

MEMORANDUM OF AGREEMENT
AMONG
THE NATIONAL PARK SERVICE,
THE NATIONAL CAPITAL PLANNING COMMISSION,
DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE,
VIRGINIA STATE HISTORIC PRESERVATION OFFICE, AND THE ADVISORY
COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE TRIUMPHALARCH PROJECT

This Memorandum of Agreement ("MOA") is made as of this ____day of ____, 2026, by and among the National Park Service (NPS), the Virginia State Historic Preservation Office (VA SHPO), the District of Columbia Historic Preservation Office (DC HPO), 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 Triumphal Arch Project (Undertaking); and

WHEREAS, the George Washington Memorial Parkway (hereinafter "GW Parkway") was established pursuant to what is known as the Capper-Cramton Act, Public Law 71-284, 46 Stat. 482, (May 29, 1930), became a unit of the national park system pursuant to Executive Order 6166 of June 10, 1933 (taking effect August 10, 1933), and is administered by the National Park Service (hereinafter "NPS"); and

WHEREAS, the NPS is charged in the NPS Organic Act as codified in Title 54 United States Code (USC) § 100101(a) to "conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations"; and

WHEREAS, the GW Parkway is a nationally significant historic property in Virginia, Maryland, and the District of Columbia listed in the National Register of Historic Places (hereinafter "NRHP") on June 2, 1995, as a historic district for its commemorative, design, and scenic qualities, and the 25-mile-long parkway segment along the Potomac River's west shore and 6.8 mile long segment along the Potomac River's east shore and their settings are important landscape features that contribute to the significance of the GW Parkway; and

WHEREAS, Memorial Circle, which connects Arlington Memorial Bridge and Memorial Avenue, is located within the GW Parkway and is part of the nationally significant historic property Arlington Memorial Bridge and Related Features in Virginia and the District of Columbia and listed in the NRHP on April 4, 1980, as a historic property for its architectural and

engineering design qualities; and

WHEREAS, the NPS proposes to construct the Triumphal Arch (“the Undertaking”) within Memorial Circle to celebrate 250 years of American independence by honoring America’s founding principles through installation of a structure at the intersection of Arlington Memorial Bridge and Memorial Avenue within George Washington Memorial Parkway, in a manner consistent with the avenue's established role as a ceremonial gateway and "Avenue of Heroes" celebrating valor, sacrifice, and American heritage.

WHEREAS, the Undertaking is subject to review under Section 106 of the NHPA as amended (54 U.S.C. § 306108) and NPS will be the federal agency responsible for compliance; and

WHEREAS, the Undertaking is location-dependent and is proposed for Memorial Circle because the proposed arch is grounded in the historic planning and design intent for the Arlington Memorial Bridge, Memorial Avenue, Columbia Island, and Memorial Circle corridor; and

WHEREAS, the 1924 Report of the Arlington Memorial Bridge Commission contemplated monumental vertical elements at Columbia Island/Memorial Circle to mark and give architectural emphasis to the western terminus of Arlington Memorial Bridge and the ceremonial transition from the bridge to Memorial Avenue and the entrance sequence to Arlington National Cemetery; and

WHEREAS, the NPS has determined that alternative locations outside Memorial Circle would not fulfill the undertaking’s purpose in the same manner because they would sever the proposed commemorative feature from the specific historic planning precedent and designed axial relationship that provide the rationale for its placement; and

WHEREAS, the NPS has further determined that the proposed location at Memorial Circle is central to the undertaking, and that relocation outside Memorial Circle would constitute a materially different undertaking rather than an avoidance alternative for the proposed Triumphal Arch; and

WHEREAS, the NPS recognizes that Memorial Circle is located within a highly sensitive historic and commemorative landscape and that the Undertaking’s location contributes to adverse effects to historic properties whose significance is associated with setting, design, feeling, association, spatial organization, circulation, and contributing views and vistas; and

WHEREAS, because such adverse effects cannot be fully avoided while retaining the location-dependent purpose of the Undertaking, NPS has consulted to identify measures to minimize and mitigate adverse effects to historic properties; and

WHEREAS, in accordance with 36 C.F.R. § 800.3, NPS initiated Section 106 consultation with DC HPO, VA SHPO, and Consulting Parties on June 5, 2026; and

WHEREAS, the NCPC is a Consulting Party in the Section 106 process pursuant to 36 CFR § 800.3(f)(1), has approval authority over Federal land located within the District of Columbia and has approval authority over physical alterations to Federal property pursuant to the National Capital Planning Act (40 U.S.C. § 8722(b)(1) and (d)), the NCPC has elected to fulfill its Section 106 responsibilities by participating in this consultation and is a Signatory to this MOA pursuant to 36 CFR § 800.6(c)(2); and

