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**MEMORANDUM OF AGREEMENT  
AMONG  
THE SMITHSONIAN INSTITUTION  
THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
AND  
THE NATIONAL CAPITAL PLANNING COMMISSION  
REGARDING  
THE HIRSHHORN SCULPTURE GARDEN REVITALIZATION PROJECT**

11 This Memorandum of Agreement (MOA) is made as of this \_\_\_\_ day of \_\_\_\_\_, 2021, by and  
12 among the Smithsonian Institution (SI), the District of Columbia State Historic Preservation Officer (DC  
13 SHPO), the Advisory Council on Historic Preservation (ACHP), and the National Capital Planning  
14 Commission (NCPC), (referred to collectively herein as the “Signatories” or individually as a “Signatory”),  
15 pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, its  
16 implementing regulations 36 CFR Part 800 (Section 106), and Stipulation 2.C.iii of the Programmatic  
17 Agreement (PA) among the SI, DC SHPO, NCPC, NPS and the ACHP for the Smithsonian South Mall  
18 Campus Master Plan, as it relates to the Hirshhorn Sculpture Garden Revitalization; and

19  
20 **WHEREAS**, the revitalization of the Hirshhorn Sculpture Garden (undertaking) is an identified project  
21 under the Smithsonian South Mall Campus Master Plan; and

22  
23 **WHEREAS**, the Hirshhorn Museum and Sculpture Garden (HMSG) is a contributing building of the  
24 National Register of Historic Places listed National Mall Historic District and has been determined eligible  
25 for individual listing in the National Register of Historic Places; and

26  
27 **WHEREAS**, a Determination of Eligibility prepared in 2016 proposed a period of significance for the  
28 HMSG of 1974. During consultation on the undertaking, reevaluation of the significance and integrity of  
29 the Sculpture Garden recommended a period of significance of 1974, 1981. The undertaking was  
30 assessed for adverse effects using the dates of 1974, 1981 and to determine character defining features  
31 (Exhibit A); and

32  
33 **WHEREAS**, the HMSG was designed by Gordon Bunshaft of Skidmore, Owings & Merrill, and completed  
34 in 1974. The Sculpture Garden was significantly altered in 1981 by landscape architect Lester Collins and  
35 the Smithsonian Office of Horticulture, and the current Garden retains character defining features from  
36 both eras, taken into consideration in the proposed design by design architect and artist Hiroshi  
37 Sugimoto; and

38  
39 **WHEREAS**, the SI identified the following goals and objectives to allow the HMSG to fulfill its mission as  
40 the nation’s modern and contemporary art museum, by modifications per the design of Hiroshi  
41 Sugimoto: replace failed perimeter walls and infrastructure for stormwater management, correct code  
42 deficiencies, and protect current and future artwork, trees, and plants; reestablish the Sculpture  
43 Garden, Plaza and Museum as a single interconnected campus; improve access and visitor comfort  
44 through universal accessibility, increased shade and seating; and increase the Hirshhorn’s display of its  
45 modern sculpture collection by almost 50 percent and adapt to ongoing evolutions in art-making by  
46 creating outdoor galleries for the presentation of performance art, large-format sculpture, and site  
47 specific installations; and  
48

1 **WHEREAS**, the goals and objectives for the undertaking align with the Institutional goals for the South  
2 Mall Master Plan, including improving and expanding visitor services and education spaces; and to  
3 create clear accessible entrances and connections between the Museums and gardens of the Campus,  
4 the National Mall, and surrounding context; and  
5

6 **WHEREAS**, all of the 1974 and 1981 aggregate concrete walls in the Sculpture Garden are afflicted with  
7 alkali silica reaction, which occurs when there is a negative reaction between the cement paste and  
8 silica found in common aggregate sand causing expansion, loss of strength of the concrete, and  
9 inevitable failure. Alkali silica reaction is inherent to the concrete when originally mixed, and is a  
10 condition that cannot be repaired, requiring complete replacement; and  
11

12 **WHEREAS**, the SI initiated Section 106 consultation with the DC SHPO regarding the undertaking on April  
13 12, 2019; and  
14

15 **WHEREAS**, the Area of Potential Effects for this undertaking was defined in the PA, and in consultation  
16 redefined as portions of the National Mall Historic District with visibility of the HMSG, and extending  
17 south of the HMSG (Exhibit B); and  
18

19 **WHEREAS**, the SI consulted with the NPS in accordance with the PA, and the NPS determined that it  
20 would not participate in the development of this MOA; and  
21

22 **WHEREAS**, in addition to the Signatories, the SI has consulted with a wide group of interested parties  
23 and has invited them to participate as Consulting Parties pursuant to 36 CFR § 800.3(f); participants  
24 include Docomomo US, The Cultural Landscape Foundation, The Committee of 100 on the Federal City,  
25 and others herein referred to as the “Consulting Parties” (Exhibit C – List of Consulting Parties); and  
26

27 **WHEREAS**, NCPC, a Signatory in the Section 106 process pursuant to 36 CFR § 800.3(f)(1), has  
28 approval authority over federal projects located within the District of Columbia pursuant to the National  
29 Capital Planning Act (40 U.S.C. § 8722(b)(1) and (d)) this approval would constitute an undertaking as  
30 defined at 36 CFR § 800.16(y); and  
31

32 **WHEREAS**, pursuant to Public Law No. 108-72, 117 Stat. 888 (August 15, 2003), the SI is “deemed to be  
33 an agency for purposes of compliance with regulations promulgated by the ACHP pursuant to Section  
34 106 of the National Historic Preservation Act” for projects in the District requiring NCPC review and  
35 approval; and  
36

37 **WHEREAS**, the SI and NCPC have agreed that SI will be the lead agency pursuant to 36 CFR §  
38 800.2(a)(2) for the undertaking to fulfill their collective Section 106 responsibilities; NCPC has elected to  
39 fulfill its Section 106 responsibilities by participating in this consultation and is a Signatory to this MOA  
40 pursuant to 36 CFR § 800.6(c)(2); and  
41

42 **WHEREAS**, the SI has provided opportunities for Signatories, Consulting Parties, and the public to  
43 participate in the consultation process through public meetings and a public webpage  
44 (<https://hirshhorn.si.edu/sculpture-garden-revitalization/>), in compliance with Stipulation 3 of the PA  
45 (Exhibit D – List of Consulting Parties Meetings); and  
46

47 **WHEREAS**, the undertaking includes lowering the grade of the Sculpture Garden at the southwest  
48 corner and east side; creation of universally accessible entrances at the north and south; addition of

1 accessible overlooks at the east and west aprons; the creation of a flexible west lawn; installation of new  
2 stacked stone walls, concentrated at the east garden for display of the modern sculpture collection;  
3 reconfiguration of the north entrance to an overlook with lateral stairs; reconstruction of the east west  
4 inner partition wall in stacked stone in its historic location; installation of a new water feature and art  
5 and performance platform at the central gallery south of the 1974 reflecting pool; replacement in-kind  
6 of the aggregate concrete perimeter walls with minor adjustments for code compliance and flood  
7 protection; and reopening the underground passage with an art installation (Exhibit E – Sculpture  
8 Garden Revitalization); and  
9

10 **WHEREAS**, the undertaking received preliminary approval from the NCPC at a public meeting on  
11 December 3, 2020; received approval of comments on the concept design from NCPC at a public  
12 meeting on June 6, 2019; and concept approval from the U.S. Commission of Fine Arts (CFA) at a public  
13 meeting on May 16, 2019; and  
14

15 **WHEREAS**, the SI received comments from the Consulting Parties in support of the undertaking noting  
16 the improvement of visitor experience and public engagement with the National Mall and the HMSG;  
17 support of proposed Sculpture Garden programming; and many aspects of the design including  
18 improved accessibility, visitor comfort, and the increase in the amount of display space for sculpture;  
19 and  
20

21 **WHEREAS**, pursuant to 36 CFR § 800.5(a) the SI, in consultation with the Signatories and the Consulting  
22 Parties, applied the criteria of adverse effect, and have determined that the undertaking will result in  
23 adverse effects to the Hirshhorn Sculpture Garden as outlined in the *Assessment of Effects on Historic*  
24 *Resources* (Exhibit F); and  
25

26 **WHEREAS**, during Section 106 consultation certain actions of the undertaking were identified as  
27 significant adverse effects to character defining features, specifically the reconstruction of the inner  
28 partition wall in stacked stone construction, and alterations to the reflecting pool (Exhibit G – Inner  
29 Partition Wall); and  
30

31 **WHEREAS**, the SI received comments from the Consulting Parties, including from the DC SHPO, The  
32 Cultural Landscape Foundation, Committee of 100 on the Federal City, and Docomomo US, urging the SI  
33 to consider alternatives or changes to the design to avoid or minimize adverse effects to the inner  
34 partition wall and reflecting pool; and  
35

36 **WHEREAS**, in response the SI developed eight alternatives for the reflecting pool, with some consensus  
37 that the “Revised Reflecting Pool Alternative” which maintains the 1974 reflecting pool with a new  
38 water feature to the south, minimizes adverse effect (Exhibit H – Reflecting Pool); and  
39

40 **WHEREAS**, the SI notified the ACHP on July 2, 2020, of the adverse effects in accordance with 36 CFR  
41 Section 800.6(a)(1) and applicable sections of the PA, and invited the ACHP to participate in the  
42 consultation to resolve adverse effects, and the ACHP elected to participate; and  
43

44 **NOW, THEREFORE**, the Signatories agree that the undertaking shall be implemented in accordance with  
45 the following stipulations to take into account the adverse effects of this undertaking on historic  
46 properties.  
47  
48

## STIPULATIONS

### 1. MINIMIZATION MEASURES

The SI shall ensure that the following specific design measures are carried out to minimize or avoid an adverse effect on historic resources:

A. Recessed Grade Maintained: The Sculpture Garden shall maintain a depressed elevation of 13 feet below the grade of the National Mall. This requirement is in accordance with Stipulation 5.b.ii of the PA for the South Mall Campus Master Plan.

B. Setting for Display of Sculpture Maintained: The Sculpture Garden shall continue to function in its historic use as a setting for sculpture. Spatial complexity similar to the 1981 design shall be maintained.

C. Historic Perimeter Walls: Historic 1974 and 1981 perimeter walls are actively deteriorating from irreparable alkali silica reaction. Concrete shall be replaced in-kind using the historic Swenson Pink granite aggregate, matching concrete field color, and aggregate exposure achieved through sandblasting. Minimal height increases of the cast-in-place concrete perimeter walls are required for fall protection code compliance. The north perimeter wall shall be raised to meet code requirements and provide flood protection. The Sculpture Garden shall maintain its current footprint. This requirement is in accordance with Stipulation 5.B.i of the PA for the South Mall Campus Master Plan.

D. Wall Hierarchy: The following measures create a wall hierarchy in the Sculpture Garden:

i. Primary Concrete Walls: Aggregate concrete shall remain the first visible material within the National Mall context, maintaining the visual ties across the Hirshhorn campus from the aggregate concrete. North perimeter walls shall feature plantings along the full north boundary in keeping with the 1981 design, and the north entrance from the National Mall will be widened to restore to the original 1974 design.

ii. Secondary Stacked Stone Walls: New stacked granite stone walls shall be built to a height lower than the concrete perimeter walls, recessed typically 2' below. New stacked stone walls shall be separated from intersection with concrete perimeter walls with a 12" reveal. Granite stones shall be compatible with the aggregate concrete perimeter walls in color and tone (Exhibit I).

E. North Overlook: The north entrance to the Sculpture Garden shall be restored to the original 60' east west dimension, reestablishing this dimensional relationship with the east west dimension of the 1974 reflecting pool.

F. Use of Swenson Pink Granite: Swenson Pink granite is found in the cast-in-place and precast concrete, Museum interior lobby terrazzo, and planters and stair treads in the Sculpture Garden. Swenson Pink granite shall continue to be a unifying material in the Sculpture Garden and across the Hirshhorn campus.

i. Planter Beds: New planting beds shall feature integral seating constructed in Swenson Pink granite consistent with the 1981 planting bed bench design.

