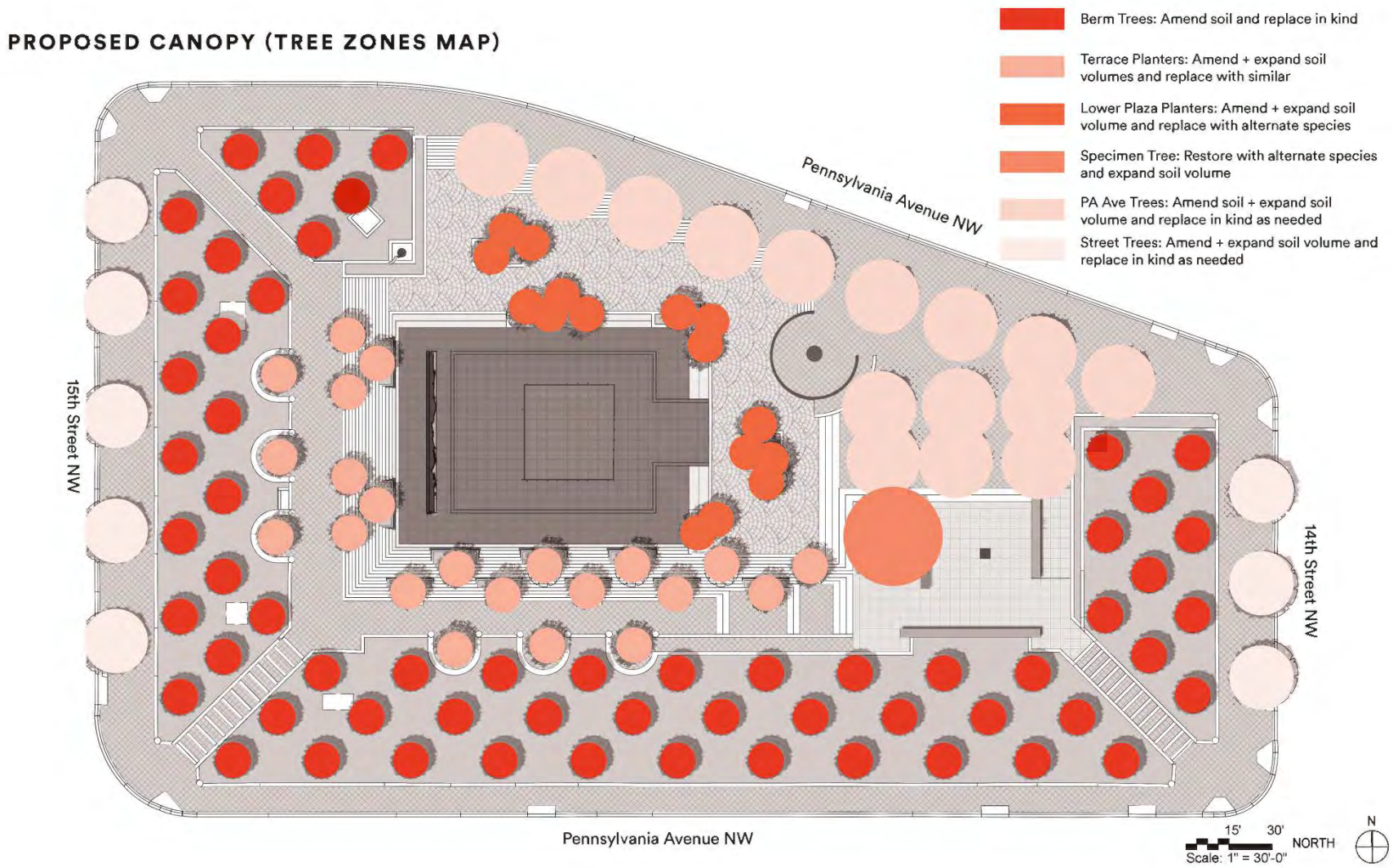
Appendix A: Preferred Alternative Site Plan and Planting Plan




PROPOSED CANOPY (TREE ZONES MAP)
Berm Trees: Amend soil and replace in kind
Terrace Planters: Amend + expand soil volumes and replace with similar
Lower Plaza Planters: Amend + expand soil volume and replace with alternate species
Specimen Tree: Restore with alternate species and expand soil volume
PA Ave Trees: Amend soil + expand soil volume and replace in kind as needed
Street Trees: Amend + expand soil volume and replace in kind as needed
Pennsylvania Avenue NW
15th Street NW
14th Street NW
Pennsylvania Avenue NW
15'
30'
NORTH
Scale: 1" = 30'-0"
N