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

WHEREAS, the U.S. Commission of Fine Arts (CFA) has a design review authority over new structures erected in the District under the direction of the Federal government (45 C.F.R. §§ 2101 (a)(1), 2101(f) (2011)) and over all important plans for parks and all public buildings for which “in any essential way affect the appearance of the City of Washington, or the District of Columbia” (45 C.F.R. §§ 2101(a)(2), 2101(d) (2011)). The CFA is a Consulting Party in the Section 106 process pursuant to 36 CFR § 800.3(f)(1) and is invited to concur with this MOA pursuant to 36 CFR § 800.6(c)(3); and

WHEREAS, in letters dated June 5, 2026, the NPS informed the Federally recognized sovereign Indian Nations that have a government-to-government relationship with the United States and an interest in the area affected by the Undertaking, pursuant to 36 C.F.R. § 800.2(c)(2), about the project and invited them to be Consulting Parties. The Federally recognized sovereign Indian Nations include the Absentee Shawnee Tribe of Indians of Oklahoma Nation, Catawba Indian Nation, Chickahominy Indian Tribe, Chickahominy Tribe Eastern Division, Monacan Indian Nation, Nansemond Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, Shawnee Tribe, and Upper Mattaponi Indian Tribe (collectively referred to as “Native American Tribes” in this MOA). The NPS invited each of these Native American Tribes to concur with this MOA pursuant to 36 C.F.R. § 800.6(c)(3). All the letters sent to Native American Tribes can be found in **Appendix A**; and

WHEREAS, the Native American Tribes that did not respond to the invitation continue to be included in the Section 106 process through invitations to Consulting Parties meetings and will continue to be invited to any subsequent Consulting Parties meetings; and

WHEREAS, in accordance with 36 C.F.R. § 800.2(a)(4), the NPS invited certain individuals and organizations with a demonstrated interest in the Undertaking to participate as Consulting Parties in the Section 106 process via meeting virtually held on June 15, 2026. The full list of Consulting Parties invited is provided in Appendix B, along with presentation materials from the Consulting Party meetings; and

WHEREAS, the NPS, in consultation with DC HPO, VA SHPO, NCPC, and the Consulting

Parties, established the Area of Potential Effects (APE), as defined under 36 C.F.R. § 800.16(d). The APE is included in Exhibit C; and

WHEREAS, the NPS identified 261 historic resources within the APE (that also encompass numerous contributing features), including the 31 National Historic Landmarks, 53 Historic Districts, 10 Cultural Landscapes, 167 individually / other historic properties; and

WHEREAS, pursuant to 36 CFR § 800.5(a) the NPS, in consultation with the DC HPO, VA SHPO, NCPC, and the Consulting Parties, has applied the criteria of 36 CFR § 800.5(a)(1) to the Undertaking, and provided all relevant findings in the Triumphal Arch Assessment of Effects Report (Appendix C); and

WHEREAS, specific design details are not developed at the concept planning level, therefore, the Triumphal Arch Assessment of Effects includes determinations from portions of the proposed Undertaking. These effects will be further assessed as part of future Section 106 reviews of individual project components, as required under the terms of this MOA; and

WHEREAS, the NPS conducted two (2) Section 106 Consulting Party meetings to provide opportunities for the Consulting Parties to comment on the Undertaking, the delineation of the APE, the identification of historic properties, the assessment of effects on historic properties, and potential resolution strategies; and

WHEREAS, the Undertaking is subject to review under National Environmental Policy Act (NEPA) (42 U.S.C. § 4231 et seq), and in accordance with NEPA, the NPS has prepared an Environmental Assessment (EA); and

WHEREAS, the NPS completed an EA, published June 5, 2026, as part of NPS's NEPA compliance and issued the Finding of No Significant Impact; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the NPS notified the Advisory Council on Historic Preservation (ACHP) of its findings of effects meeting the criteria in 36 CFR § 800.5(a)(1) with specified documentation on June 5, 2026, and on June 15, 2026, the ACHP chose to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, NPS, DC HPO, VA SHPO, and NCPC agree that, if the Undertaking is implemented in accordance with the following stipulations taking into account the adverse effects on historic properties, these stipulations will govern compliance with Section 106 of the NHPA.

STIPULATIONS

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

I. GENERAL

A. APPLICABILITY

1. The NPS will use the terms and conditions of this MOA to fulfill its Section 106 responsibilities and those of other Federal agencies who designate NPS as the lead Federal agency pursuant to 36 C.F.R. § 800.2(a)(2). Federal agencies that do not designate NPS as the lead Federal agency remain individually responsible for their compliance with Section 106.
2. In the event a Federal agency or other agency issues federal funding or approvals for the Undertaking, such funding or approving agency may comply with Section 106 by agreeing in writing to the terms of this MOA and notifying and consulting with the Signatories. Any necessary amendments will be considered in accordance with Stipulation X of this MOA.