1 ii. Re-Installation of Salvaged Swenson Pink Granite Treads: Historic Swenson Pink granite treads  
2 removed from the center amphitheater stairs during the 1981 modifications shall be restored  
3 and re-installed at new and reconstructed stairs.  
4

5 iii. Amphitheater and Bench Seating: New amphitheater seating, constructed in similar  
6 configuration to the 1974 amphitheater stairs in the central gallery, and bench seating  
7 throughout the Sculpture Garden shall feature Swenson Pink granite.  
8

9 iv. Accessible Walkway Paving: Paving at the west accessible walkways shall be constructed in  
10 Swenson Pink granite.  
11

12 v. Inner Partition Wall: Swenson Pink granite feature stones/boulders shall be utilized in the  
13 construction of only this stacked stone wall.  
14

15 G. Inner Partition Wall: Reconstruction of the inner partition wall in the historic location maintains the  
16 spatial organization of the lower and upper portions of the Sculpture Garden. Proposed pylon shape is  
17 consistent with the original Plaza perimeter wall design.  
18

19 i. Use of Swenson Pink Granite: Stacked stone construction at the inner partition wall shall  
20 feature Swenson Pink granite to differentiate the significance of this wall as the only historic  
21 wall to be reconstructed in stacked granite stone.  
22

23 ii. Planting Bed: Proposed planting bed south of the inner partition wall reintroduces green  
24 plantings adjacent to the inner partition wall, reminiscent of Bunshaft's original design featuring  
25 a green tree south of the inner partition wall, and plantings introduced by Collins in 1981  
26 adjacent to this wall.  
27

28 H. Reflecting Pool: Historic 1974 reflecting pool shall be maintained, with black granite installed at the  
29 pool basin consistent with the original pool material and aesthetic. Historic 1974 reflecting pool shall be  
30 heated enabling a year-round presence of water to highlight its significance.  
31

32 i. New Water Feature: New reflecting pool shall be a distinct water feature separated from the  
33 1974 reflecting pool with granite paving and art and performance platform. Dimensions of the  
34 water features in the central gallery are consistent with the current reflecting pool and turf  
35 panel configuration introduced in 1981. New water feature shall be drained off-season.  
36

37 I. Accessibility: East portion of the Sculpture Garden remains a transitional area for accessibility, with  
38 one accessible walkway located in the 1981 historic ramp location. Enhanced universal accessibility with  
39 entrances on the north and south of the Sculpture Garden is consistent with the 1981 modifications that  
40 introduced accessibility. Proposed lateral north stairs recalls the configuration of the removed 1981  
41 lateral north ramps.  
42

43 J. Underground Passage: Majority of the 1974 aggregate concrete walls and coffered ceiling shall remain  
44 behind the installation with minimal attachment points to historic fabric.  
45

46 i. Reopening of the Underground Passage: Restoration and re-opening of the use of the  
47 underground passage restores the original connecting link between the Museum Plaza and the  
48 Sculpture Garden.

1  
2 ii. Exposed Historic Fabric: Historic fabric at the underground passage stairs and south end of the  
3 passage shall remain exposed, including Swenson Pink granite paving and treads, and aggregate  
4 concrete balustrade and walls. Proposed restoration work includes removal of c. 1990s infill  
5 material, cleaning concrete and granite surfaces, and concrete patching (Exhibit J).  
6

7 K. Plaza Access and Balustrade Design: Plaza access point was covered over in 1993 and the historic  
8 balustrade has been removed. Historic balustrade at the south overlook is not code compliant.  
9

10 i. Access Opening: Plaza access opening shall be extended north to bring light to the base of the  
11 historic underground passage stairs. Reconstructed balustrade and opening shall maintain a 6'  
12 setback from the monumental stairs along Jefferson Drive.  
13

14 ii. Balustrade Design: Reconstructed balustrade design meets code requirements and preserves  
15 the historic dimensions of the concrete top rail of 24", and gap between the rail and curb of 9".  
16 The concrete curb shall be raised five inches to bring the overall composition to a height of 3'6"  
17 with a bronze rail installed within the gap for code compliance (Exhibit K).  
18

## 19 **2. MITIGATION MEASURES**

20  
21 The SI shall ensure that the following measures are carried out to mitigate adverse effects on historic  
22 resources:  
23

24 A. HABS/HALS Recordation of the Hirshhorn Sculpture Garden: The SI shall use Historic American  
25 Building Survey/Historic American Landscape Survey (HABS/HALS) Level III standards to document the  
26 Hirshhorn Sculpture Garden. The documentation photographs shall be completed prior to the start of  
27 any construction activities. The SI shall submit the completed photographs to HABS/HALS for inclusion  
28 in the HABS/HALS collection. This requirement is in accordance with Stipulation 6.B of the PA for the  
29 South Mall Campus Master Plan.  
30

31 i. Ezra Stoller Views: The SI shall complete photographs that recreate the iconic views of the  
32 Sculpture Garden taken by Ezra Stoller. Photographs shall be completed as part of the  
33 HABS/HALS recordation and again one (1) year after the completion of construction for  
34 stabilization of the plantings. SI shall publish these images as a web-based exhibit resource after  
35 the completion of documentation on the SI's Architectural History and Historic Preservation  
36 webpage.  
37

38 ii. HALS History – Standard Format: SI shall complete an Historic American Landscape History of  
39 the Sculpture Garden following the Standard Format and the *Historic American Landscapes*  
40 *Survey Guidelines for Historical Reports*. Documentation shall be complete within two (2) years  
41 of the date of signature on this MOA and shall be posted on the SI's Architectural History and  
42 Historic Preservation webpage or otherwise be made available to the public.  
43

44 B. National Register Nomination for the Hirshhorn Museum and Sculpture Garden: The SI shall complete  
45 a National Register of Historic Places nomination for the Hirshhorn Museum and Sculpture Garden. The  
46 nomination shall incorporate the findings and research from the Sculpture Garden Significance and  
47 Integrity report commissioned from Robinson & Associates, revised 1974, 1981 period of significance,  
48 and supplemental information from completing an analysis of the Hirshhorn Plaza. The Nomination

1 shall be completed by an individual or individuals meeting Stipulation 4 and carried out in consultation  
2 with the DC SHPO. The nomination shall be completed within four (4) years of the date of signature on  
3 this MOA and shall be posted on the SI's Architectural History and Historic Preservation webpage or  
4 otherwise be made available to the public. This requirement is in accordance with Stipulation 6.C of the  
5 PA for the South Mall Campus Master Plan.

6  
7 C. Evaluation of the Hirshhorn Plaza: The SI shall commission a report on the significance and integrity of  
8 the Hirshhorn Plaza, completed in 1993 and outside the period of significance of 1974, 1981. The report  
9 shall be completed by an individual or individuals meeting Stipulation 4 and carried out in consultation  
10 with the DC SHPO. The nomination shall be completed within two (2) years of the date of signature on  
11 this MOA and shall be posted on the SI's Architectural History and Historic Preservation webpage or  
12 otherwise be made available to the public.

13  
14 D. Virtual Walkthrough: The SI shall gather data from a laser scanner to create a three-dimensional  
15 virtual walkthrough of the Sculpture Garden prior to any construction activities. Data shall be captured  
16 using laser distance meter and high definition panoramic imaging to create a three-dimensional  
17 recreation of the physical space. This record documentation creates a video of a virtual experience of  
18 walking through the existing condition of the Sculpture Garden. The virtual walkthrough shall be  
19 completed within two (2) years of the date of signature on this MOA and shall be posted on the SI's  
20 Architectural History and Historic Preservation webpage or otherwise be made available to the public.

21  
22 E. Scholarship Outreach: The SI shall pursue opportunities to expand scholarship on Gordon Bunshaft  
23 and Lester Collins, based on information collected during design and Section 106 consultation for the  
24 undertaking.

25  
26 i. Smithsonian Archives: Records uncovered and compiled on Collins associated with the  
27 Sculpture Garden Significance and Integrity report commissioned from Robinson & Associates  
28 shall be digitized and accessioned into the Smithsonian Institution Archives.

29  
30 ii. Scholarship Publications: Products of this effort could include articles or web-based exhibits  
31 on the SI's Architectural History and Historic Preservation or Smithsonian Garden webpages.  
32 Example topics suggested by Consulting Parties include a comparative study with other  
33 contemporary sculpture gardens outside the United States and modernist landscape  
34 preservation.

35  
36 iii. Hirshhorn Museum and Sculpture Garden Book Publication: SI shall publish a new  
37 comprehensive publication on the history of the Hirshhorn Museum and Sculpture Garden,  
38 including architectural and landscape history.

39  
40 iv. Smithsonian Gardens Plant Explorer Database: The Plant Explorer database is an existing  
41 web-based resource, and contains Smithsonian Gardens accessioned plants searchable by  
42 location. Plant Explorer provides genus, habitat, characteristics, and links for more information.  
43 SI shall update Collins and Bunshaft specific plants with cultural reference information and/or a  
44 link to another webpage to learn more the history of the Sculpture Garden.

45  
46 F. Educational Outreach: The SI shall pursue opportunities for educational outreach.

1 i. Public Symposium on Sculpture Gardens: SI shall host a public symposium on Sculpture  
2 Gardens.

3  
4 ii. Sculpture Garden Site Tours: SI shall host tours of the Sculpture Garden including information  
5 on the history of the Garden and design. Tours shall be hosted on a regularly scheduled basis or  
6 as a downloadable self-guided tour.

7  
8 iii. Smithsonian Gardens Lectures: Smithsonian Gardens shall host a lecture or panel discussion  
9 associated with the Sculpture Garden. Example topics suggested by Consulting Parties include  
10 fragility of landscapes and landscape preservation.

11  
12 iv. Public Outreach: SI shall seek opportunities to publish or speak at conferences on information  
13 learned during design of this project. Example topics include alkali silica reaction (concrete  
14 disease), stormwater management in a designed landscape, and adapting planting plans in  
15 cultural landscapes for climate change.

16  
17 v. Sculpture Garden Revitalization Webpage: SI shall maintain a Sculpture Garden Revitalization  
18 webpage. This webpage shall contain presentation materials, Section 106 consultation history,  
19 and the history of the Sculpture Garden from founding of the Museum to the present.

20  
21 vi. Hirshhorn Eye: Hirshhorn Eye is an existing in-gallery art guide that uses image recognition to  
22 scan art through a mobile device unlocking artist videos and in-depth information. SI shall  
23 complete updates to Hirshhorn Eye content to make connections between Hiroshi Sugimoto's  
24 artwork and the history of the Sculpture Garden at the reflecting pool, inner partition wall, and  
25 underground passage.

26  
27 G. National Mall Elm Tree Restoration: SI shall conserve the five (5) existing elm trees planted by  
28 Bunshaft's 1974 design at the east and west Sculpture Garden aprons. SI shall replant one (1) elm tree  
29 on the west apron, restoring the flanking elm tree lines on the east and west Sculpture Garden aprons,  
30 which relate to the elm tree plantings on the National Mall greensward. SI shall take protective and  
31 conservation measures for the existing elm trees during construction and replace in-kind any additional  
32 elm trees found unhealthy or compromised.

33  
34 H. Lester Collins Plant Palette: The 1981 Collins landscape plan shall be restored through the following  
35 measures.

36  
37 i. Tree Species: Specific tree species shall be replanted in the historic locations, including ten (10)  
38 cherry trees along the National Mall gravel path, and one (1) sugar maple in the East Garden.

39  
40 ii. Jefferson Drive Street Trees: Four (4) elm trees similar to locations of Collins tree plantings on  
41 Jefferson Drive shall be planted. Elm trees shall be used consistent with the Monumental Core  
42 Streetscape Standards currently being updated.

43  
44 iii. Collins-Inspired Plant Palette: Original plants proposed by Collins shall be replanted with  
45 species that recall the cultivar and sculptural qualities, but with modifications to account for  
46 climate change and species adapted for the microclimate of the Sculpture Garden. Proposed  
47 plantings include loblolly pine trees and shrub and flowering mid-to-low level ground cover  
48 (Exhibit L).



iv. Shade: Collins introduced shade to the Sculpture Garden with the 1981 modifications, creating shaded seating and improving visitor comfort. Continuing this important goal, the proposed tree plan maintains pivotal historic tree planting locations and increases the number of tree plantings to provide shade coverage at the majority of all planter bed seat walls.

I. Interpretive Sculpture Garden Signage: Two types of interpretive signage shall be installed in the Sculpture Garden, providing opportunities to connect with the public. Signage shall include information on Sculpture Garden history, Sugimoto's design, plantings, climate adaptability, and Section 106 consultation information. Signage shall connect visitors to supplement web-based resource material.

i. Exhibit Signage: Two (2) exhibit signs for the Hirshhorn Eye shall be located in the Sculpture Garden at the inner partition wall and underground passage. The Hirshhorn Eye is an in-gallery art guide that uses image recognition to scan art through a mobile device unlocking artist videos and in-depth information.

ii. Educational Signage: Four (4) educational signs are proposed across the Hirshhorn campus. Two (2) signage panels at the west and east accessible overlooks providing a connection between the Sculpture Garden and the National Mall; one (1) signage panel in the west garden at a location where visitors converge from the accessible walkway or the south stairs with a central gallery focus and overlook; and one (1) signage panel at the Lerner Room balcony.

J. Restore Hirshhorn Plaza Vista: Existing concrete barriers installed in 2001 to create a secure perimeter are a significant visual detractor from the Museum building and the original open 8<sup>th</sup> Street axis and connection between the Museum Plaza and Sculpture Garden. SI shall design permanent perimeter security that will emphasize the 8<sup>th</sup> Street open axis and improve the pedestrian connection between the Museum Plaza and the Sculpture Garden.

K. Restoration of the Museum Plaza Perimeter Walls: Aggregate concrete is the material that visually unifies the Hirshhorn Museum and Sculpture Garden campus. The Museum Plaza walls are unrestored exhibiting a variety of stain conditions. The SI shall complete conservation level cleaning of the accessible exterior and interior faces of the Museum Plaza walls, to maintain a cohesive restored condition for the aggregate concrete across the Hirshhorn campus.

L. Stacked Stone Wall Building Outreach: The SI shall pursue interest groups to collaborate with to host on-site observation of the construction of the stacked stone walls. The SI shall document the collaboration with the master masons and the construction process for publication.