Memorandum of Agreement
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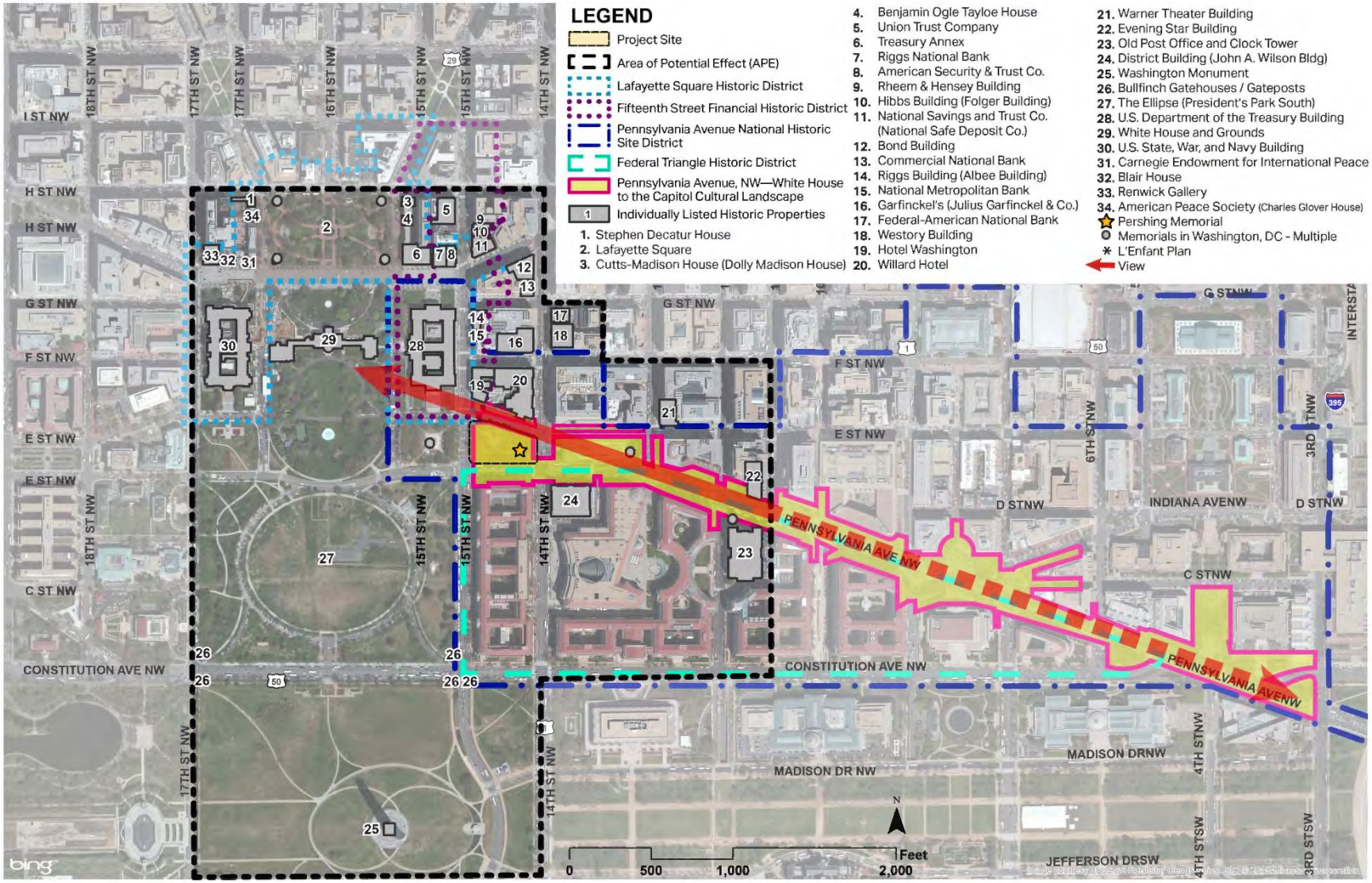
Appendix B: Project Area and Area of Potential Effect



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Appendix C: World War I Memorial Design Evolution to Minimize Adverse Effects

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Appendix D: List of Consulting Parties

Advisory Council on Historic Preservation

Advisory Neighborhood Commission 2C

American Society of Landscape Architects

Big Star Aquatics Construction

Cultural Tourism DC

DC Department of Public Works

DC Office of Planning

DC Preservation League

District of Columbia State Historic Preservation Office

Downtown DC BID

National Capital Planning Commission

National Coalition to Save Our Mall

National Trust for Historic Preservation

Oldest Inhabitants of the District of Columbia

Oliver Carr Company

Penn Quarter Neighborhood Association

The Committee of 100 on the Federal City

The Cultural Landscape Foundation

US Commission of Fine Arts

U.S. Environmental Protection Agency

U.S. General Services Administration

Washington Metropolitan Area Transit Authority

Appendix E: Summary of Adverse Effects Determination

Resource	Assessment	Avoidance, Minimization, or Mitigation Measures
Pennsylvania Avenue, NW – White House to the Capitol Cultural Landscape	Adverse effect	Minimized change to structural elements. Mitigated through donation of PADC pavers; preparation of NRHP nomination, HALS, and interpretive materials; and changes to design identified (see below).
L'Enfant Plan of the City of Washington	No adverse effect	
Pennsylvania Avenue National Historic Site	No adverse effect	
Other Historic Properties within the APE	No adverse effect	
Pershing Park	Adverse effect; cumulative adverse effect due to overall changes to active, multi-layered lush experience of park	Avoided changes within multiple areas of the park. Minimized change through the retention of multiple structural elements. Mitigated through compatible design for proposed structural elements, preparation of NRHP nomination, HALS, and interpretive materials; and changes to design identified for specific elements (see below).
Retained		
Pershing Memorial granite walls, bench, and statue	No adverse effect	Avoided changes
Terra-cotta pavers	No adverse effect	Avoided changes
Memorial plaza granite flooring	No adverse effect	Avoided adverse changes; will repair granite flooring.
Belgian block paving	No adverse effect	Minimized changes; will clean and repair.
Semi-circular alcoves	No adverse effect	Avoided adverse changes; will clean and repair.
PADC lighting	No adverse effect	Avoided adverse changes; will clean and repair.
Removed		
Kiosk	Adverse effect	Minimized through the circular shape of belvedere.
Cascade fountain structure	Adverse effect	Minimized through the incorporation of falling water into sculpture feature and use of similar stone.
Modified		
Spatial Organization	Adverse effect	Minimized through maintain relationship of three focal features, and retention of circulation patterns throughout the site.
Granite planters	Adverse effect	Avoided changing most planters. Minimized change by retaining number of planters. Mitigated through placement of relocated planters and cleaning and repair of planters.
Granite steps	Adverse effect	Avoided changing most granite steps. Minimized through cleaning and repair of