B. TIME AND NOTIFICATIONS

1. All time designations are in calendar days unless otherwise stipulated. If a review period ends on a Saturday, Sunday, or a Federal holiday, the review period will be extended until the first following business day.
2. All communication and notifications required by this MOA will be sent by email or other electronic means.

C. ROLES AND RESPONSIBILITIES

1. NPS
 - a. Pursuant to 36 C.F.R. § 800.2(a)(2), NPS has the responsibility to ensure the provisions of this MOA are carried out.
 - b. NPS is responsible for all government-to-government consultation with Federally recognized Native American tribes.
 - c. NPS is responsible for coordinating Federal agencies' compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) within its jurisdictional areas.
 - d. NPS is responsible for enforcing the applicable provisions of the Archaeological Resources Protection Act (ARPA) (16 U.S.C. § 470aa et seq.), including but not limited to the issuance of permits, permit oversight, and investigation of any damages resulting from prohibited activities.
2. DC HPO and VA SHPO
 - a. DC HPO and VA SHPO will review Project submittals according to the timeframes defined within this MOA, and participate in consultation, as requested by NPS.

3. NCPC
 - a. NCPC will review Project submittals according to the timeframes defined within this MOA, and participate in consultation, as requested by NPS.
 - b. These reviews do not supersede the statutory or regulatory obligations of this body, and NCPC will review and approve the project components as required.
4. CFA
 - a. CFA will review Project submittals according to the timeframes defined within this MOA, and participate in consultation, as requested by NPS.
 - b. These reviews do not supersede the statutory or regulatory obligations of this body, and CFA will review and approve the project components as required.

II. PROFESSIONAL QUALIFICATIONS STANDARDS

The NPS will ensure that all historic preservation work performed by the relevant agency pursuant to this Agreement will be accomplished by or under the direct supervision of a person or persons who meet(s) or exceed(s) the pertinent qualifications in *The Secretary of the Interior's Historic Preservation Qualification Standards* (62 CFR § 33708) as amended on June 20, 1997.

III. RESOLUTION OF POTENTIALADVERSE EFFECTS

A. Construction Management Control

1. **Develop and implement a vibration monitoring plan** - Install vibration monitors near Arlington Memorial Bridge and other historic structures, bridge approaches, historic stonework, pylons, retaining walls, and other sensitive resources. Establish thresholds requiring work modification or stoppage if vibration exceeds approved limits.
2. **Screening of Construction Areas** - Use neutral, visually recessive screening to reduce temporary visual effects from construction fencing, equipment, trailers, stockpiles, and staging areas.
3. **Control Temporary Lighting** - Limit construction lighting to the minimum necessary, direct it downward, shield it, and prohibit unnecessary nighttime lighting that would affect historic views or cemetery solemnity.
4. **Construction Noise Control Plan** - Establish enforceable limits, monitoring, notification, and work restrictions for noise-generating activities. Would include the use of sound barriers or acoustic blankets, locating generators where noise is reduced, coordinate with Arlington National Cemetery, and limits on nighttime work.

5. **Ceremonial Route Protection Plan** - Coordinate with Arlington National Cemetery to avoid disruptive construction activities during funerals, wreath ceremonies, major commemorative events, and ceremonial movements.
6. **Work-hour limitations** - Restrict work hours for high-noise, high-vibration, or highly visible construction activities to minimize effects on visitor experience and ceremonial use of historic properties.
7. **Pedestrian and visitor access protection** - Maintain safe, legible pedestrian routes to Arlington Memorial Bridge, Memorial Avenue, LBJ Park, Arlington National Cemetery, and nearby memorials during construction.
8. **Construction Management Plan** - Require a Construction Management Plan to minimize construction-period effects to historic properties, adjacent resources, traffic circulation, visitor access, and the surrounding commemorative landscape. The plan would address traffic control, sediment and erosion controls, laydown-area limits and restoration, off-site fabrication to reduce on-site activity, limited worker parking with use of Metro or remote parking, enclosed workforce break areas, self-contained restroom facilities, vibration and movement monitoring for adjacent structures, coordination of pile-driving and other disruptive activities around planned events, use of a fixed tower crane to reduce street impacts, and off-site fabrication of arch cladding to minimize truck trips, equipment, labor, and laydown needs at the project site.
9. **Construction Dust Control Plan** - Fugitive emission sources include the transfer of sand and aggregate, truck loading, mixer loading, vehicle traffic, and wind erosion from sand and aggregate stockpiles. The amount of fugitive emissions generated during the transfer of sand and aggregate depends primarily on the surface moisture content of these materials. Wetting materials prior to moving or if dust is being generated reduces air emissions that then become sediment that falls into surrounding waterways.
10. **Maintain Construction Site and Staging Area BMPs for Wildlife/IPM** - All trash receptacles must be lidded and emptied regularly to avoid attracting wildlife. Trailer crawl spaces should be screened to avoid wildlife utilizing them. Doors should be fitted, remain closed when not in use, and maintain sweeps to avoid rodent infiltration.