M. Restoration of the Bulfinch Gatepost: The SI shall complete work on the Bulfinch Gatepost located at the southeast corner of 15<sup>th</sup> Street and Constitution Avenue, based on recommendations per the treatment plan developed by Aeon Preservation Services in February 2017, within three (3) years of the date of signature on this MOA. The treatment plan, but not the implementation, was a requirement per Stipulation 7 of PA for the National Museum of African American History and Culture.

N. Sustainable Sites Initiative: SI shall pursue SITES v2 for Sustainable Land Design and Development certification for the Sculpture Garden Revitalization. SITES is a program based on the understanding that land is a crucial component of the built environment, and projects can be designed and constructed to enhance the environment and respond to cultural conditions. SITES requires identification and

1 protection of existing historic buildings or cultural landscapes, and providing cultural benefit through  
2 enhancing cultural, aesthetic, and educational experiences in connection with nature. Environmental  
3 stewardship is achieved through microclimate regulation, use of salvaged and recycled materials, and  
4 native plantings. SITES requires commitment to a long-term Site Maintenance Plan including the  
5 process for maintaining the integrity of the cultural landscape and detailed specifications for repair,  
6 replacement, or maintenance work on significant features. Process for determining resolution between  
7 historic and environment concerns is required. SITES certification information and environmental  
8 considerations shall be incorporated into the interpretive Sculpture Garden signage program.  
9

### 10 **3. MONITORING AND REPORTING**

11  
12 Each year, by the anniversary date of the last signature on this MOA until it expires or is terminated, the  
13 SI shall provide the Signatories a summary report detailing work undertaken pursuant to the terms of  
14 the MOA. Such report shall include any scheduling changes proposed, any problems encountered, and  
15 any disputes and objections received in the SI's efforts to carry out the terms of this MOA. Failure to  
16 provide such summary report may be considered noncompliance with the terms of the MOA pursuant  
17 to the Amendments and Non-Compliance stipulation of this MOA.  
18

### 19 **4. QUALIFICATIONS**

20  
21 SI shall ensure that all historic preservation work performed on its behalf pursuant to this MOA shall be  
22 accomplished by, or under the direct supervision of a person or persons who meet(s) or exceed(s) the  
23 pertinent qualifications cited in the Secretary of the Interior's Professional Qualifications Standards.  
24

### 25 **5. ANTI-DEFICIENCY ACT**

26  
27 The SI's obligations under this MOA are subject to the availability of appropriated funds, and the  
28 stipulations of this MOA are subject to the provisions of the Anti-Deficiency Act. The SI shall make  
29 reasonable and good faith efforts to secure the necessary funds to implement its obligations under this  
30 MOA. If lack of appropriated funds or compliance with the Anti-Deficiency Act alters or impairs the SI's  
31 ability to implement its obligations under this MOA, the SI shall consult in accordance with the  
32 Amendments and Non-Compliance stipulation, and if necessary, the Termination stipulation.  
33

### 34 **6. AMENDMENTS AND NON-COMPLIANCE**

35  
36 This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The  
37 amendment will be effective on the date a copy signed by all the Signatories is filed with the ACHP. The  
38 original amendment will be filed with the ACHP. If the Signatories cannot agree to appropriate terms to  
39 amend the MOA, any Signatory may terminate the MOA in accordance with the Termination stipulation  
40 of the MOA.  
41

### 42 **7. DESIGN CONSULTATION**

43  
44 The SI shall consult with the Signatories regarding any design changes to the project's scope as shown in  
45 the Exhibits, and any modifications recommended by NCPC and/or CFA after final approval.  
46 Consultation shall be carried out as follows:  
47

1 A. The SI shall review any proposed changes and propose a determination as to whether the  
2 revised design may result in new adverse effects that have not already been resolved and/or the  
3 intensification of known adverse effects to historic properties.  
4

5 B. The SI shall forward, via electronic format, its determination in Stipulation 7.A. and the  
6 revised design to the Signatories for a fourteen (14) calendar day review and comment period.  
7

8 C. If the SI determines that no new adverse effects may result or no known adverse effects to  
9 historic properties will be intensified and a Signatory objects in writing within the fourteen (14)  
10 calendar day review period, the SI shall notify the Signatories to consult with the objecting party  
11 to seek ways to resolve the objection. If SI determines that the objection cannot be resolved,  
12 the SI shall follow the procedures in the Dispute Resolution stipulation of this MOA.  
13

14 D. If the SI determines that a new adverse effect may result or a known adverse effect to a  
15 historic property will be intensified, the SI shall immediately advise the Signatories, and provide  
16 an opportunity to review the design documentation to avoid, minimize, or mitigate the new or  
17 intensified adverse effect. If the SI determines that unavoidable adverse effects to historic  
18 properties may result or be intensified, the SI shall consult with the Signatories to determine  
19 whether the final design documentation warrants an Amendment to this MOA to identify  
20 additional measures that will be carried out to avoid, minimize, or mitigate any new or  
21 intensified adverse effects.  
22

23 E. If the MOA is amended, SI will notify the Consulting Parties, and provide or post the  
24 Amendment to a SI webpage, also in accordance with Stipulation 3 of the PA.  
25

## 26 **8. DISPUTE RESOLUTION**

27

28 Should any Signatory to this MOA object at any time to any action proposed or the manner in which the  
29 terms of this MOA are implemented, SI shall consult with such party and the other Signatories to resolve  
30 the objection. If a resolution cannot be reached after a good faith effort to resolve the dispute, the SI  
31 shall forward all documentation relevant to the dispute to the ACHP including the SI's proposed  
32 response to the objection. Within 45 days after receipt of all pertinent documentation, the ACHP shall  
33 exercise one of the following options:  
34

35 A. Advise the SI that the ACHP concurs with the SI's proposed response to the objection.  
36

37 B. Provide the SI with recommendations, which the SI shall take into account in reaching a final  
38 decision regarding its response to the objection; or  
39

40 C. Notify the SI that the objection will be referred for comment pursuant to 36 CFR § 800.7(c)  
41 and proceed for comment. The resulting comment shall be taken into account by the SI in  
42 accordance with 36 CFR § 800.7(c)(4) with reference to the dispute.  
43

44 The SI shall take into account any ACHP recommendation or comment provided in accordance with this  
45 stipulation with reference only to the subject of this objection; the SI's responsibility to carry out actions  
46 under this MOA that are not subjects of the objection shall remain unchanged.  
47

Should the ACHP not exercise one of the above options within 45 days after receipt of all documentation, the SI may assume the ACHP's concurrence in its proposed response to the objection.

## 9. POST-DESIGN REVIEW ARCHAEOLOGICAL DISCOVERIES

The project area has been extensively disturbed by the construction of existing buildings and the Sculpture Garden, therefore there is minimal potential for archaeological resources. The following stipulations account for previously undiscovered archaeological resources:

- a. Cultural Resources. Should cultural resources be unexpectedly identified during the construction of the undertaking, the SI shall ensure that reasonable efforts are made to avoid, minimize or mitigate adverse effects to such resources, and shall consult SHPO to resolve any unavoidable adverse effects pursuant to 36 CFR § 800.6. SI and SHPO shall resolve any disputes over the evaluation or treatment of previously unidentified resources using the processes outlined in Stipulation 8 (Dispute Resolution) of this MOA.
- b. Treatment of Human Remains. In the event that human remains, burials, or funerary objects are discovered during construction or any action taken pursuant to this MOA, the SI 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. The SI shall immediately notify the 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.
  1. If CME determines that the human remains are not subject to a criminal investigation by federal or local authorities, SI 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).
  2. For actions involving Native American human remains or burials, SI 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. Should human remains or such objects be found, DC SHPO shall be notified pursuant to 43 CFR Section 10.4(d).

## 10. TERMINATION

If any Signatory to this MOA determines that its terms cannot or are not being properly implemented, that Signatory shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation 6 above. If the Signatories cannot reach agreement on an amendment within thirty (30) days (or another time period agreed to by all Signatories), any Signatory may terminate the MOA upon written notification to the other Signatories. Once the MOA is terminated, and prior to work continuing on the undertaking, the SI must either (a) execute a new MOA pursuant to 36 CFR § 800.6 or (b) reinstate Section 106 consultation on the unfinished components of the undertaking pursuant to 36 CFR Part 800 and applicable sections of the PA. The SI shall notify the Signatories as to the course of action it will pursue.

1  
2 **11. ELECTRONIC COPIES**  
3

4 Within one week of the last signature on this MOA, the SI shall provide each Signatory with one legible,  
5 color, electronic copy of the fully executed MOA and all attachments fully integrated into one,  
6 single document. Internet links shall not be used to provide copies of attachments since  
7 web-based information often changes. If the electronic copy is too large to send by e-mail, the SI shall  
8 provide each signatory with a copy of this MOA on a compact disc.  
9

10 **12. DURATION**  
11

12 This MOA shall be in effect for six (6) years from the date of its execution. Prior to such time, SI may  
13 consult with the other Signatories to reconsider the terms of the MOA and amend it in accordance with  
14 Stipulation 6.  
15

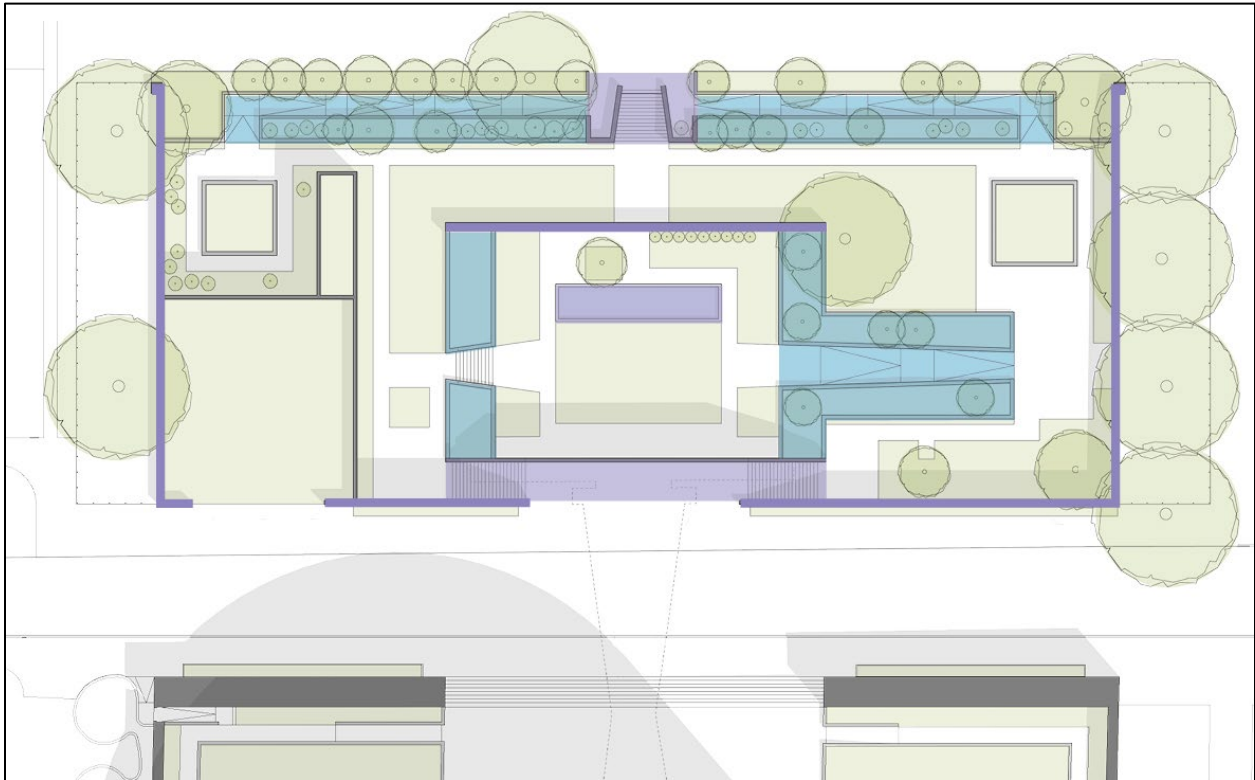
16 Execution of this MOA by the Signatories, the filing of the MOA with the ACHP pursuant to 36 CFR §  
17 800.6(b)(iv) and the implementation of its terms evidences that the SI has taken into account the effects  
18 of the Hirshhorn Sculpture Garden Revitalization project on historic properties and has provided the  
19 ACHP a reasonable opportunity to comment on the Hirshhorn Sculpture Garden Revitalization project.  
20

21 **SIGNATURES FOLLOW ON SEPARATE PAGES**  
22

23 **EXHIBITS**

24 Exhibit A – Character Defining Features – 1974, 1981 Period of Significance  
25 Exhibit B – Area of Potential Effects  
26 Exhibit C – List of Consulting Parties  
27 Exhibit D – List of Consulting Parties Meetings  
28 Exhibit E – Sculpture Garden Revitalization  
29 Exhibit F – Assessment of Effects on Historic Resources  
30 Exhibit G – Inner Partition Wall  
31 Exhibit H – Reflecting Pool  
32 Exhibit I – New Stacked Stone Walls  
33 Exhibit J – Underground Passage Historic Fabric  
34 Exhibit K – Reconstructed Balustrade  
35 Exhibit L – Proposed Plant Palette  
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**EXHIBIT A - Character Defining Features – 1974, 1981 Period of Significance**