		steps.
Pool basin	Adverse effect	Minimized change to the depth of water along edges of pool basin. Minimized through replacement of pool basin.
Omnidirectional views	Adverse effect	Minimized through retention of open views.
Honey locust trees over lawn on berms	Adverse effect	Minimized change through tree replacement, improvements to soil and growing conditions.
Willow oaks above paving at NE corner	Adverse effect	Minimized change through tree replacement, improvements to soil and growing conditions.
Willow oaks in planters on north side of pool	Adverse effect	Minimized change through tree replacement, improvements to soil and growing conditions.
Crape myrtle trees	Adverse effect	Minimized change through tree replacement, improvements to soil and growing conditions.
Birch trees	Adverse effect	Minimized change through tree replacement, improvements to soil and growing conditions.
Lawn, native and naturalized grasses and perennials	Adverse effect	Minimized by compatible planting design, improvements to soil and growing conditions.
Lighting along elevated walks and Pershing Memorial	Adverse effect	Minimized through selection of compatible lighting design and placement.
Drinking fountain	Adverse effect	Minimized through installation of new drinking fountain.
Trash cans	Adverse effect	

ATTACHMENT C: PUBLIC COMMENT RESPONSES

Topic	Comment	Response
Opposition to Project	We do not need another memorial to WWI. There are plenty of memorials now. The money that would be spent on this memorial should be used to take care of ALL veterans instead.	Comment noted. The National World War I Memorial is privately funded.
	I am most concerned that the World War I Memorial planned for the site of Pershing Park will be ignored. Since we've already waited 100 years to memorialize World War I in our nation's capital, [sic] why not build on what we have and give more thought to creative ways of attracting visitors to it. It is a large urban space in close proximity to the White House, the Treasury Department, the Ellipse and has an unparalleled view down Pennsylvania Avenue to the capital. One such plan could involve teaming the memorial with another long overlooked service/attraction in the city, a centralized, easily accessible visitor center.	Comment noted. Public Law 113-291 re-designated Pershing Park in the District of Columbia as a World War I Memorial. The World War I Centennial Commission and the National Park Service are developing interpretive materials for the memorial and its site.
Relationship to other WWI Public Works	I support your interest in a World War 1 Memorial in Washington DC but I respectfully and firmly ask and direct that you please coordinate this with the leadership of the World War 1 Museum in Kansas City.	Comment noted. The World War I Centennial Commission has worked with the National World War I Museum in Kansas City to ensure coordinated messaging and interpretation.
	I firmly disagree with the placement of the monument in the district of Washington. I think the DC war memorial should be repurposed and refurbished. It would cost less, and save that land that is currently planned for the memorial for future development and green space.	Comment noted. Public Law 113-291 re-designated Pershing Park in the District of Columbia as a World War I Memorial, and specifically states that this project "may not interfere with or encroach on the District of Columbia War Memorial." The proposed World War I Memorial would maintain and improve the site as a park and green space.
Renaming of Site	Frankly, the biggest improvement you could make to the park is to change the name. John Pershing's obstinacy resulted in more young men dying than necessary. .... Honor all those who fought and died by changing the name to the American Soldier Park.	Comment noted. Public Law 113-291 re-designated Pershing Park in the District of Columbia as a World War I Memorial.
Support for Project	The Vietnam Veterans Memorial Fund offers its unequivocal support for the enhancements to Pershing Park and completion of the World War I Memorial....These improvements will turn a little-used area into a more vibrant gathering place of residents and visitors, improving our capital city.	Comment noted.
	Please accept the proposal.	Comment noted.
	Why is it taking so long to complete this project? ...All these Americans deserve a single place to [sic] be honored for what they did, and how they changed the world and America, in doing so. Lest We Forget. There should not be any further delay.	Comment noted. The proposed World War I Memorial is subject to the Commemorative Works Act, the National Environmental Policy Act, and the National Historic Preservation Act. As a result, the project must comply with multiple approval processes.
	I think that the memorial is a really great idea. I remember the park being really bland, and nobody went there, last time I was in DC. I like the idea or replacing the current broken fountain with a new functioning one. What would the	Comment noted.