B. Archeological Investigation

Implement Archaeological Identification, Protection, Monitoring, and Treatment

Measures – Complete additional archaeological identification, evaluation, monitoring, and treatment prior to and during ground disturbance. Measures would include review of final design and utility routes for archaeological sensitivity; preparation of an Archaeological Work Plan;

completion of Phase IB, geoarchaeological, or other investigations where warranted; avoidance of significant archaeological resources where feasible; preparation of an Archaeological Treatment Plan or Data Recovery Plan if avoidance is not feasible; archaeological monitoring during excavation, foundation work, and utility installation; stop-work and notification procedures for unanticipated discoveries; specific protocols for human remains and culturally sensitive materials; contractor cultural-resource training; and final reporting, analysis, and curation of recovered materials and records. This could include the following:

- Phase IB archaeological testing before initiation of construction
- Geoarchaeological study of buried landforms
- Utility corridor archaeology investigations
- Archaeological monitoring during deep excavation
- Archaeological Treatment Plan / Data Recovery Plan
- Public archaeology component

C. Park Improvements

1. **Rehabilitate Memorial Avenue historic landscape** - Rehabilitate contributing landscape features along Memorial Avenue to reinforce its historic role as the ceremonial approach between Arlington Memorial Bridge and Arlington National Cemetery. Improvements could include restoration of turf panels, medians, walkways, curbs, planting patterns, tree canopy, lighting, and other character-defining landscape features that contribute to the formal procession from the bridge to the cemetery. Work would be designed to preserve the corridor's axial organization, solemn character, and commemorative function while improving landscape condition, pedestrian safety, and long-term maintainability.
2. **Restore or enhance Arlington Memorial Bridge approach landscapes** – Restore or enhance the designed landscapes at the approaches to Arlington Memorial Bridge to improve the integrity of associated historic landscape features and strengthen the visual and ceremonial relationship between the Lincoln Memorial, the Arlington Memorial Bridge, Memorial Circle, and Memorial Avenue. Improvements could include repair or replacement in kind of damaged paving, curbs, walls, planting areas, lawn panels, and other contributing features; removal or consolidation of non-historic visual clutter; and rehabilitation of landscape areas disturbed by construction, staging, utilities, or circulation changes. These measures would be implemented using materials, planting treatments, and design details compatible with the historic bridge setting.

3. **Improve visitor wayfinding and pedestrian orientation** - Improve visitor wayfinding between Memorial Avenue, Arlington National Cemetery, Arlington House, nearby transit facilities, and associated pedestrian routes to reduce confusion, improve safety, and minimize conflicts among visitors, vehicles, funeral processions, and daily cemetery operations. Wayfinding improvements could include coordinated directional signage, pavement markings, accessible route information, maps, digital tools, and discreet interpretive orientation at key decision points. All wayfinding elements would be designed to be visually compatible with the historic setting, avoid unnecessary sign clutter, and support movement through the corridor without diminishing the solemn and ceremonial character of Memorial Avenue and Arlington National Cemetery.

D. Documentation

1. **Prepare Historic American Landscapes Survey (HALS) documentation for Memorial Circle and the Memorial Avenue corridor** - Prepare HALS documentation for Memorial Circle, Memorial Avenue, and associated designed landscape features to create a permanent record of the corridor prior to project implementation. The documentation would address the corridor's historic development, spatial organization, circulation patterns, planting structure, lawn panels, views and vistas, small-scale features, and relationship to Arlington Memorial Bridge, Arlington National Cemetery, Arlington House, Lady Bird Johnson Park, and the Lincoln Memorial. Documentation would include large-format photography, written historical narrative, existing-condition plans, and other materials meeting applicable HALS standards.
2. **Prepare Historic American Building Survey (HABS)/HALS documentation for affected designed landscapes and views** - Prepare appropriate HABS and/or HALS documentation for affected historic properties, designed landscapes, and significant views that may experience adverse visual, spatial, or setting-related effects. This documentation would record character-defining features, designed views, circulation relationships, landscape composition, and the physical and visual connections among the Lincoln Memorial, Arlington Memorial Bridge, Memorial Circle, Memorial Avenue, Arlington National Cemetery, Arlington House, and adjacent parklands. The documentation would supplement existing National Register or National Historic Landmark documentation where current records do not fully describe viewsheds, spatial relationships, or cultural landscape significance.