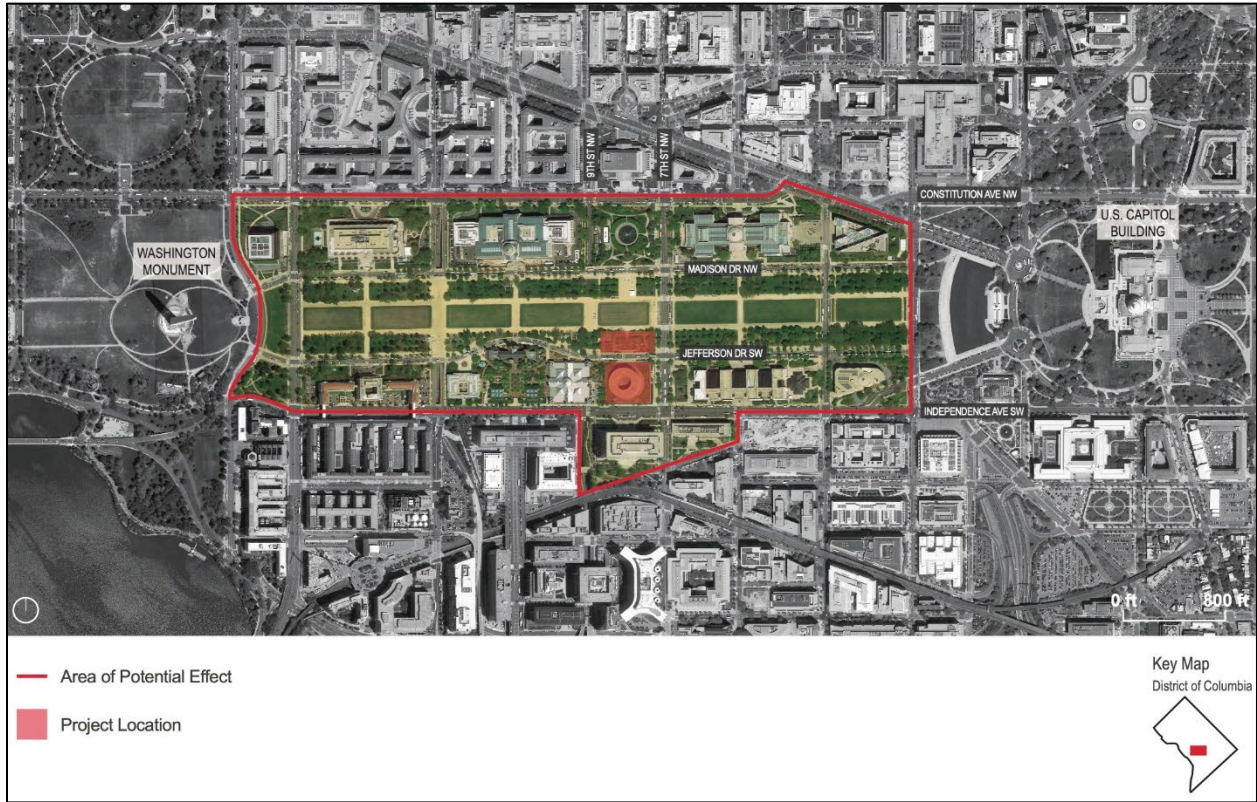


Current Sculpture Garden Site Plan, 2020.

Period of significance of 1974, 1981 reflects the layered design influences in the Sculpture Garden from Gordon Bunshaft’s original 1974 design and Lester Collins’s modifications from 1981. These features individually and collectively contribute to the character of the Sculpture Garden. Character defining features were present in the Sculpture Garden during the period of significance (1974, 1981) and have retained integrity to that period.

1974 Character Defining Features
Setting for Rotating Display of Sculpture
Recessed Grade Below the National Mall
Concrete Walls (Perimeter and Inner Partition)
Reflecting Pool
South Stair
North Stair
1981 Character Defining Features
Hardscape Paving – Not shaded for clarity, indicated with white space on the plan.
Garden “Rooms” – Not shaded for clarify, Garden Rooms formed by planter walls and plantings.
Lateral North Ramps
East Ramp (Intermediate Level)

**EXHIBIT B – Area of Potential Effects**



**EXHIBIT C – List of Consulting Parties \***

Review Agencies

National Capital Planning Commission  
U.S. Commission of Fine Arts

State Historic Preservation Office

DC State Historic Preservation Office

Public Agencies

Architect of the Capitol  
Washington Metropolitan Area Transit Authority  
DC Office of Planning  
General Services Administration  
National Gallery of Art  
District Department of Transportation  
Advisory Council on Historic Preservation  
Environmental Protection Agency  
National Park Service  
National Archives and Records Administration  
Department of Agriculture

Interested Parties

Cultural Tourism DC  
American Institute of Architects – DC Chapter  
DC Preservation League  
Brutalist DC  
American Society of Landscape Architects  
National Trust for Historic Preservation  
Destination DC  
Arlington County  
Torpedo Factory Art Center  
The Cultural Landscape Foundation  
Committee of 100 on the Federal City  
Innisfree Garden  
National Mall Coalition  
Docomomo US  
Skidmore, Owings & Merrill  
Southwest Business Improvement District  
Wharf DC  
Society of Architectural Historians

Local Elected Representatives

Advisory Neighborhood Commission 2C  
Advisory Neighborhood Commission 6D

\* Names of private individuals that participated in Section 106 consultation are not included for privacy concerns.



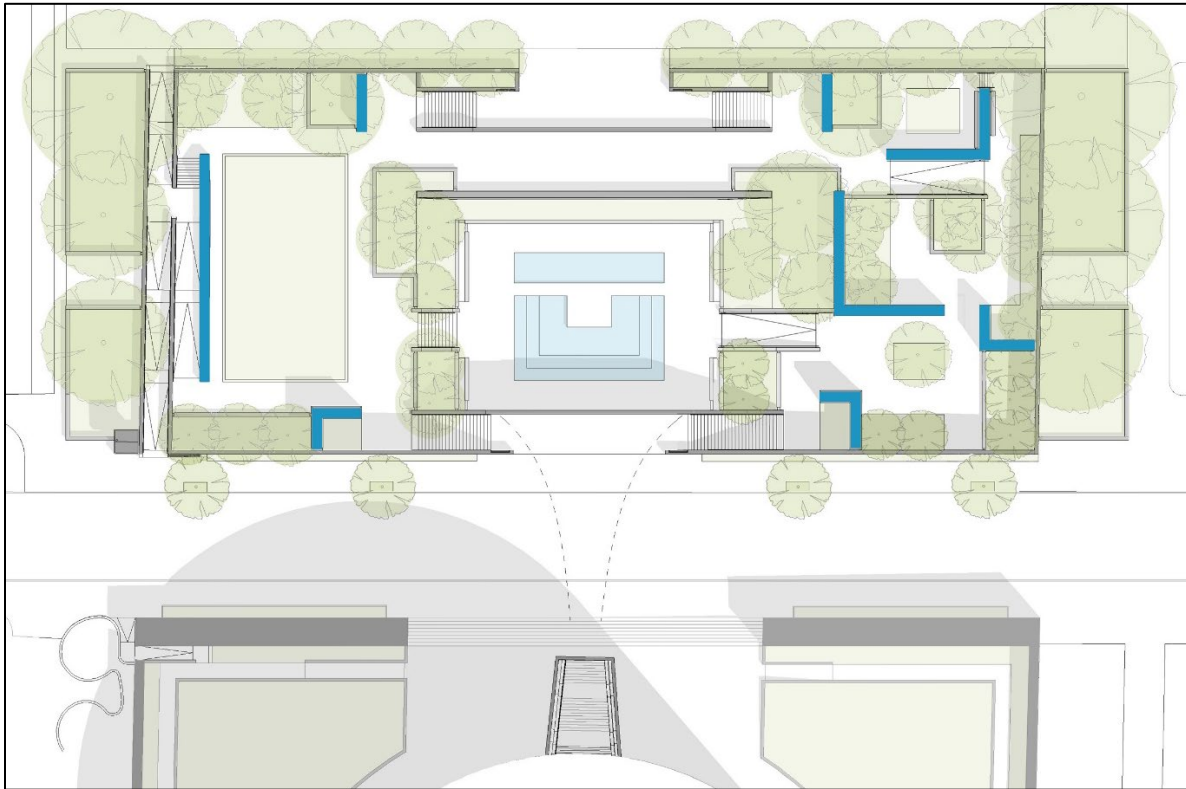
## EXHIBIT D – List of Consulting Parties Meetings

Consulting Parties Meeting Date	Meeting Summary
April 24, 2019	First public consultation meeting paired with the Hirshhorn Envelope Repair project. To initiate Section 106, the SI proposed a draft Area of Potential Effects, coordinated with the South Mall Master Plan PA. To define the undertaking, the purpose and need, curatorial vision, and concept design details were reviewed. Four (4) reflecting pool alternatives were presented, including alternatives that retained the 1974 pool as a recessed water feature within an enlarged pool. Three (3) alternatives for the Plaza access entrance to the underground passage were presented. An overview of the architectural and landscape history of the HMSG, and Determination of Eligibility with a period of significance of 1974 were presented. Extant original features and plantings from 1974 and 1981 were analyzed. Comments from Consulting Parties requested re-evaluation of the significance of the Collins modifications.
September 11, 2019	Second public consultation meeting provided an open house site visit with SI staff in the Sculpture Garden to evaluate two (2) stacked stone wall mock-up options. Comments from Consulting Parties reached a consensus on “Mock-up A” featuring warm toned neutral granite stones with an organic arrangement.
February 24, 2020	Third public consultation meeting presented an overview of the SI commissioned significance and integrity report by Robinson & Associates. The report recommended a revised period of significance of 1974, 1981. The report was finalized after a review period for Consulting Parties. The Area of Potential Effects was finalized. A fifth reflecting pool alternative was presented, featuring the 1974 pool within a surrounding tier of water, with an art and performance platform to the south and new water feature with tiers (Preferred Alternative).
May 27, 2020	Fourth public consultation meeting presented a draft Assessment of Effects on Historic Resources, provided to Consulting Parties in advance of the meeting. Each action identified with the undertaking was described with the proposed assessment of effect, with nine (9) adverse effects identified, including: Inner Partition Wall, Reflecting Pool, North Stair and Lateral North Ramps, Accessibility, Underground Passage Art Installation, Underground Passage Plaza Access, Paving, Cumulative Adverse Effect – HMSG Only. Two (2) design alternatives to reconstruct the historic balustrade to meet code were presented. Three (3) revised Plaza access alternatives to the underground passage were presented. Comments from Consulting Parties requested reassessment of the effect determination on the new stacked stone walls, inner partition wall, and reflecting pool.
August 2020	SI provided an electronic document via the project webpage to provide supplemental information on alterations to the inner partition wall and reflecting pool intended for review in conjunction with the Final Assessment of Effects on Historic Resources. SI provided documentation on the reevaluation of the use of concrete for the inner partition wall, found detrimental to the curatorial vision. Two (2) additional pool alternatives were developed, with SI