Topic	Comment	Response
	character; and replacement of perennials with those of completely different size, color and character. Thus the proposed changes in locations, quantities and kinds of plant materials would constitute an adverse effect on vegetation.	reduction in the number of trees, the replacement of trees and vegetation in-kind or with compatible species, cultivars, or vegetation, and soil improvement strategies would not result in significant adverse impacts on vegetation."
No Action Alternative	Considering that Pershing Park is in such a prominent location within the Pennsylvania Avenue Historic District and demonstrates a high degree of integrity in location, design, and setting, a more realistic [No Action] alternative would be to rehabilitate the park, as designed, returning the pool and fountain to operation and replacing original plant materials in kind and location. Because this is not listed as an alternative, it implies that the EA is attempting to justify "demolition by neglect".	At this time, no funding or improvement campaign outside the Action Alternative has been identified. Therefore, the EA considers a continuation of existing conditions and management practices to be the outcome if no action were taken.
	As explained on p.21: "A proposed action that results in a change that detracts from or destroys the historic character-defining features of cultural landscapes would be considered adverse. Likewise, any action that destroys or diminishes the landscape's integrity, in particular for setting, location, association, or feeling would result in an adverse impact. Actions that improve or enhance the historic character and integrity of the landscape - for example, through restoring lost historic features, such as views or vegetation patterns - would be a beneficial impact. Direct impacts are those changes that result in detectable physical impacts on the landscape's historic character, such as major earthmoving or construction of new buildings and structures." Ironically, the text concludes that "Alternative A would result in long-term detectable adverse impacts on cultural landscapes and would contribute to adverse impacts on the overall adverse cumulative long-term impact on cultural landscapes." This conclusion completely ignores the fact that if Pershing Park were adequately maintained and rehabilitated, as it would be if the Management Plan were implemented, there would be beneficial, rather than adverse, impacts!	At this time, no funding or improvement campaign outside the Action Alternative has been identified. Therefore, the EA considers a continuation of existing conditions and management practices to be the outcome if no action were taken
Support for Action Alternative, Freestanding Sculpture Option	I like Alternative B with the Freestanding Sculpture with Island Walkway the best. I realize that it is probably to [sic] late in the process for this suggestion but instead of just the wall with raised figures, would it be possible to install the wall in a trench with drainage. Additional figures could be created to give it more dimension as well as being a much better representation of the actual war.	Comment noted.
Support for Action Alternative, Island Walkway	I am very impressed with the Action Alternative. I am most in favor of the Island walkway design because of the fountain experience and the increased seating possible for contemplation. ...The seating on the rear side of this sculpture facing the flowing water and the text is a brilliant idea.	Comment noted.
Modification to Action Alternative	As indicated in our January 18, 2019 letter to NCPC, the Committee of 100 suggests shifting the southern walkway south so that it adjoins the sloping steps to the south. This would mean the pool would not be broken up by a walkway.	Comment noted. These options were not selected because both would further remove visitors from the cascade pool on the south side,

Topic	Comment	Response
	This change would provide a direct walk from the Pershing Statue area to the World War I Memorial Wall and could also provide for a stair walkway to the upper level on the west side of the park. For the "Island" design, the Committee of 100 suggests that some modifications would make it more useful and improve overall accessibility. A new walkway could be provided adjacent to the sloping steps on the south side of the park, with a walkway connection to the main "Island" area. On the north side of the island there could also be a walkway connection to the north side of the park. These changes would make the "Island" more accessible and useable, and facilitate park visitor's access to the World War I Memorial sculpture wall.	diminishing opportunity for visitors to interact directly with the water from the amphitheater seating.
Historic Properties	Unfortunately, as initially cited, from the beginning, the EA appears to attempt to provide a convoluted justification for implementation of one of the proposed Action Alternatives and mostly avoids stating their adverse impacts on the integrity of Friedberg's design of Pershing Park and its contributing elements. In fact, no mention is made in the EA of the National Park Service's Secretary of the Interior's Standards, with Guidelines for the Treatment of Cultural Landscapes, which govern the treatment of landscapes listed in, or designated eligible for listing in, the National Register of Historic Places, as this one is.	Page 22, Impacts of Alternative B, Pershing Park, states "These potential changes would be undertaken in a manner that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties…"
	In fact, previous project presentations stated that "The sunken pool is the dominant space within the park, and the focal point around which the park is organized in plan and section" and that the cascade fountain in that space is one of the three major focal points (the other two are the kiosk and Pershing statue) within the existing design. In addition to animating that space, the sound of that fountain's cascading water helps to mitigate the sounds of adjacent traffic and its spray adds a summer cooling effect to make the pool area even more of an appealing oasis within the heart of downtown DC. However, instead of trying to preserve this significant pool space and fountain, as designed, both action alternatives would adversely affect that space!	The EA, on Page 27, identifies adverse impacts on Pershing Park for these reasons, concluding "As a result, the Action Alternative would result in a long-term detectable adverse impact on the former Pershing Park due to changes to the spatial organization, omnidirectional views, built features, water features, vegetation, and small-scale features with both the Integrated and Freestanding Sculpture Options and the Island and L Walkway Options."
Historic Properties	The descriptions of the impacts of the Action Alternatives are manipulated so that they do not accurately explain that the loss of the Cascade Fountain and the addition of walks within the pool create severe adverse impacts on the integrity of the original design. Rather, they imply that the water running down the side of the added sculpture wall, which is a completely different design, is an adequate replacement for the Cascade Fountain, which it definitely is NOT!	The EA states on Page 25 "Insertion of a walkway through the pool structure would alter the pool's use and appearance. Both the L Walkway and the Island Walkway Options would minimize the perceived size of the pool basin…" and on Page 26 "a freestanding 56.5-foot long commemorative sculpture in the pool basin would result in the removal of the cascade fountain structure and alter the spatial relationship of the fountain with the park. " Additionally, the EA states "The site's auditory, visual, and physical experiences generated by the cascade fountain would also be altered from its original historical condition." The intent is to recreate an experience