3. **Complete historic viewshed documentation** - Prepare a systematic photographic and narrative record of existing views and vistas within the cross-Potomac commemorative corridor. The documentation would include key viewpoints from the Lincoln Memorial, Arlington Memorial Bridge, Memorial Circle, Memorial Avenue, Arlington National Cemetery, Arlington House, Lady Bird Johnson Park, Fort Myer, and other locations identified through consultation. Photography would be completed in leaf-on and leaf-off conditions, during daytime and nighttime conditions, and, where feasible, during ceremonial or high-use conditions to document how the corridor is experienced in different seasonal, lighting, and operational contexts. The final record would identify the viewpoint, date, time, lens information, field of view, direction, and historic significance of each view.
4. **Develop a 3D digital model and LiDAR record of the corridor** - Prepare a three-dimensional digital documentation package, which may include LiDAR scanning, photogrammetry, GIS-based viewshed modeling, or other digital survey methods, to create a permanent record of pre-project spatial relationships and existing conditions. The model would document the relationship among Memorial Circle, Arlington Memorial Bridge, Memorial Avenue, Arlington National Cemetery, Arlington House, Lady Bird Johnson Park, and the Lincoln Memorial, including topography, circulation, landscape features, and key sightlines. The digital record could be used for archival purposes, future preservation planning, public interpretation, and comparison with post-construction conditions.
5. **Prepare archival-quality drone and ground photography** - Complete archival-quality aerial and ground-based photography to document existing views, landscape organization, circulation patterns, and cultural landscape relationships before construction. Drone photography would be used where permitted and appropriate to capture the spatial relationship of the corridor from above, including the alignment from the Lincoln Memorial across Arlington Memorial Bridge to Memorial Circle, Memorial Avenue, Arlington National Cemetery, and Arlington House. Ground photography would document the visitor-level experience from key public viewpoints and ceremonial routes. All photography would be catalogued and retained as part of the project's permanent mitigation record.

6. **Conduct oral histories related to the commemorative corridor** - Develop an oral history program to document the meaning, use, and public significance of the Lincoln Memorial–Arlington House commemorative corridor. Interviewees could include historians, veterans, preservation professionals, Arlington National Cemetery families, representatives of veterans' organizations, NPS staff, Arlington National Cemetery staff, landscape architects, design experts, and others with knowledge of the corridor's history, symbolism, and contemporary use. Oral histories would address the meaning of the visual axis, the ceremonial role of Memorial Avenue and Arlington Memorial Bridge, the experience of visiting Arlington National Cemetery and Arlington House, and the evolution of the corridor as a commemorative landscape. Transcripts and recordings would be archived and, where appropriate, made available for interpretation, research, or public education.
7. **Develop a history of the creation of Lady Bird Johnson Park** - Prepare a focused historical study documenting the creation, design, naming, development, and evolution of Lady Bird Johnson Park within the broader Columbia Island and Memorial Circle landscape. The study would address the park's relationship to Arlington Memorial Bridge, the George Washington Memorial Parkway, Memorial Circle, the Potomac River, and the commemorative landscape connecting Washington, D.C. and Arlington. The history would also examine the park's landscape design, plantings, circulation, commemorative associations, environmental setting, and role as a visual and physical frame for Memorial Circle. The final product could support future management, interpretation, National Register documentation, and cultural landscape treatment recommendations.
8. **Create a meadow management program and plan for Lady Bird Johnson Park** - Where appropriate (based on use), consider transitioning lawns throughout Lady Bird Johnson Park (Columbia Island) to meadows with native grasses. In addition to making Lady Bird Johnson Park compatible with the proposed conditions on Memorial Avenue, conversion to native grasses (rather than turf) would also reduce the need to mow, increase biodiversity, and provide habitat for pollinators. Collaborate with natural resource management to determine appropriate grasses and seed selection.

E. Interpretation

1. **Develop an interpretive program on the Lincoln Memorial–Arlington House axis -**
Develop an interpretive program explaining the historic, symbolic, and commemorative relationship among the Lincoln Memorial, Arlington Memorial Bridge, Memorial Avenue, Arlington National Cemetery, and Arlington House. The program would address the corridor’s design intent, its association with national unity and reconciliation, its role as a ceremonial connection between Washington, D.C. and Arlington, and the ways in which the landscape has evolved over time. Interpretation could be delivered through ranger-led programs, digital media, waysides, printed materials, and educational content.
2. **Develop a digital interactive or wayside viewshed exhibit-** Create an interactive digital exhibit, wayside exhibit, or combination of both that allows visitors to compare historic, existing, and post-project views within the commemorative corridor. The exhibit would help visitors understand how views across the Potomac River have changed over time and how the monumental core evolved through successive periods of planning, design, commemoration, transportation development, landscape change, and federal stewardship. The exhibit could include historic maps, plans, photographs, visual simulations, annotated viewsheds, and layered “then-and-now” comparisons.
3. **Install interpretive waysides at Memorial Circle and Memorial Avenue -** Install a limited number of compatible interpretive waysides at Memorial Circle and along Memorial Avenue to explain the design history and significance of Memorial Circle, Columbia Island, Arlington Memorial Bridge, Memorial Avenue, and the McMillan-era commemorative landscape. The waysides would describe the corridor’s role as a formal ceremonial approach, its relationship to Arlington National Cemetery and Arlington House, and its connection to the Lincoln Memorial and National Mall. The signs would be designed to be visually compatible with the historic setting and located to avoid sign clutter or interference with character-defining views.
4. **Develop an NPS webpage on the development and significance of the cross-Potomac commemorative corridor -** Develop a publicly accessible webpage describing the development of Lady Bird Johnson Park, the Lincoln Memorial, Arlington National Cemetery, Arlington House, Arlington Memorial Bridge, Memorial Avenue, and the scenic and symbolic connections among these resources. The webpage would provide historical context for the corridor, explain its commemorative and landscape significance, and present historic plans, photographs, maps, and interpretive narratives showing how