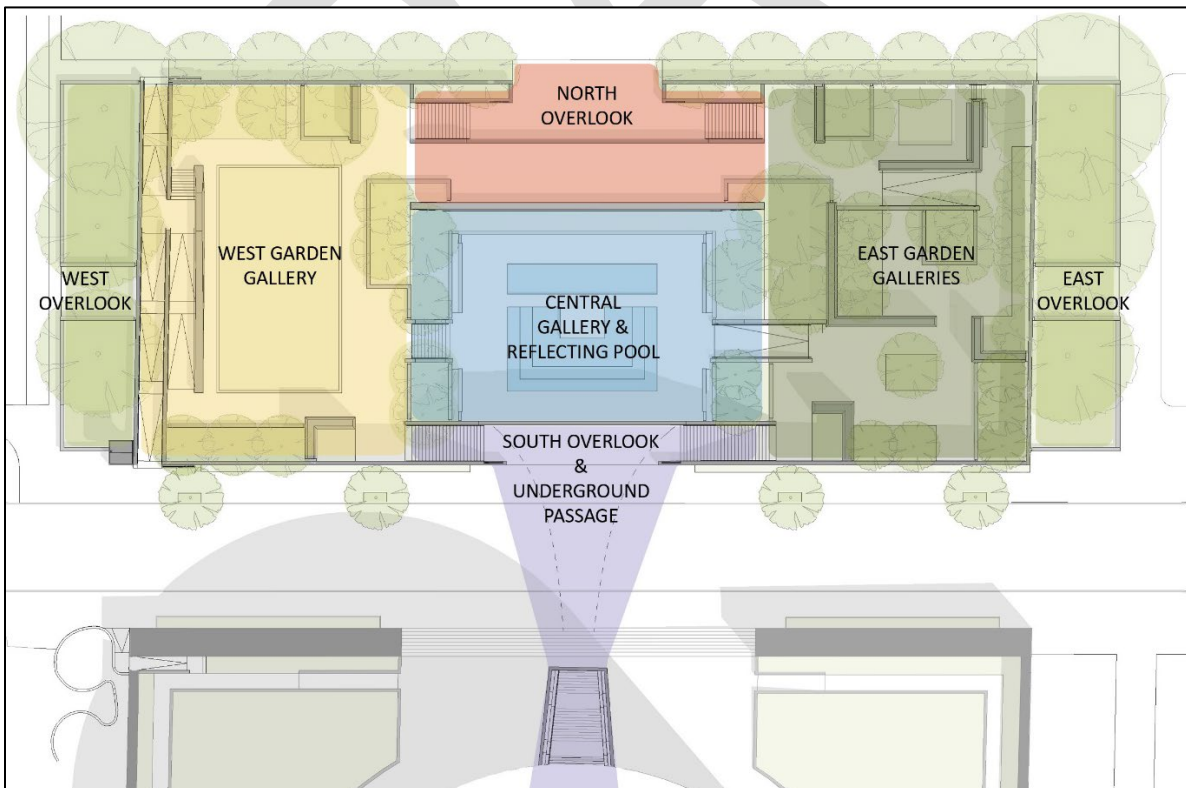
	preference for the Preferred Alternative. Comments were taken from Consulting Parties for a 30-day review period.
October 7, 2020	Fifth public consultation meeting presented the Final Assessment of Effects on Historic Resources, with new stacked stone walls determined an adverse effect. The final adverse effect determinations were reviewed, and initial minimization and mitigation measures were proposed. Comments from Consulting Parties requested SI to reconsider changes to the inner partition wall and reflecting pool, and suggested specific mitigation items which were adopted.
March 10, 2021	Sixth public consultation meeting presented a Supplemental Narrative requested from the December 2020 preliminary approval by the National Capital Planning Commission on the programmatic rationale for changes to the inner partition wall and reflecting pool. Supplemental narrative was provided to Consulting Parties in advance of the meeting. SI proposed a Revised Reflecting Pool Alternative, consisting of the 1974 pool maintained with a new water feature to the south. Design updates were provided, including landscape changes. Per Consulting Parties request, SI subsequently posted to the project webpage a memo explaining diagrams on the acoustical analysis of the central gallery. Comments from Consulting Parties urged the SI to reconstruct the inner partition wall in-kind, and some comments noted the Revised Reflecting Pool alternative minimizes adverse effect. SI subsequently provided an update to the Consulting Parties of the intent to use the Revised Reflecting Pool alternative in the final design.
June 16, 2021	Seventh public consultation meeting to discuss the content of the Memorandum of Agreement, discussion of comments from Consulting Parties, and an open house site visit with SI staff in the Sculpture Garden to evaluate a full-scale stacked stone wall mock-up.

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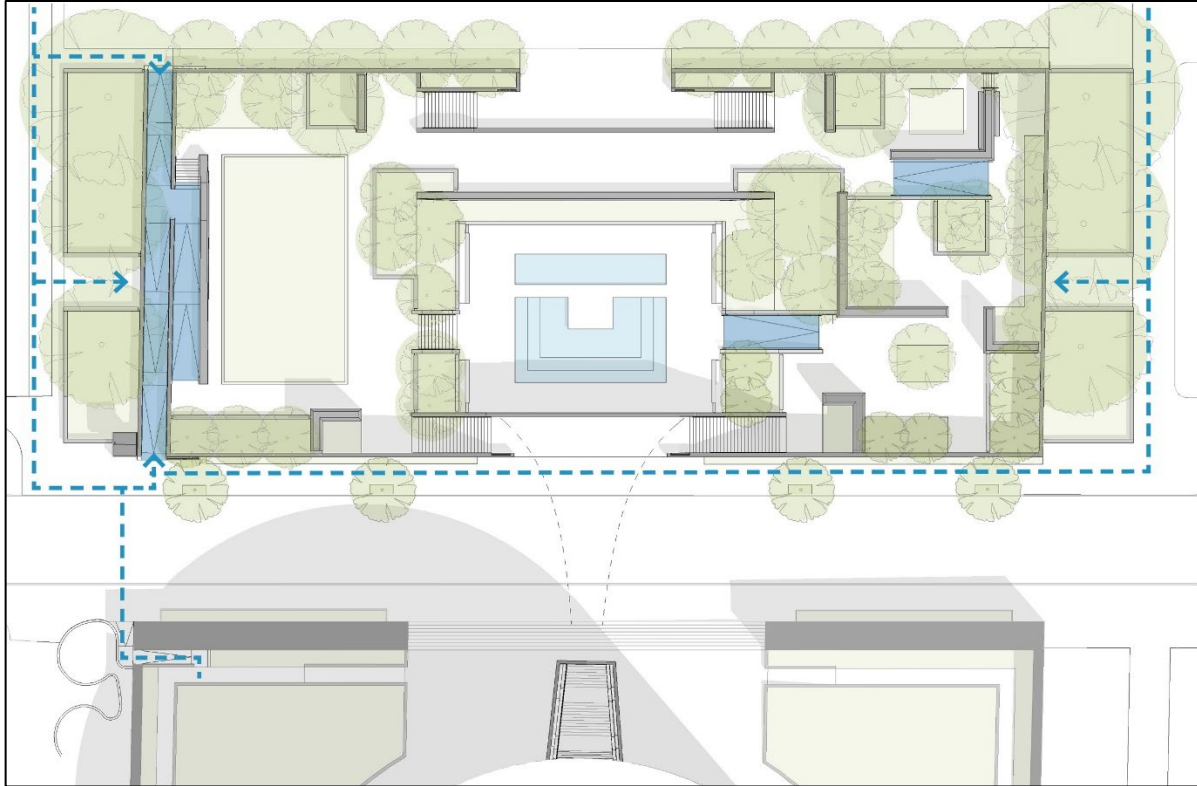
1 **EXHIBIT E – Sculpture Garden Revitalization**



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3 Proposed Sculpture Garden plan. New stacked stone wall locations annotated in blue.  
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6 Sculpture Garden area naming conventions and programmatic uses.

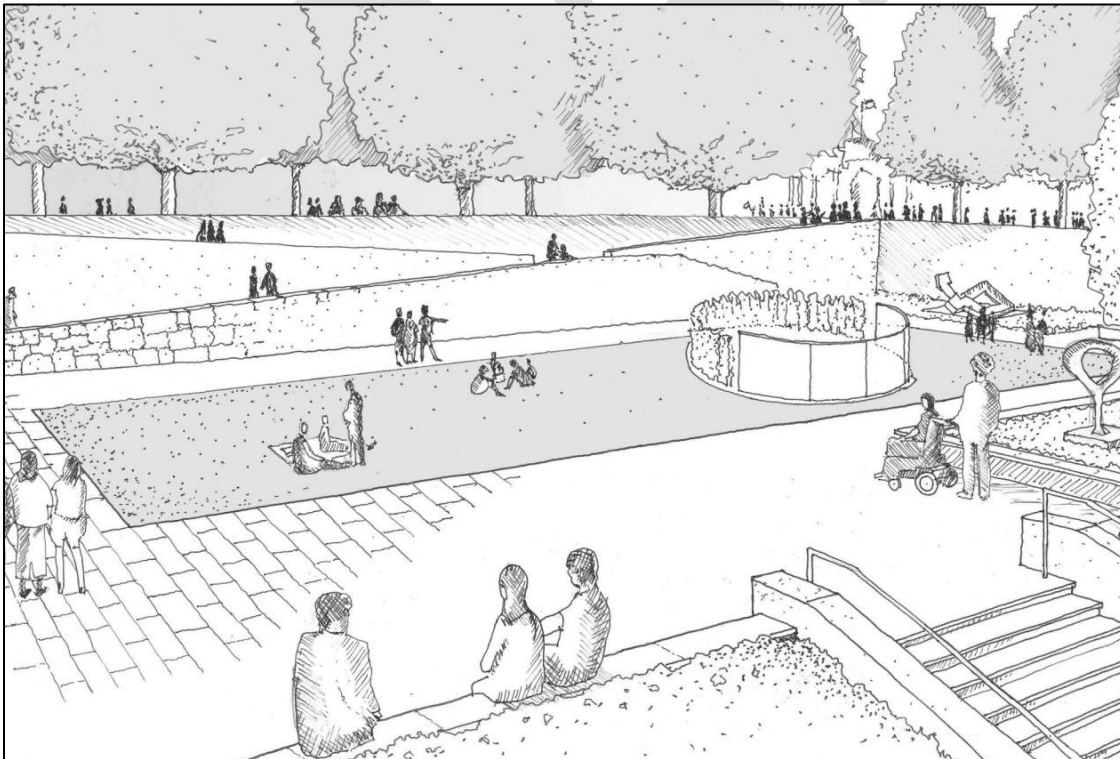


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Proposed Sculpture Garden site plan. Accessible walkways noted with blue shading and the accessible paths of travel with a blue dotted line.



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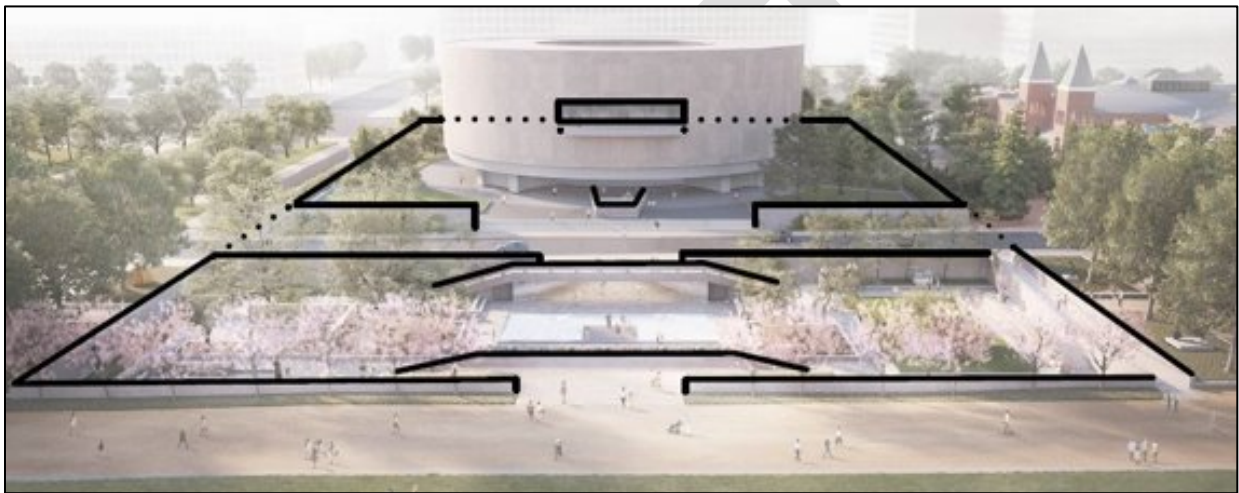
Sketch rendering of the Sculpture Garden West Gallery.





Close-up photograph of the Sculpture Garden aggregate concrete walls.

Detail of Swenson Pink granite, the historic and proposed aggregate.



Aerial rendering of the Hirshhorn Museum and Sculpture Garden. Concrete perimeter enclosure walls are annotated in black.



Rendering of the Hirshhorn Sculpture Garden at the grade of the National Mall.





Hirshhorn Sculpture Garden Revitalization Assessment of Effects on Historic Resources			August 2020
Feature/Action	Proposed Effect Determination	Additional Information/Minimization of Adverse Effect	
Concrete Walls - Perimeter	Walls will be replaced in-kind, with minor height increase to meet code requirements. Height increase varies between 6 and 12 inches due to grade changes. North walls raised from a low retaining wall to 3'6" in height. Walls proposed to enclose the southwest corner currently open to Jefferson Drive. No adverse effect.	<ul style="list-style-type: none"> <li>- Concrete perimeter walls are a character defining feature and retain high integrity.</li> <li>- Replacement in-kind is required due to irreparable alkali silica reaction inherent in the concrete mixture.</li> <li>- Aesthetic appearance of aggregate concrete poured-in-place walls will be maintained, using the historic Swenson Pink (Millennium) granite as the basis of design.</li> <li>- North walls remain obscured behind plantings.</li> <li>- Perimeter of aggregate concrete walls will be maintained. Minor alterations at the northwest and southwest corners of the perimeter walls to provide universal accessibility.</li> <li>- <b>Restoring/reconstructing the concrete perimeter walls is required by the South Mall Campus Master Plan Programmatic Agreement.</b></li> </ul>	
Concrete Walls – Inner Partition	Wall will be re-built in the same location in stacked stone. The wall be lowered by approximately 18" to a total height of 8'3". Adverse effect.	<ul style="list-style-type: none"> <li>- Concrete inner partition wall is a character defining feature.</li> <li>- Partition wall lowered to improve interior views and vistas, and limit visibility from the National Mall of the material change. In the Mall context, stacked stone is only visible once a visitor reaches the north overlook or aprons.</li> <li>- Wall constructed in an arranged composition of Swenson Pink and other complementary toned granite.</li> <li>- Change to a pylon wall shape differs from the existing condition but is in keeping with the Plaza perimeter wall shape.</li> <li>- <b>Adverse effect on the Hirshhorn is minimized by maintaining the width of the wall, reconstructing the wall in the same location to continue to articulate the lower and upper portions of the Garden, and use of Swenson Pink granite.</b></li> <li>- Adverse effect on the National Mall Historic District is avoided with limited visibility from the Sculpture Garden's north overlook, and from the Mall paths. Aggregate concrete walls will be the first material visible from the exterior of the Garden.</li> </ul>	
Adverse Effect Determination – Bold Typeface Notes Minimization			4