Topic	Comment	Response
		similar, although not exactly, to the original condition.
	It also implies that the addition of a sculptural wall at the west end of the park, where the Cascade Fountain would be removed, could be considered to be a replacement focal feature, which it could NOT be, because it is a completely different structure with a completely different character and function!	Although different from the original cascade fountain in form and function, the sculptural wall at the west end of the park would be a focal feature.
	Text under Vegetation actually contradicts itself by, in one location, stating that: "The Action Alternative would remove and replace all vegetation in-kind or with compatible vegetation, cultivars, or species, alter the configuration of planting beds throughout the park, and reduce the total number of trees from the Oehme van Sweden planting plan..." whereas previous descriptions of what would actually be planted contradict this.	The text referenced in the comment (on Page 26 of the EA) is in comparison to the original Oehme van Sweden planting plan. Text referenced previously under Issues Considered but Dismissed referenced existing on-site conditions, where fewer trees than originally planned are extant.
	Only the final paragraph under Cultural Landscape is accurate: "As a result, the Action Alternative would result in a long-term detectable adverse impact on the former Pershing Park due to changes to the spatial organization, omni-directional views, built features, water features, vegetation, and small-scale features with both the Integrated and Freestanding Sculpture Options and the Island and L Walkway Options."	Comment noted.
	What is clear in both Action Alternatives, as in previous designs, is that (1) the WWI Memorial Commission is so wedded to putting the memorial wall at the west end of the pool in the park that they are unwilling to consider placing it in alternative locations that would enable the retention of the cascade fountain, and (2) that they are completely disregarding the significance of the cascade fountain and the pool, as originally designed. This is unfortunate, because in order to maintain the integrity of the original design, it is crucial to maintain the fountain, which is the "heart" of the design and, when working, pumped life into the focal pool and plaza area, creating a vibrant public space that anchored the west end of the grand ceremonial Pennsylvania Avenue between the Capitol and the White House within the larger urban context of our Nation's Capital.	Appendix A: Alternatives Considered but Dismissed describes multiple options considered for the design, including one that placed the wall outside the commemorative pool and fountain. The EA, on Page 27, identifies adverse impacts on Pershing Park for these reasons, concluding "As a result, the Action Alternative would result in a long-term detectable adverse impact on the former Pershing Park due to changes to the spatial organization, omnidirectional views, built features, water features, vegetation, and small-scale features with both the Integrated and Freestanding Sculpture Options and the Island and L Walkway Options."
	Suffice it to say that while we are pleased that plans for a World War I Memorial in Pershing Park have evolved since this process began and now include measures to rehabilitate some portions of the Friedberg design, we are profoundly disappointed that the current proposal nonetheless represents the complete loss of the cascade fountain-the landscape's primary animating feature situated along the west side of the pool basin-and the near complete loss of the park's pool basin in favor of a 56- foot-long memorial wall fronted by a shallow scrim largely covered by a U-shaped hardscape.	Comment noted.

Topic	Comment	Response
Historic Properties	The insertion of the wall and the scrim into the heart of the park would essentially nullify the intended auditory and cooling effects of the cascade and basin, which were primary considerations of the Friedberg design, as urbanist William "Holly" Whyte recognized…:	Alternative B minimizes this impact by incorporating a fountain in the sculpture. As stated on Page 26, "In the Freestanding Sculpture Option, water would cascade over the west face of the commemorative sculpture directly down to the pool, whereas in the integrated Sculpture Option, water would cascade over the north and south faces of the commemorative sculpture into runnels which would bring the water down to the pool. In both sculpture options, water would also cascade below the sculpture. In both sculpture options, the fountain would help create ambient noise and visual interest that can be seen and heard from various points around the park, recreating a condition that is similar to the original design."
	We have stated from the outset that Pershing Park has the carrying capacity for a World War I Memorial; however, the current proposal would have significant adverse effects on the cascade fountain and pool basin (not to mention the park's overall visual and spatial organization) and would thus seriously jeopardize the potential of Pershing Park to be listed in the National Register of Historic Places. Unfortunately, thus far, the suggested measures to minimize or mitigate these effects are entirely incommensurate with the loss that the historic park would suffer.	The NPS, in concurrence with the District of Columbia State Historic Preservation Office, have determined that the adverse impacts, as identified in the EA and the MOA, would not jeopardize the potential of Pershing Park's listing in the NRHP, and would therefore not result in a significant impact.
Visitor Use and Experience	In particular, we'd like to highlight two important elements of successful parks and public spaces in a Downtown context. First, they must be appropriately managed and maintained. Second, they should be multi-purposes spaces used as parks for all city residents, not spaces devoted solely to commemoration. … Just as importantly, Downtown green spaces are relatively rare and should be available for a wide range of users. It is critical that commemoration of World War I incorporate recreational and non-commemorative uses of our scarce park spaces.	The EA states on Page 30 "Seating would continue to be available for visitor use….Alternative B would continue to offer visitors an outdoor space to sit outdoors, including eating lunch, at seating provided in the park. The granite steps would offer opportunities to interact with the water in the pool basin." These opportunities would be available for all city residents and visitors.
	It is critical that this space have an appropriate governing structure to program and maintain the park and to correct the failures of the post-PADC park management era.	Comment noted. The WWICC and the NPS plan to explore programming and maintenance options.
Visitor Use and Experience	We have an excellent template for how to combine appropriate commemoration with recreation and vibrant city life nearby: the Navy Memorial and surrounding Market Square development blends these functions seamlessly. Furthermore, the Navy Memorial Foundation embraces their role in programming the space with concerts and movie nights - they even hosted a game watch party during the Washington Capitals' run to the Stanley Cup title. Pershing Park should embrace this same commingling of commemoration and recreation appropriate for a small park in the center of a bustling city.	Comment noted. The WWICC and the NPS plan to explore programming and maintenance options.

