

Memorandum of Agreement Status Report to Consulting Parties, August 2023

Rehabilitation of Constitution Gardens

The following status report provides updates on the progress of mitigations measures as outlined in the 2015 Memorandum of Agreement (MOA) among the National Park Service (NPS), the Trust for the National Mall, the National Capital Planning Commission (NCPC), and the District of Columbia State Historic Preservation Office (SHPO) for the Rehabilitation of Constitution Gardens. Additional project materials are available at <https://parkplanning.nps.gov>.

Stipulations and Status Report: Phase I

1. Heritage Documentation: The NPS will seek funding to update 1994 HABS documentation for the Lockkeeper's House. The HABS documentation will be carried out prior to work being initiated on the building. The existing site will be documented with a site plan, additional photos, and improved drawings. Following the relocation and rehabilitation of the Lockkeeper's House, as-built drawings will supplement the HABS documentation for the park record. The documents will be submitted to HABS for accessioning to the Library of Congress.

Status: HABS documentation of the Lockkeeper's House completed in 2016.

2. The Lockkeeper's House and its new immediate surroundings will be rehabilitated in accordance with the Secretary of the Interior Standards for Historic Properties.

Status: Completed in 2017.

3. The NPS will seek funding for interpretive media that may include wayside exhibits and will provide information on topics, such as the history of the Washington City canal and the Lockkeeper's House, the 17th Street Wharf, Tiber Creek Sewer outlet along 17th Street, and the Potomac Park Levee. Waysides will follow the NPS standard. The NPS will also incorporate the keystone from the headwall of the historic Tiber Creek Sewer Outlet on-site. The keystone is currently located at the National Park Service Brandywine Storage Facility.

Status: Interpretive media is part of a larger wayside design/fabrication contract with target completion date of January 3, 2025. An immersive Timelooper exhibit on the Washington City Canal was installed, alongside interpretive exhibit panels, in the interior of the Lockkeeper's House in 2022. See <https://nationalmall.org/content/time-looper>. In process of locating keystone at the Brandywine Storage Facility to incorporate on-site.

4. The NPS will delineate the former locations of the Lockkeeper's house through pavement treatments.

Status: Completed in 2018.

5. Update existing National Register nomination for Lockkeeper's House.

Status: Almost complete, a few updates remaining before transmittal to Keeper of the National Register.

Stipulations and Status Report: Phase II

6. Historic American Landscape Survey (HALS): The NPS will seek funding to complete HALS Standard Format documentation for Constitution Gardens. The HALS documentation will be carried out prior to work being initiated on the park. The site history and measured drawing will be submitted to HABS for accessioning to the Library of Congress.

Status: Actively coordinating with HALS to schedule documentation and fieldwork by spring 2024, prior to construction.

7. Tree and Vegetation Planting Plan: Because the canopy density is a contributing feature to Constitution Gardens, the NPS will develop and implement a tree maintenance plan that includes procedures for the removal of trees in poor health, supports the health of trees in fair to good health, and plans for the addition of new trees with the purpose of maintaining a healthy canopy.

Status: On track as rehabilitation continues.

8. Vegetation Design: The NPS will plant trees, shrubs, and other plantings that acknowledge the general location and species of plantings historically located in the park, as noted in the original Skidmore, Owings, and Merrill (SOM) plans. Favor will be given to the selection of species that reflect and respect the design and horticultural character of these previous plans. The design will also take into consideration native species, maintenance, and storm water management strategy.

Status: Design development (DD) completed; construction documents (CD) next step in the process for the vegetation design.

9. The NPS will install interpretative exhibits that may include information about the history and archeology of the park, beginning with its creation as reclamation land, through its use by the United States Navy and Munitions Department as the location for temporary office structures, and ending with the development of Constitution Gardens by SOM. If included, waysides will follow the NPS standard.

***Status:** Interpretive media is part of a larger wayside design/fabrication contract with target completion date of January 3, 2025.*

10. When additional design details of Phase 2 are known and prior to CFA and NCPC reviews of Phase 2, the Signatories, Invited Signatory and Consulting Parties will consult to identify ways to avoid or minimize adverse effects. Topics to be consulted upon include but are not limited to the pavilion design and construction, lighting design, below grade access road off of 17th Street, and potential changes to the radius at the intersection of Constitution Avenue and 17th Street. If any new or intensified adverse effects are identified as a result of this consultation, additional mitigation may be required.

***Status:** Additional consultation to continue as Phase II actively underway.*

11. Prior to CFA and NCPC reviews of Phase 2, the Signatories will evaluate the final design and make a determination regarding whether any design modifications required by CFA or NCPC have resulted in any new or intensified adverse effects. The NPS will forward the final designs and its determination to the DC SHPO for a thirty-day review. If the NPS and DC SHPO concur that no new or intensified adverse effects result, no further action will be required. If either the NPS or DC SHPO determine that a new or intensified adverse effect will result, the Signatories will consult further to determine whether an amendment to this MOA will be necessary. Any such amendment will be addressed in accordance with the Administration Stipulation VIII-3, Amendments.

***Status:** Consultation is ongoing. Project reviewed at July 20 CFA meeting and scheduled for September 7 NCPC agenda.*