Hirshhorn Sculpture Garden Revitalization Assessment of Effects on Historic Resources			August 2020
Feature/Action	Proposed Effect Determination	Additional Information/Minimization of Adverse Effect	
Stacked Stone Walls	New material and construction technique introduced in the limited materials palette of the Sculpture Garden. Adverse effect.	<ul style="list-style-type: none"> <li>- Differentiating the new walls, with a complementary granite material and color palette, is consistent with the <i>Secretary of the Interior's Standards</i>.</li> <li>- National Mall Historic District features varied architectural styles and material palette including precedents for granite site walls.</li> <li>- <b>Adverse effect minimized by maintaining all stacked stones at a recessed height below the concrete perimeter walls and detailed with a reveal adjacent to aggregate concrete walls.</b></li> <li>- <b>Adverse effect minimized by using a complementary granite in terms of color and tone, to the aggregate concrete walls.</b></li> </ul>	
Reflecting Pool	Historic pool dimensions integrated into an enlarged water feature, remains central within the Garden. Adverse effect.	<ul style="list-style-type: none"> <li>- Reflecting pool east/west dimension aligned with the original width of the north stairs at 60 feet.</li> <li>- Reflecting pool is a character defining feature and retains high integrity.</li> <li>- <b>Adverse effect minimized by retaining a dimensional memory of the 1974 pool within the enlarged water feature.</b></li> <li>- <b>Adverse effect minimized by maintaining a water feature at the center portion of the Garden organized around the 8<sup>th</sup> Street axis.</b></li> <li>- <b>Adverse effect minimized by providing heat source only within the dimensions of the 1974 pool, allowing a year-round water presence only within the historic pool.</b></li> <li>- <b>Adverse effect minimized by using black granite in keeping with the historic pool material and applying a different finish treatment to differentiate the 1974 pool.</b></li> </ul>	
South Stairs	Granite stairs reconstructed after structural work and aggregate concrete replaced in-kind. Height of reconstructed balustrade increased to meet code requirements. No adverse effect.	<ul style="list-style-type: none"> <li>- Lateral south stairs are a character defining feature and retain high integrity.</li> <li>- No change is proposed to stair composition.</li> <li>- Minimal design changes to the reconstructed balustrade height to meet code requirements by raising the curb and adding a metal rail at the curb gap, preserving the proportions of the concrete top rail.</li> </ul>	
Adverse Effect Determination – Bold Typeface Notes Minimization			



Hirshhorn Sculpture Garden Revitalization Assessment of Effects on Historic Resources			August 2020
Feature/Action	Proposed Effect Determination	Additional Information/Minimization of Adverse Effect	
North Stair and Lateral North Ramps	Overlook and lateral stairs are introduced. Axial north stair and lateral ramps removed. Adverse effect.	<ul style="list-style-type: none"> <li>- North stairs and lateral north ramps are character defining features and retain high integrity.</li> <li>- Proposed overlook similar to Collins's original unrealized plan for the north entrance. Aggregate concrete walls will be the first material visible from the exterior of the Garden.</li> <li>- <b>Adverse effect minimized by reintroducing the wide north entry at 60 feet to match the 1974 condition, improving views into the Garden, and emphasizes the 8<sup>th</sup> Street axis.</b></li> <li>- <b>Adverse effect minimized by maintaining a similar lateral arrangement to the 1981 design and use of historic salvaged Swenson Pink stair treads.</b></li> </ul>	
Accessibility	New ramps on the west side with access from the north and south. Modifies the existing intermediate level ramp on the east side to make two shorter ramps. Adverse effect.	<ul style="list-style-type: none"> <li>- East ramp is a character defining feature and retains high integrity.</li> <li>- Maintains 1981 project goal of improved accessibility.</li> <li>- 1981 north ramps only permit access from the north along a gravel path that is not accessible.</li> <li>- New ramps provide direct accessible path to the Museum Plaza, Jefferson Drive, and paved Mall pathway.</li> <li>- <b>Adverse effect minimized by maintaining an intermediate ramp on the east side in the same location as the 1981 condition and maintaining the east side of the Garden as a transitional area for accessibility.</b></li> </ul>	
Underground Passage and Historic Stairs	Passage will be reopened, and historic stairs restored. No adverse effect.	<ul style="list-style-type: none"> <li>- Historic Swenson Pink granite stair treads and aggregate concrete railings are present within the passage.</li> <li>- Underground passage was previously identified as non-contributing and was assessed as a character defining feature.</li> <li>- Excavation for utilities and support spaces adjacent to the underground passage will have no effect on the passage.</li> <li>- Restores link between the Mall, Sculpture Garden, Plaza, and Museum building.</li> <li>- Significant restoration work required, including concrete patching and cleaning, and granite cleaning.</li> </ul>	
			Adverse Effect Determination – <b>Bold Typeface</b> Notes Minimization

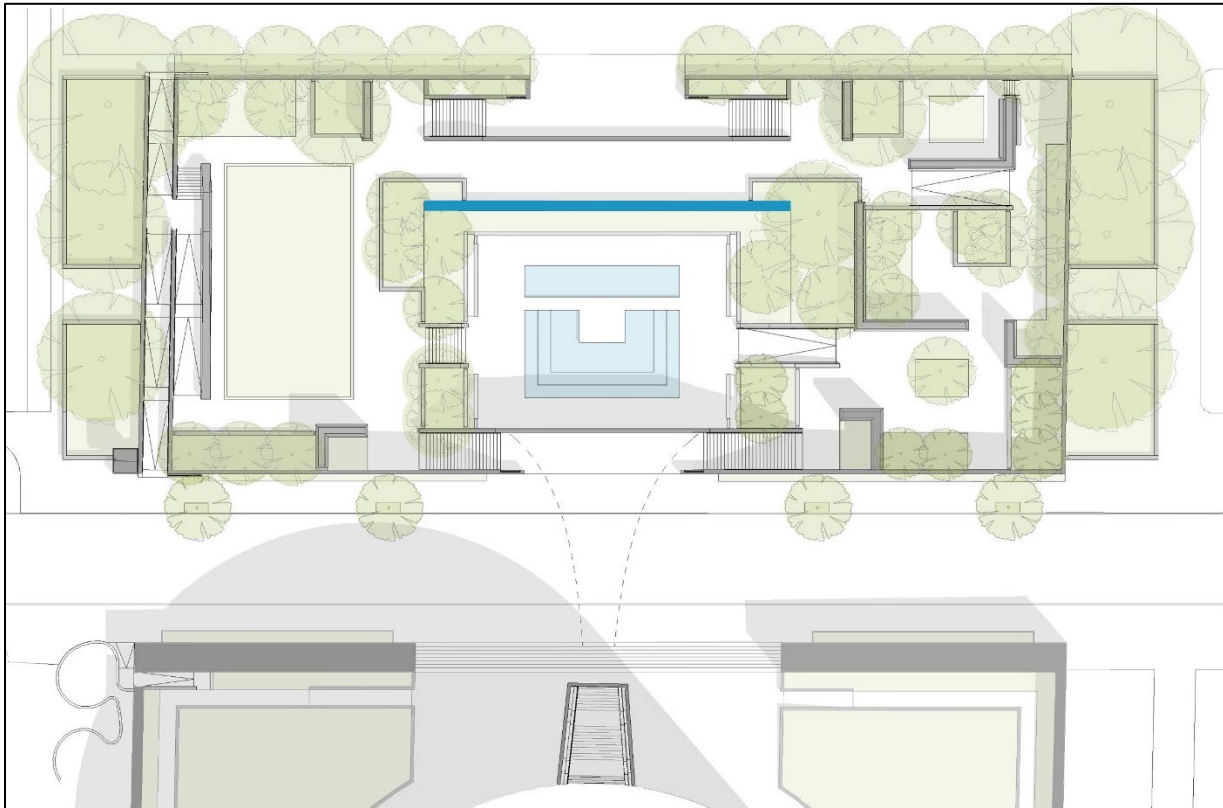
Hirshhorn Sculpture Garden Revitalization Assessment of Effects on Historic Resources			August 2020
Feature/Action	Proposed Effect Determination	Additional Information/Minimization of Adverse Effect	
Underground Passage Art Installation	Installation obscures and requires attachment to historic fabric. Installation removes portions of concrete walls and coffered ceiling at the north access point to the Sculpture Garden. Adverse effect.	<ul style="list-style-type: none"> <li>- Installation will bring light and luminosity improving the light levels of the historically dark underground passage condition, creating a safer environment for visitors.</li> <li>- Enlarging the north access point enhances visibility and connection between the Sculpture Garden and the underground passage.</li> <li>- <b>Adverse effect is minimized by retaining the majority of the 1974 aggregate concrete walls and concrete coffered ceiling behind the installation, with minimal attachment points to historic fabric.</b></li> </ul>	
Underground Passage – Plaza Access (Alternative B)	Enlarged opening for improved daylighting to the base of the historic stairs. Adverse effect.	<ul style="list-style-type: none"> <li>- Plaza access was covered over in 1993, and the balustrade was removed.</li> <li>- Original dimensions of the opening restricted head height clearance at the stair landing and restricted daylight to the underground passage, imparting an entrance that visitors reportedly found unwelcoming.</li> <li>- Alternative provides daylighting to the base of the stairs and improves head height clearance for a welcoming entry.</li> <li>- <b>Adverse effect minimized by maintaining the monumental Plaza stairs from Jefferson Drive.</b></li> <li>- <b>Adverse effect minimized with minimal design changes to the reconstructed balustrade height to meet code requirements by raising the curb and adding a metal rail at the curb gap, preserving the proportions of the design of the 1974 balustrade.</b></li> </ul>	
Garden Rooms	Presence of garden rooms maintained in the east garden and builds on the 1981 modifications. No adverse effect.	<ul style="list-style-type: none"> <li>- Garden rooms subdivide the larger open space of the Sculpture Garden to create intimate settings for sculpture viewing.</li> <li>- 1974 design used hedges to create garden rooms.</li> <li>- Garden rooms created with ramps, planters, and vertical plantings are a character defining feature, and retains moderate integrity.</li> <li>- Maintains 1981 project goal of improving sculpture viewing.</li> <li>- Proposed garden rooms formed with ramps, planters, vertical plantings, and new stacked stone walls to improve the display of the modern collection.</li> </ul>	
			Adverse Effect Determination – <b>Bold Typeface</b> Notes Minimization



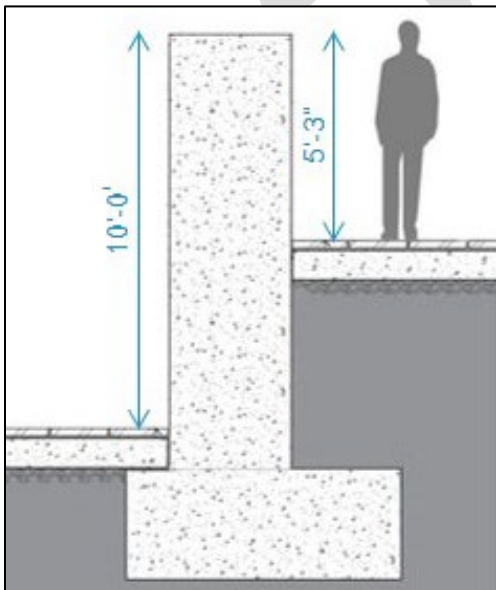
Hirshhorn Sculpture Garden Revitalization Assessment of Effects on Historic Resources			August 2020
Feature/Action	Proposed Effect Determination	Additional Information/Minimization of Adverse Effect	
Plant Palette	Planting plan includes trees and ground cover consistent with or similar to the 1981 condition. No adverse effect.	<ul style="list-style-type: none"> <li>- 1981 shade conditions will be improved, with species planted suitable to the climate.</li> <li>- Concept of garden rooms and screened views from the 1981 landscape maintained.</li> <li>- Cherry trees along National Mall to be replaced with similar species.</li> <li>- Plantings will emphasize the central garden room space of the Garden consistent with 1981.</li> <li>- Tree plantings will maintain the 8<sup>th</sup> Street axis.</li> </ul>	
Planters and Benches	Integral benches in keeping with the 1981 composition and providing visitor comfort. No adverse effect.	<ul style="list-style-type: none"> <li>- Benches integrated into planters constructed from Swenson Pink granite consistent with the 1981 bench design and material.</li> <li>- Benches flanking the reflecting pool consistent with the spatial arrangement of the stairs from the 1974 design and constructed from historic salvaged Swenson Pink granite stair treads or new Swenson Pink granite.</li> </ul>	
Paving	Removal of small brick hardscape paving and replacement with large granite pavers. Adverse effect.	<ul style="list-style-type: none"> <li>- Large granite pavers in keeping with Collins's unrealized hardscape design which featured gray flagstone.</li> <li>- <b>Adverse effect minimized with the potential use of historic salvaged Swenson Pink stair treads for paving in certain locations.</b></li> <li>- <b>Adverse effect minimized by maintaining a choreographed paved circulation similar to the 1981 condition.</b></li> <li>- <b>Adverse effect minimized with granite pavers that complement the aggregate concrete and Museum plaza paving in terms of color, and the bond pattern of the existing hardscape.</b></li> <li>- <b>Adverse effect minimized by maintaining a comparable paving to planting ratio with the 1981 condition.</b></li> </ul>	
Aprons	Historic elm tree layout restored, with improved visitor access. No adverse effect.	<ul style="list-style-type: none"> <li>- Visitor access to aprons and to overlook the Sculpture Garden are currently blocked. Shaded seating provided.</li> <li>- Elm tree at southeast corner in the public right of way removed.</li> <li>- Aprons programmed to better connect the Sculpture Garden to the surrounding context.</li> </ul>	
Adverse Effect Determination – Bold Typeface Notes Minimization			