the corridor has changed over time. The webpage could also serve as a central repository for related interpretive materials, historic documentation, and links to digital exhibits.

5. **Develop a webpage on the history and significance of triumphal arches** - Develop an interpretive webpage explaining the history, symbolism, and evolution of triumphal arches as monumental forms. The webpage would address the origins and use of triumphal arches in different historical and cultural contexts, their association with military victory, civic identity, national celebration, and public memory, and how the proposed Arch relates to or differs from those traditions. The webpage could also discuss how monumental forms are evaluated within historic landscapes and how new memorials become part of an evolving public landscape.
6. **Display archaeological materials recovered from project-related investigations where appropriate** - Develop a curated display of archaeological materials recovered from the Arch project and other related improvement projects, where appropriate and consistent with applicable laws, curation standards, and consultation outcomes. The display could be located within a climate-controlled public or interpretive space in the base of the Arch and would present recovered materials in a manner that explains their historical context, research value, and relationship to the development of Columbia Island, Lady Bird Johnson Park, Memorial Circle, and the Potomac River landscape. Sensitive materials, including human remains, funerary objects, sacred objects, or culturally sensitive items, would not be displayed unless expressly appropriate and consistent with applicable consultation and legal requirements.
7. **Develop an exhibit on archaeological investigations, made land, and landfilling** - Develop an exhibit explaining the archaeological investigation process, the importance of made land surfaces, and the engineering history of landfilling in the development of Lady Bird Johnson Park and Washington, D.C. The exhibit would describe how archaeologists identify buried landforms, former shorelines, fill episodes, historic deposits, and other subsurface evidence of landscape change. It would also explain the broader role of land reclamation, dredging, filling, and shoreline modification in the growth of the capital city and the creation of parkland along the Potomac River.
8. **Install QR-code interpretation on maritime activity along the Potomac River** – Develop discreet signage with a QR code linking to information about maritime activity

along the Potomac River, particularly in relation to Washington, D.C., Arlington, Columbia Island, and the development of the river corridor. The digital content could address navigation, commerce, military activity, ferry crossings, bridges, shoreline change, dredging, landfilling, stormwater management and related water quality, and the transformation of the Potomac from a working river landscape into a monumental, recreational, and ceremonial setting.

9. **Install interpretation on Native peoples and the Potomac River** - Develop interpretive signage, digital content, or both, addressing Native peoples with ancestral connections to the Potomac River and surrounding landscape. The interpretation would explain the importance of the river for travel, trade, subsistence, settlement, and cultural life before and during early colonial contact. This content would be developed in consultation with affiliated Tribes to ensure that the interpretation is accurate, respectful, and appropriate, and that it reflects Tribal perspectives where Tribes wish to provide them.
10. **Install signage and QR-code interpretation on affected scenic viewsheds and vistas** - Develop a coordinated set of interpretive signs and QR-code-linked digital materials explaining the scenic viewsheds and vistas affected by the proposed project. The interpretation would identify key views, explain their original design intent and historic significance, and describe how the Arch fits within the continued evolution of Washington, D.C.'s memorial landscape and public commemoration. The signs would be limited in number, carefully sited, and designed to avoid adding visual clutter to sensitive historic views.
11. **Lincoln Memorial viewshed:** Interpretation would explain the view from the Lincoln Memorial toward Arlington Memorial Bridge, Memorial Avenue, Arlington National Cemetery, and Arlington House, including the symbolic association of this cross-Potomac axis with national unity, reconciliation, and remembrance.
12. **Arlington National Cemetery viewshed:** Interpretation would describe views from cemetery approaches, Memorial Avenue, Arlington House, and other appropriate vantage points toward the Lincoln Memorial and the monumental core, emphasizing the ceremonial and commemorative role of the corridor.