Topic	Comment	Response
Visitor Use and Experience	Please ensure there are enough spaces to sit for quiet reflection, reading, and remembrance. Please also include public restroom facilities if the space allows.	The EA states on Page 30 "Alternative B would continue to offer visitors an outdoor space to sit outdoors, including eating lunch, at seating provided in the park. The granite steps would offer opportunities to interact with the water in the pool basin. The cascade fountain incorporated into the new commemorative sculpture would create background sound, reducing visitor perception of traffic noise and supporting the sense of enclosure at the park." No restroom facilities are planned for the site.
	I have looked at the overview drawings and think it's great. But it appears to me that there are too many steps. This obviously restricts those in wheel chairs and even those who have a difficult time walking including parents/grandparents with children in strollers and those young children that are learning to walk. Also basically anyone that has difficulty walking.	Comment noted. The Action Alternative widens the three existing ramps to make them compliant with accessibility standards. These ramps are located on three sides of the park. The Action Alternative retains the ramps to minimize adverse effects on the historic resources of the park.
	The sculpture wall is a symbolic work of art but there is a question of how visitors can understand what it means, and how well it represents the progression and meaning of World War I, especially American involvement. The latest design for the memorial suggests an information area at the site of present kiosk. While we believe that is appropriate, we believe information also should be provided on walls or plaques, by information brochures, and by electronic means. It is important that visitors to the World War I Memorial be able to gain an understanding and perspective on World War I in addition to looking at the sculpture wall.	The WWICC and the NPS are developing interpretive materials for the memorial and its site, both at the memorial itself and electronic means.
	The Committee of 100 believes it is important to continue to stress the "urban park" role of this overall park. Probably half or more of future visitors will be there to enjoy the "urban park" features of the park.	The memorial design is intended to offer both recreation and commemoration experiences. "Seating would continue to be available for visitor use....Alternative B would continue to offer visitors an outdoor space to sit outdoors, including eating lunch, at seating provided in the park. The granite steps would offer opportunities to interact with the water in the pool basin."
PA Avenue Historic Site 2014 Management Plan	The PA Avenue Historic Site 2014 Management Plan includes general actions related to management and jurisdiction, cultural resources, special events, access and circulation, urban design character, visitor information, education and enjoyment, visitor facilities and services, health, public safety, and security, and operations. The Management Plan also includes specific area actions for Pershing Park: - Rehabilitate the park to re-establish it as a pleasant oasis in the city; improve visual access across the site.	Comment noted. The proposed World War I Memorial would be consistent with the specific actions noted, as it would rehabilitated the park, provide additional interpretation, and replace concrete picnic tables.

Topic	Comment	Response
	- Provide additional interpretation about World War I and General Pershing; strengthen the park's identity as the National World War I Memorial in the capital city. - Develop stronger physical connections between commercial uses and across Pennsylvania Avenue North. - Consider additional floral displays. - Replace the concrete picnic tables with street furnishings compatible with updated special streetscape guidelines. These actions proposed by the Management Plan would be apropos and maintain the design integrity of Pershing Park. The Action Alternatives proposed by the WWI Memorial are in conflict with this Management Plan.	

Topic	Comment	Response
	fountain look like though? It would be cool if the fountain was in the middle of the island walkway, kind of where the number 9 is in Figure Five.	
	I like that you added a flag. Maybe put some flowers in? Some poppies would be nice, because those represent people who died in WW1. The poem "In Flanders Fields" is really pretty and could be quoted somewhere. I really would like to see some possible fountains before it gets built though.	The WWICC and the NPS has considered poppies as seasonal plantings. Images from the U.S. Commission of Fine Arts and National Capital Planning Commission submissions are available at http://parkplanning.nps.gov/WWIMemorial for public view.
Design Suggestions	Would there be any names of people who gave their lives during the war put somewhere around the memorial, like how there are names around the outside of the DC world war one memorial? Or there could at least be squadron/regiment names or numbers if there are too many names.	The design does not include a list of names or squadron/regiment names.
Purpose and Need	For example, in the Introduction (p.1) under the Purpose and Need, the below elements listed as "Proposed Enhancements" : - Replace the existing cascade fountain - Insert a commemorative sculpture - Modify the existing pool basin, including insertion of walkway - Remove the circular metal and plastic kiosk - Modify, replace, or remove vegetation would actually have Adverse Impacts on the contributing elements and spatial organization of the park, and thus the integrity, of the original design.	The Purpose and Need does not evaluate the potential adverse impacts on resources. The wording under Purpose and Need is consistent with Public Law 113-291, which states "The Commission may enhance the General Pershing Commemorative Work by constructing on the land designated by paragraph (1) as a World War I Memorial appropriate sculptural and other commemorative elements, including landscaping, to further honor the service of members of the United States Armed Forces in World War I."
Planning Issues and Concerns Dismissed from Further Analysis	Planning Issues and Concerns Dismissed from Further Analysis (p.4) includes Potential for the project to impact vegetation (p.5). Despite the descriptive text under it, which states that most plant materials would be replaced in-kind or by a compatible species or cultivars, later explanatory text indicates that this is not true. In any case, since the plant materials were selected by an award-winning landscape architecture firm, which is known for its knowledge of plants, their replacement with another species could be questionable.	The Potential for the Project to Impact Vegetation relates not to the original landscape plan, but rather to existing conditions. The statement that most plant materials would be replaced in-kind or by a compatible species or cultivars, is accurate: the proposed trees would be approximately the same size, with similar habit and ornamental characteristics, including similar height with multi-stem habits. Alternative B was developed in consultation with a licensed landscape architect.
	The description under Vegetation for these alternatives is in blatant contrast to the previous contention that Potential for the project to impact vegetation was one of the Planning Issues and Concerns Dismissed from Further Analysis. Rather than replacing original plant materials with the same species or a compatible species or cultivars in-kind and in place, the text on p.12 describes a considerable reduction in number of trees and thus in different locations; replacement of pink crape myrtles with white; replacement of birch trees with sweetbay magnolias, which have a completely different	The vegetation issues dismissed from consideration in the EA relate not to the original landscape plan, but rather to existing conditions. The statement that most plant materials would be replaced in-kind or by a compatible species or cultivars, is accurate. As stated on Page 5 of the EA, "Given the size and urban context of the project area, the small increase or