Hirshhorn Sculpture Garden Revitalization Assessment of Effects on Historic Resources			August 2020
Feature/Action	Proposed Effect Determination	Additional Information/Minimization of Adverse Effect	
Security Gates	Bronze swinging security gates at Sculpture Garden entry points integral with the concrete perimeter walls. No adverse effect.	<ul style="list-style-type: none"> <li>- Gates to be the same height as the perimeter walls.</li> <li>- Gate design simply detailed and fabricated in bronze in keeping with the existing material palette.</li> </ul>	
Security Guard Booth	Guard booth located at southwest corner in the apron outside the Sculpture Garden perimeter walls. No adverse effect.	<ul style="list-style-type: none"> <li>- Relocates prominent guard booth currently on the north overlook that disrupts the 8<sup>th</sup> Street axis viewshed.</li> <li>- Guard booth unobtrusively designed and clad in materials consistent with the existing material palette.</li> </ul>	
Lighting	Fixtures integral and housed under benches and handrails. Minimal sculpture and tree lighting proposed with minimally visible fixtures. No adverse effect.	- Sculpture Garden has always featured lighting in a variety of configurations.	
Signage	Integral to perimeter concrete walls. No adverse effect.	- Existing signage features granite panels inset into the concrete perimeter walls with incised letters.	
Stormwater Management	Non-visible cisterns and bioretention planters located outside of the Sculpture Garden perimeter. No adverse effect.	<ul style="list-style-type: none"> <li>- Stormwater management is currently not provided, and flooding is a regular occurrence due to failed storm drains.</li> <li>- Stormwater management will have no visual impact on the National Mall.</li> </ul>	
<b>Cumulative Effects</b>  This project proposes changes to multiple character defining features, which results in cumulative adverse effects. Cumulative adverse effects are limited to impacts to the Hirshhorn Museum and Sculpture Garden. Adverse effects are contained within the secluded and recessed space of the Sculpture Garden, and therefore there are no cumulative adverse effects to the National Mall Historic District.			
<div></div> Adverse Effect Determination – <b>Bold Typeface</b> Notes Minimization			

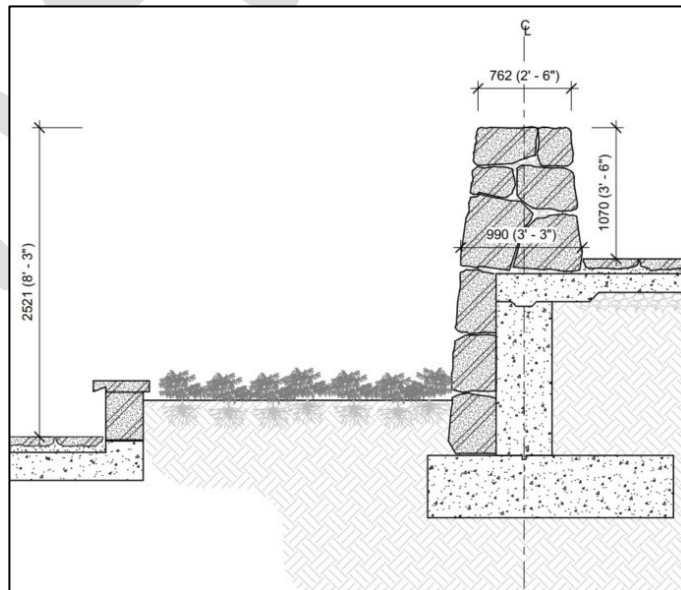
1 **EXHIBIT G – Inner Partition Wall**



2  
3 Proposed Sculpture Garden plan. Historic/proposed location of inner partition wall annotated in blue.  
4

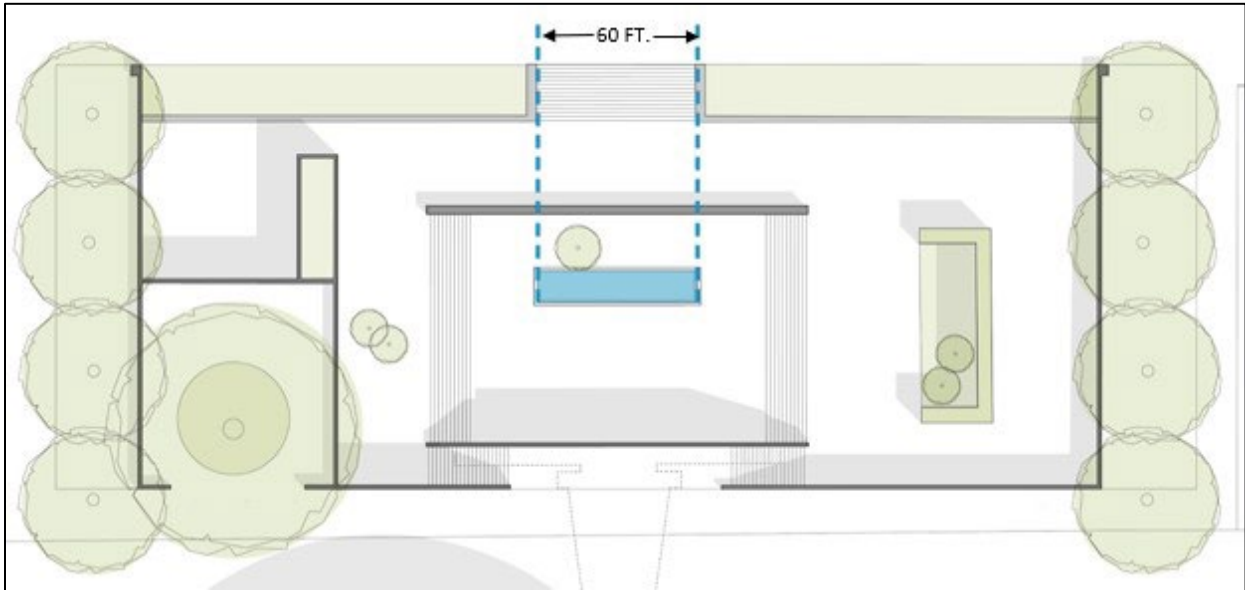


5 Existing inner partition wall section.  
6  
7  
8  
9  
10  
11

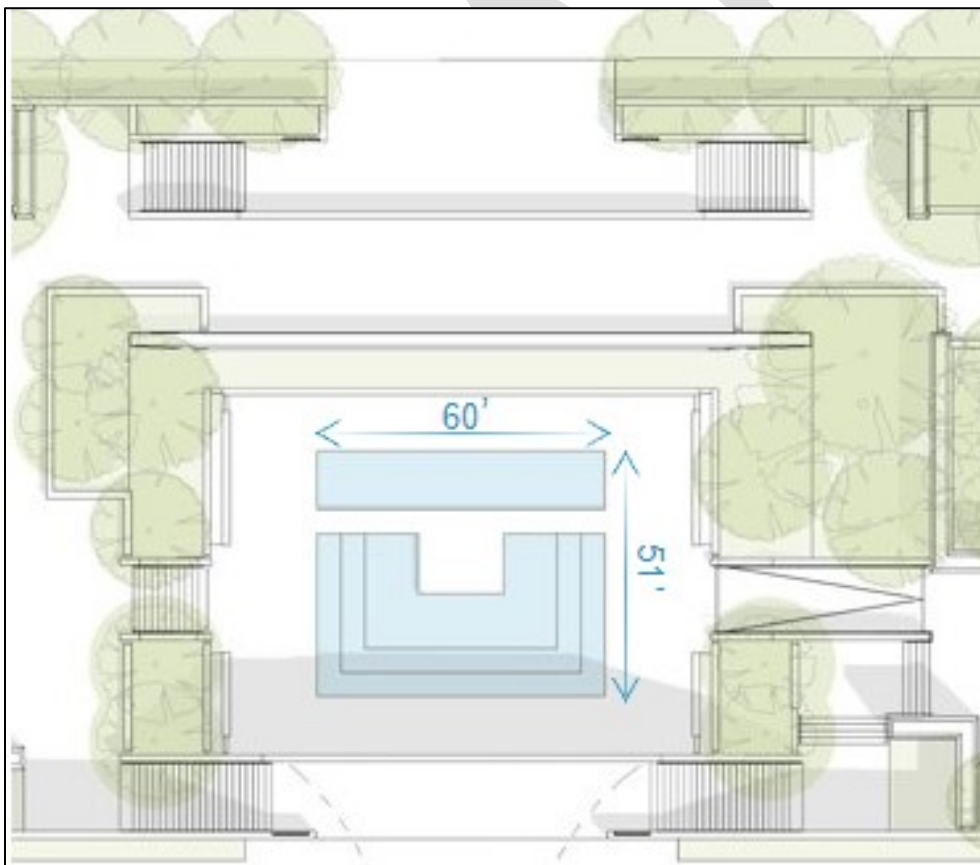


Proposed inner partition wall section.

1 **EXHIBIT H – Reflecting Pool**



2  
3 1974 Sculpture Garden plan. Note original 60 feet east-west dimension alignment of the reflecting pool  
4 and north stairs, changed by the 1981 modifications.  
5



6  
7 Reflecting Pool Design. Proposed maintains the 1974 reflecting pool with an art and performance  
8 platform and new water feature with tiered levels to the south.  
9





1  
2 Rendering of the Reflecting Pool. 1974 and new reflecting pool filled with water. Note planting bed  
3 south of the inner partition wall. 1974 pool heated to allow year-round presence of water in this  
4 location only.  
5

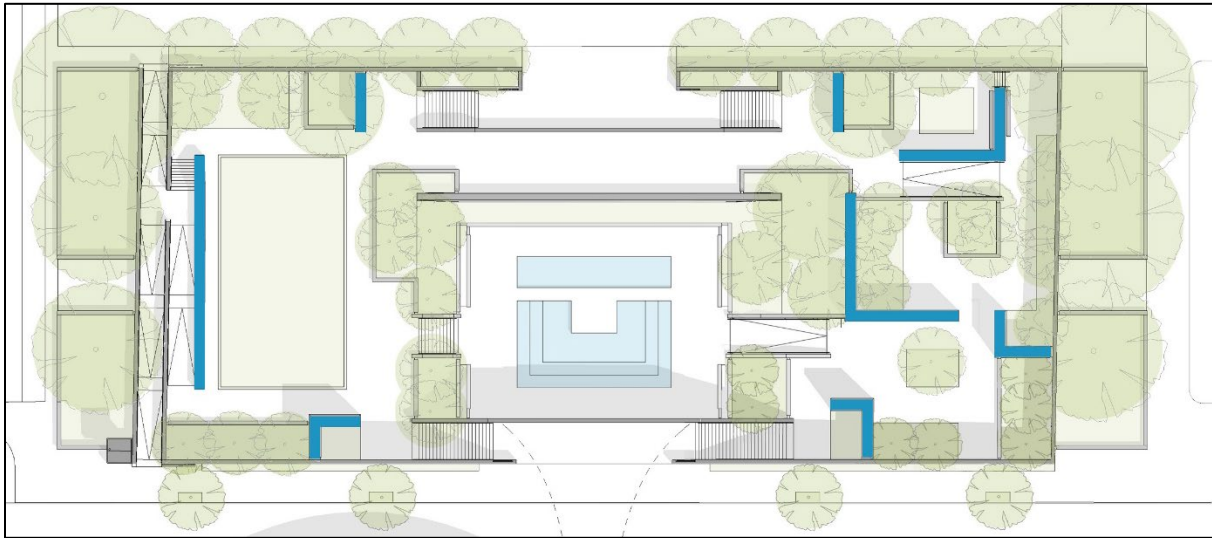


6  
7 Proposed reflecting pool edge condition with  
8 Integral visual and tactile warning units.  
9

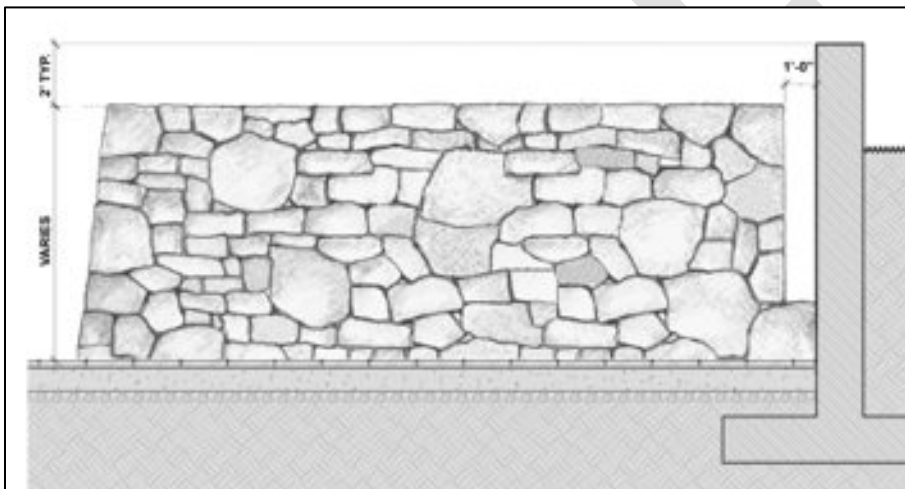


10  
11 Proposed reflecting pool section with concealed  
12 safety and egress lighting. Black granite proposed  
13 for the 1974 pool and new reflecting pool.  
14