13. **Lady Bird Johnson Park:** Interpretation would explain the creation, design, naming, and evolution of Lady Bird Johnson Park, including its relationship to Columbia Island, Memorial Circle, Arlington Memorial Bridge, the George Washington Memorial Parkway, and the Potomac River landscape.
14. **Mount Vernon Trail / regional trail connections:** Interpretation would explain relevant trail connections, pedestrian routes, and recreational corridors within the broader commemorative landscape, including their relationship to the Potomac River, park development, and public access.
15. **Digital map stories and QR-code content:** QR codes could link to map-based stories showing the development of each location over time, including historic plans, photographs, aerial imagery, design drawings, National Register documentation, and changes in views, circulation, landform, vegetation, and commemorative use.

IV. MONITORING AND REPORTING

Each year, until the MOA expires or is terminated, the NPS shall provide the Signatories with a summary report detailing work undertaken pursuant to its terms, or a statement of “no activity”. The report will be issued annually on or before July 31st. The report will summarize the efforts carried out during the prior year, updates on current Section 106 consultation processes, and any projects planned for the coming year. The NPS shall convene a meeting to discuss the information contained in the annual report as required, or when requested by a Signatory.

V. POST-REVIEW DISCOVERIES

- A. If newly identified historic properties, sites and/or features are discovered during construction or unanticipated effects on known historic properties are identified, the NPS will comply with 36 C.F.R. § 800.13. The NPS will consult with DC HPO, VA SHPO, and, if applicable, Native American Tribes that may attach religious and/or cultural significance to the affected property, and will develop and implement avoidance, minimization, or mitigation measures with the concurrence of DC HPO, VA SHPO, and if applicable, Native American Tribes.
 1. The NPS will inform the Signatories of the discovery within forty-eight (48) hours and, together with the Signatories, will determine the projected path forward to comply with Section 106 within fourteen (14) calendar days.
 2. The Signatories will review the plan documents and provide written comments to the NPS within seven (7) calendar days.

3. The NPS will consider the written comments to the fullest reasonable extent. Should the NPS object to any comments made by the Signatories, NPS will provide a written explanation of their objection and will consult with the Signatories to resolve the objection. If no agreement is reached following receipt of a written explanation, the NPS will request the Advisory Council on Historic Preservation (ACHP) to review the dispute in accordance with Stipulation VIII.
4. If no Signatory provides written comments within the agreed upon time, NPS will assume they have no comments regarding the discovery and may then proceed with the submitted plan.

Nothing in this section shall be interpreted to require NPS to cease construction activities during the pendency of compliance with 36 C.F.R. § 800.13.

- B. *Treatment of Human Remains*. In the event that human remains, burials, or funerary objects are discovered during implementation of the Undertaking or any action taken pursuant to this MOA, NPS will immediately notify DC HPO and the District Chief Medical Examiner or the VA SHPO and the Virginia Office of the Chief Examiner, as appropriate (in either case, the “CME”).
1. If the CME determines that the human remains are not subject to a criminal investigation by Federal or local authorities, NPS will comply with the applicable Federal or local laws and regulations governing the discovery and disposition of human remains, and will 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, the appropriate Native American Tribes, the VA SHPO, and the DC HPO will be consulted to determine a treatment plan for the avoidance, recovery, or reburial of the remains.
 3. The NPS will ensure compliance with applicable laws in accordance with provisions of NAGPRA, as amended (Public Law 101-601, 25 USC § 3001 *et seq.*) and regulations of the Secretary of the Interior at 43 CFR § 10.

VI. CONFIDENTIALITY

- A. If disclosure of locational information could result in the disturbance of a cultural resource, all Signatories to this MOA will ensure shared data, including data concerning the precise location and nature of historic properties, archeological sites, and properties of religious and cultural significance, are protected from public disclosure to the greatest extent permitted by law, in accordance with 36 C.F.R. § 800.11(c), Section 304 of the NHPA, Section 9 of the Archeological Resource Protection Act (ARPA) of 1979, and Executive Order on Sacred Sites 13007 CFR § 61-104 dated May 24, 1996.
- B. All parties will follow NPS standard policies, Director’s Orders #28 and 28A and the NPS management policies. In accordance with ARPA, the Superintendent of each park is

the arbiter for what information can and cannot be released publicly.

- C. Consulting Parties and members of the public are not entitled to receive information protected from public disclosure.

VII. DURATION

This MOA will expire if its terms are not carried out within ten (10) years from the date of its execution. Twelve (12) months prior to expiration, the NPS may consult with the Signatories to reconsider the terms of this MOA and amend it in accordance with Stipulation X below.