ATTACHMENT D: SECTION 106 COORDINATION LETTERS

United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024–2000

May 1, 2015

Mr. David Maloney
State Historic Preservation Officer
District of Columbia, Office of Planning
1100 4th Street SW, Suite E650
Washington D.C. 20024

Subject: Development of World War I Memorial in General John J. Pershing Park- Initiation of Section 106 Consultation

Dear Mr. Maloney:

The World War I Centennial Commission, per authorization of Public Laws 112-272 and 113-291 and in cooperation with the National Park Service (NPS), proposes to develop a permanent memorial in Pershing Park honoring the service of members of the United States Armed Forces during World War I. The NPS would like to formally initiate consultation for this undertaking with the District of Columbia State Historic Preservation Office, in accordance with 36CFR800.3 of Section 106 of the National Historic Preservation Act.

On December 19, 2014, Congress enacted Public Law 113-291 Section 3091, which officially redesignated Pershing Park as a "World War I Memorial." The law calls for the enhancement of the site to honor the service of members of the United States Armed Forces in World War I and may include commemorative elements such as sculptural and overall landscape design. The project area, formerly known as Pershing Park, is located one block to the southeast of the White House and is bounded by Pennsylvania Avenue NW to both the north and south, and 15th Street NW and 14th Street NW to the west and east, respectively. This site is also a component of the Pennsylvania Avenue National Historic Site, an administrative unit of the National Park Service (NPS) and managed by the National Mall and Memorial Parks. The World War I Centennial Commission (the Commission) is a Congressionally-established organization responsible for planning, developing, and executing programs, projects and activities to commemorate the centennial of World War I. The Commission, along with the National Park Service (NPS), and in cooperation with the National Capital Planning Commission (NCPC) is responsible for the overall planning, design and construction of the new Memorial, and once completed, The Secretary of the Interior, through the NPS, will assume responsibility for administering the site.

In accordance with the National Environmental Policy Act of 1969 (NEPA), the NPS will prepare an Environmental Assessment (EA) to identify alternatives and analyze impacts potentially resulting from the establishment of the proposed memorial. Concurrent to the NEPA process, the NPS and the Commission will conduct consultation under Section 106 of the National Historic Preservation Act of 1966 (NHPA). The NPS plans to consult with the public per 36 CFR 800.3(e) by holding public informational meetings and through its Planning, Environment, and Public Comment website (parkplanning.nps.gov/ projectHome.cfm?projectID=58434). The NPS anticipates that these outreach efforts will accommodate the requirements of both NEPA and the Section 106 process. To that end the