1 **EXHIBIT I – New Stacked Stone Walls**



2  
3 Proposed Sculpture Garden plan. Locations of new stacked stone walls annotated in blue.  
4



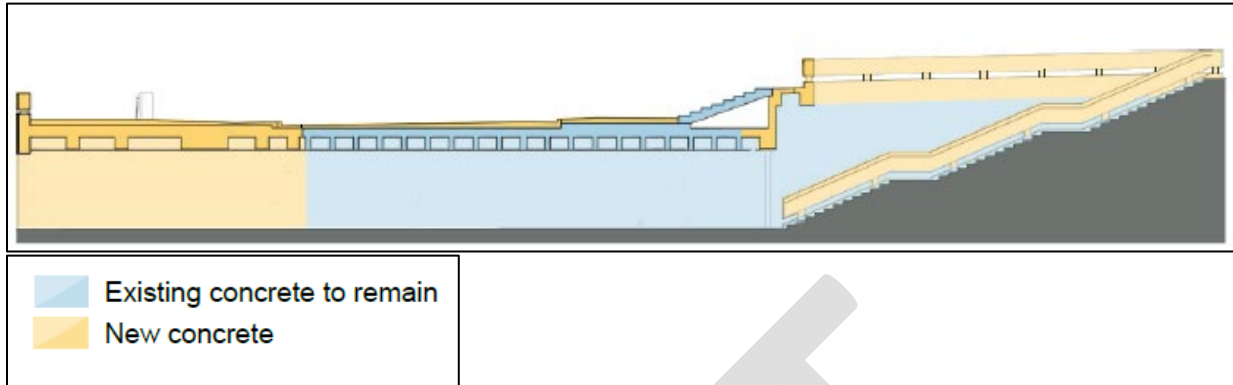
5  
6 Typical stacked stone wall elevation. Walls recessed two feet below and twelve-inch reveal with the  
7 concrete perimeter walls.  
8



9  
10 Illustrative example of proposed stacked stone wall. Photograph of "Mock-up A", 2019.

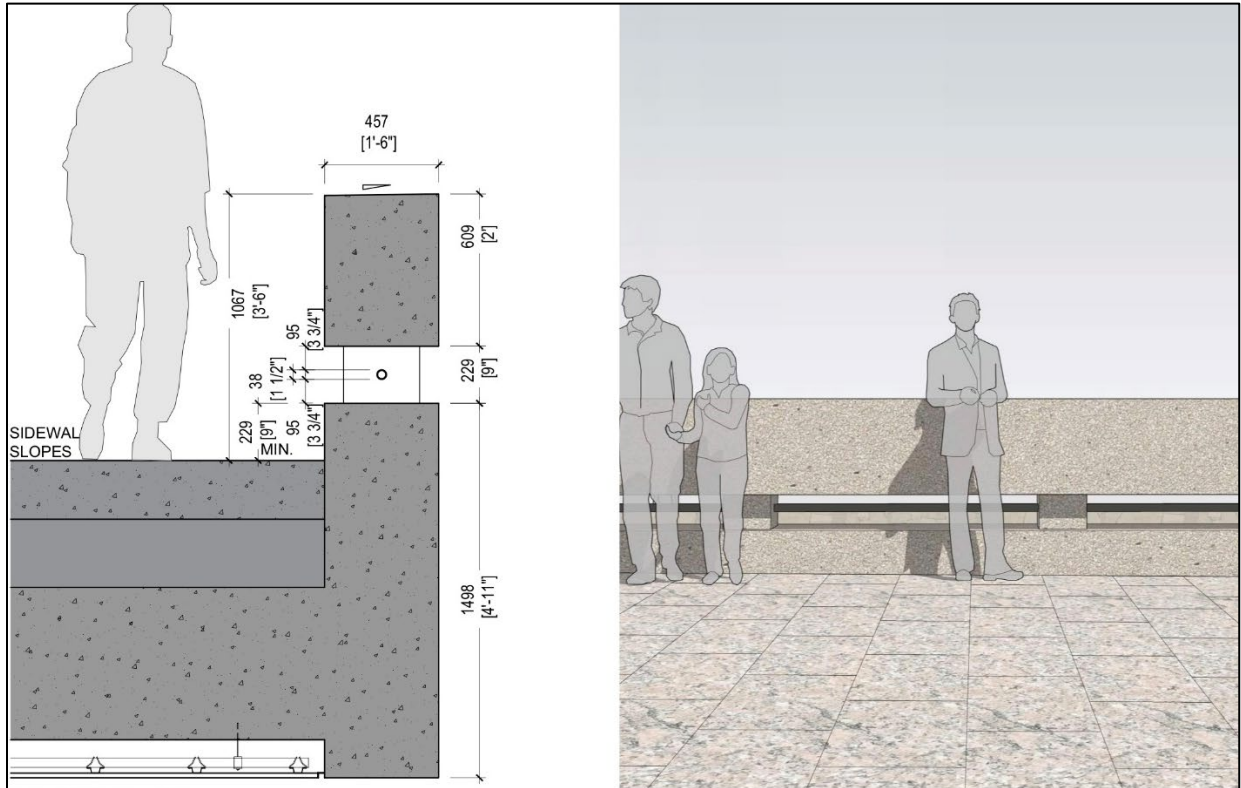


## EXHIBIT J – Underground Passage Historic Fabric

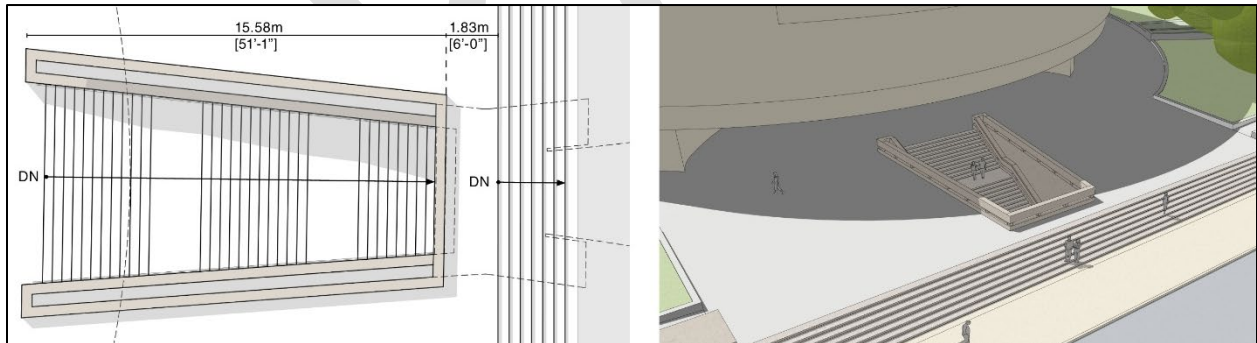


Section of proposed underground passage alterations. Passage access between the Museum Plaza and the Sculpture Garden shall be reopened and maintained. Area with blue shading indicates historic concrete to be restored and maintained. Areas with yellow shading indicate new concrete. Cleaning and restoration of the Swenson Pink granite stair treads and paving is proposed at the passage stairs.

EXHIBIT K – Reconstructed Balustrade

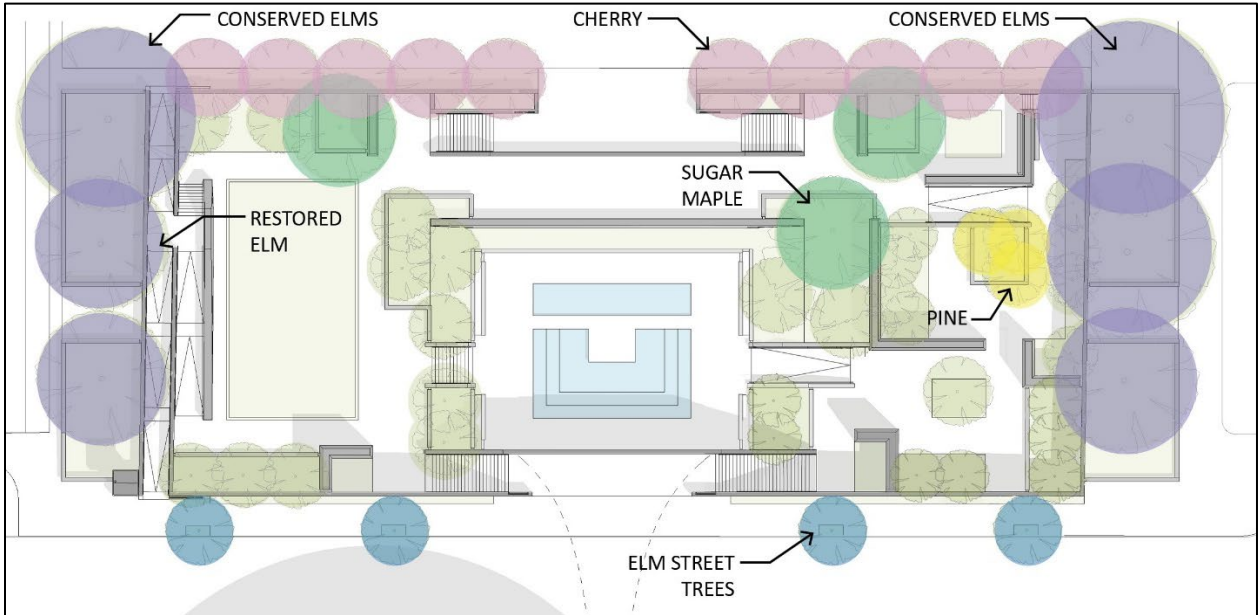


Proposed reconstructed balustrade. Code compliance is met with raising the concrete curb and adding a bronze pipe rail in the gap to preserve the proportions of the concrete top rail and spacing.



Proposed underground passage access at the Museum Plaza.








EXHIBIT L – Proposed Plant Palette



Proposed Sculpture Garden plan. Collins and Bunshaft specific tree plantings noted.

COLLINS PLANT SPECIES	PROPOSED COUNTERPART
<i>Acer saccharum</i> Sugar Maple Deciduous Tree 20-22m	<i>Acer saccharum</i> "Sandersville" Sugar Maple Deciduous Tree 20-22m
<i>Prunus serrulata</i> "Mt. Fuji" Flowering Cherry Deciduous Tree 8-10m	<i>Prunus yedoensis</i> "Akebono" Flowering Cherry Deciduous Tree 8-10m
<i>Pinus thunbergii</i> Japanese Black Pine Evergreen Tree 12-15m	<i>Pinus faeda</i> Loblolly Pine Evergreen Tree 12-15m

Collins 1981 tree species at left, with proposed counterparts at right.

COLLINS PLANT SPECIES	PROPOSED COUNTERPART
<p><i>Liriope muscari</i> Lilyturf Evergreen Perennial Bloom time: late Summer 30-45 cm Japan</p>	<p><i>Carex appalachia</i> Appalachian Sedge Perennial 30-60 cm North America</p>
	
<p><i>Crocus tommasinianus</i> Early Crocus Ephemeral Bulb Bloom time: Early Spring 10-20 cm Europe</p>	<p><i>Carex albicans</i> Oak Sedge Perennial 30-45cm North America</p>
	
<p><i>Crocus vernus</i> <i>'Jeanne de Arc'</i> Spring Crocus Ephemeral Bulb Bloom time: Early Spring 10-20 cm Europe</p>	<p><i>Carex muskingumensis</i> Palm Sedge Perennial 30-60 cm North America</p>
	<p><i>Carex amphibola</i> Creek Sedge Perennial 30-60 cm North America</p>
	

COLLINS PLANT SPECIES	PROPOSED COUNTERPART
<p><i>Azalea x 'Gumpo White'</i> Gumpo White Azalea Evergreen Shrub Bloom time: Spring 20-60 cm Japan</p>	<p><i>Aronia 'Low Scape Mound'</i> Chokeberry Perennial Bloom time: Spring 20-35cm North America</p>
	
<p><i>Ligustrum x vicaryi</i> Golden Ticket Privet Evergreen Shrub Bloom time: Spring 90-200 cm Japan</p>	<p><i>Callicarpa americana</i> Beautyberry Deciduous Shrub Bloom time: Summer 60-120cm North America</p>
	
<p><i>Euonymus Sp.</i> Wintercreeper Evergreen Shrub Bloom time: Spring 90-200 cm Japan</p>	<p><i>Rhus aromatica</i> <i>'Gro-Low'</i> Fragrant Sumac Deciduous Shrub Bloom time: Spring 30-90 cm North America</p>
	

Collins 1981 groundcover plantings at left, with proposed counterparts at right.