VIII. DISPUTE RESOLUTION

- A. Should any Signatory or Consulting Party to this MOA object at any time to any actions proposed or the manner in which the terms of the MOA are implemented, NPS will consult with such Signatory to resolve the objection. If NPS determines such objection cannot be resolved within a reasonable time period, NPS will:
 - 1. Forward all documentation relevant to the dispute, including NPS's proposed resolution, to the ACHP with a copy to the Consulting Parties to this MOA and request that ACHP provide NPS with its comments on the resolution of the objection within thirty (30) calendar days of receiving the documentation.
 - 2. If the ACHP does not provide comment regarding the dispute within the thirty (30) calendar-day time period, NPS will make a final decision on the dispute and proceed accordingly.
 - 3. The NPS will document this decision in a written response to the objection that takes into account any timely comments regarding the dispute from the Signatories and Consulting Parties and provide the ACHP and all parties with a copy of such written response.
 - 4. The Signatories remain responsible for carrying out all other actions subject to the terms of the MOA that are not the subject of the dispute.
- B. Nothing in this section shall be interpreted to require NPS to cease construction activities during the pendency of dispute resolution procedures.

IX. ADOPTABILITY

In the event that a Federal agency other than NPS provides financial assistance, permits, licenses, or approvals for the Plan, such Federal agency may become a Signatory to this MOA as a means of satisfying its Section 106 compliance responsibilities. To become a Signatory to this MOA, the agency official must provide written notice to the Signatories that the agency agrees to the terms of the MOA, specifying the extent of the agency's intent to participate in the MOA, and identifying the lead Federal agency for the Undertaking. The

participation of the agency is subject to approval by the Signatories, who must respond to the written notice within thirty (30) calendar days, or the approval will be considered implicit. Any other modifications to the MOA will be considered in accordance with Stipulation X.

X. AMENDMENTS TO THE MOA

Any Signatory to this MOA may request that it be amended. The Signatories will consult for no more than thirty (30) calendar days (or another time period agreed upon by all Signatories) to consider such amendment. The amendment will be effective on the date a copy, signed by all the Signatories, is filed with the ACHP.

XI. NON-COMPLIANCE, TERMINATION, AND WITHDRAWAL

- A. If any Signatory to this MOA determines that the terms of the MOA will not or cannot be carried out, that Signatory will immediately notify the other Signatories in writing and consult with them to seek resolution or amendment pursuant to Stipulations VIII or X of the MOA. If within sixty (60) days a resolution or amendment cannot be reached, any Signatory may terminate their participation in the MOA upon written notification to the other Signatories. Once the MOA is terminated, NPS must either (a) execute a new MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. NPS will notify the Signatories as to the course of action it will pursue.
- B. Nothing in this section shall be interpreted to require NPS to cease construction activities after termination of the MOA pursuant to this section.

XII. SIGNATURES AND EFFECTIVE DATE

This MOA may be executed in counterparts, with a separate page for each signatory. This MOA will become effective immediately upon execution by all Signatories. The NPS will ensure that each signatory party is provided with a copy of the fully executed MOA. Execution and implementation of this MOA evidences that NPS has considered the effects of this Undertaking on historic properties and satisfied its responsibilities under Section 106 of the NHPA and its implementing regulations.

SIGNATURES AND EXHIBITS FOLLOW ON SEPARATE PAGE

**MEMORANDUM OF AGREEMENT
AMONG
THE NATIONAL PARK SERVICE,
THE NATIONAL CAPITAL PLANNING COMMISSION,
DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE,
VIRGINIA STATE HISTORIC PRESERVATION OFFICE, AND THE ADVISORY
COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE TRIUMPHALARCH PROJECT**

NATIONAL PARK SERVICE

Jennifer Madello
Superintendent
George Washington Memorial Parkway

Date

**MEMORANDUM OF AGREEMENT
AMONG
THE NATIONAL PARK SERVICE,
THE NATIONAL CAPITAL PLANNING COMMISSION,
DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE,
VIRGINIA STATE HISTORIC PRESERVATION OFFICE, AND THE ADVISORY
COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE TRIUMPHAL ARCH PROJECT**

DISTRICT OF COLUMBIA HISTORIC PRESERVATION OFFICE

David Maloney
DC Historic Preservation Officer

Date

**MEMORANDUM OF AGREEMENT
AMONG
THE NATIONAL PARK SERVICE,
THE NATIONAL CAPITAL PLANNING COMMISSION,
DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE,
VIRGINIA STATE HISTORIC PRESERVATION OFFICE, AND THE ADVISORY
COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE TRIUMPHAL ARCH PROJECT**

VIRGINIA STATE HISTORIC PRESERVATION OFFICE

VA Historic Preservation Officer

Date

**MEMORANDUM OF AGREEMENT
AMONG
THE NATIONAL PARK SERVICE,
THE NATIONAL CAPITAL PLANNING COMMISSION,
DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE,
VIRGINIA STATE HISTORIC PRESERVATION OFFICE, AND THE ADVISORY
COUNCIL ON HISTORIC PRESERVATION
REGARDING
THE TRIUMPHAL ARCH PROJECT**

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Executive Director

Date