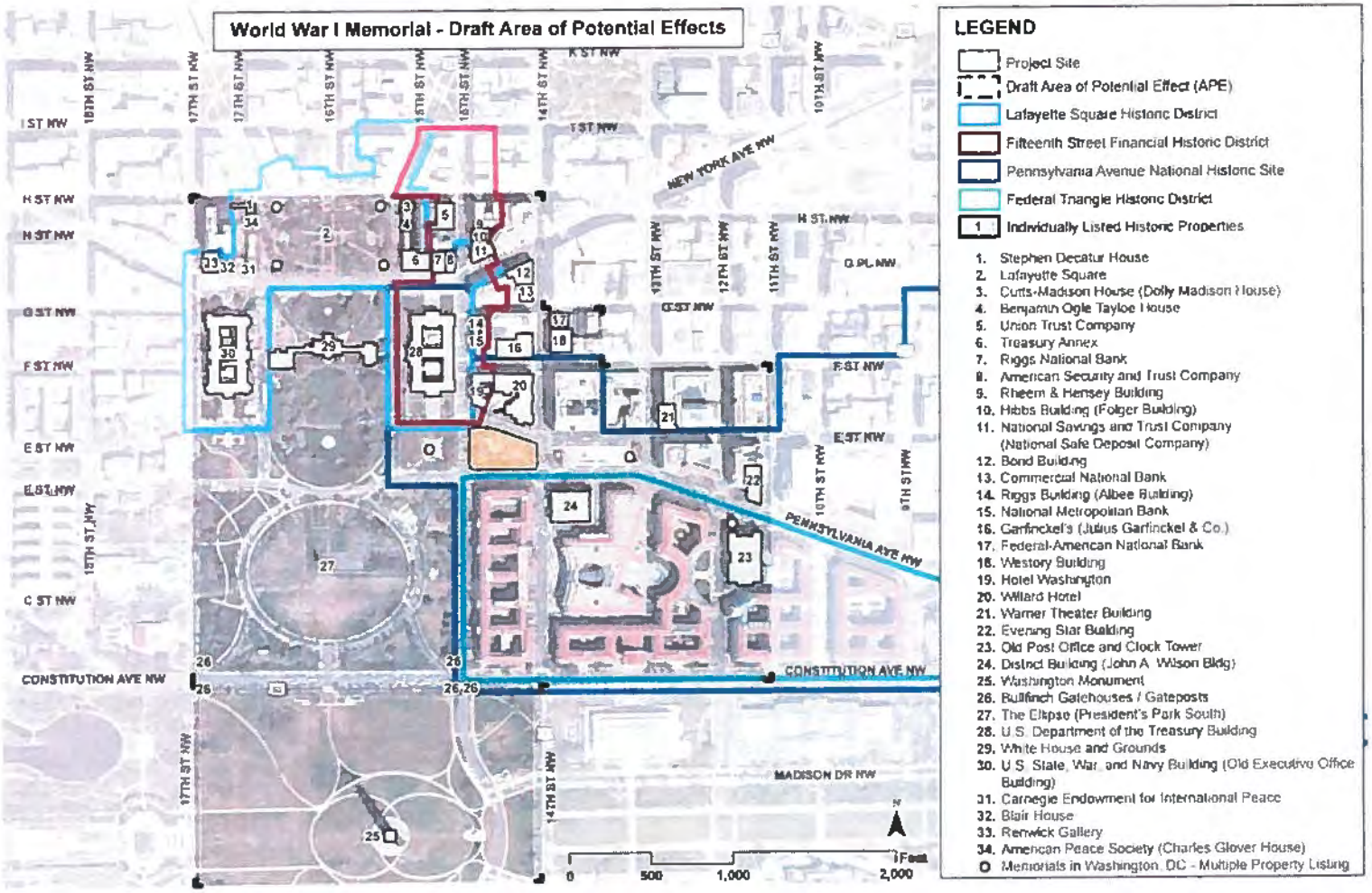
NPS and the Commission will hold a public scoping meeting on Wednesday, May 20, 2015, between 6:30 p.m. and 8:30 p.m. at the Jones Day offices, located at 51 Louisiana Avenue NW, in Washington, D.C. During this open house, the project team will be available to discuss alternatives and site characteristics. As part of the consultation process with the District of Columbia Historic Preservation Office, you or a member of your staff are cordially invited to attend the scoping meeting and offer comments.

Although we have initially drafted a proposed area of potential effect (APE) for this project (see attachment), we have not made a determination of effect. However, the site is within the Pennsylvania Avenue National Historic Site National Register District and contains the General John J. Pershing Memorial, which consists of a statue of Pershing with a bench and two inscribed walls. We are also aware that this project may affect other National Register eligible or listed properties.

We look forward to working with you on this project. If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov.

Sincerely,

Karen L. Cucurullo
Acting Superintendent
National Mall and Memorial Parks
Attachment


World War I Memorial - Draft Area of Potential Effects
LEGEND
Project Site
Draft Area of Potential Effect (APE)
Lafayette Square Historic District
Fifteenth Street Financial Historic District
Pennsylvania Avenue National Historic Site
Federal Triangle Historic District
Individually Listed Historic Properties
1. Stephen Decatur House
2. Lafayette Square
3. Cutts-Madison House (Dolly Madison House)
4. Benjamin Ogle Tayloe House
5. Union Trust Company
6. Treasury Annex
7. Riggs National Bank
8. American Security and Trust Company
9. Rheem & Hensey Building
10. Hibbs Building (Folger Building)
11. National Savings and Trust Company (National Safe Deposit Company)
12. Bond Building
13. Commercial National Bank
14. Riggs Building (Albee Building)
15. National Metropolitan Bank
16. Garfinckel's (Julius Garfinckel & Co.)
17. Federal-American National Bank
18. Westory Building
19. Hotel Washington
20. Willard Hotel
21. Warner Theater Building
22. Evening Star Building
23. Old Post Office and Clock Tower
24. District Building (John A. Wilson Bldg)
25. Washington Monument
26. Bulfinch Gatehouses / Gateposts
27. The Ellipse (President's Park South)
28. U.S. Department of the Treasury Building
29. White House and Grounds
30. U.S. State, War, and Navy Building (Old Executive Office Building)
31. Carnegie Endowment for International Peace
32. Blair House
33. Renwick Gallery
34. American Peace Society (Charles Glover House)
Memorials in Washington, DC - Multiple Property Listing
I ST NW
H ST NW
G ST NW
F ST NW
E ST NW
C ST NW
CONSTITUTION AVE NW
NEW YORK AVE NW
PENNSYLVANIA AVE NW
MADISON DR NW
18TH ST NW
17TH ST NW
16TH ST NW
15TH ST NW
14TH ST NW
13TH ST NW
12TH ST NW
11TH ST NW
10TH ST NW
9TH ST NW
0
500
1,000
2,000
Feet