



Capitol Area Architectural and Planning Board

Capitol Area Architectural and Planning Board
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USS Ward Gun Commemorative Artwork Review Committee (CARC) Meeting

Thursday, May 22, 2025, 3:00 p.m. – 4:30 p.m.

DRAFT Minutes

Committee Members

Present: Rep. Isaac Schultz, Joseph Favour, Kari Suchy, Lindsey Rulon Miller, Tom Braun, Paul Mandell, Roger Brown, Dan Tengwall, Greg Donofrio, Chad Roberts, Erik Cedarleaf Dahl and Tina Chimuzu.

Not Present: Dr Kate Beane

Quorum present? Yes.

Proceedings

Meeting Kick-Off

- Ms. Tina Chimuzu calls the meeting to order at 3:05 p.m.
- Overview of Agenda
- Introductions

Item 1. Commemorative Artwork Review Committee Purpose

CAAPB Planner Fellow, Tina Chimuzu provided a brief background of CAAPB's Commemorative Works Rules, mentioning that in November 2022, the Board introduced new rules for regulating commemorative works on the State Capitol Grounds, including rules for addition, removal and modification of commemorative works. Ms. Chimuzu stated that the rules also offer multiple opportunities for public input and independent expert review before undergoing Board decision.

Ms. Chimuzu further conveyed that the USS Ward Gun is the first application to undergo the commemorative works rule process, and per the rules, the Commemorative Artwork Review Committee (CARC) was instituted by the Board to

- Review the request for removal, the applicant's proposed plan for removal, and restoration plans of the removal site by the Department of Administration.
- And then vote and make a written recommendation to the CAAPB on whether the Board should grant or deny the removal request based on the criteria in Minnesota Rules 2400.2703, Subpart 9.

Additionally, the rules also required for CAAPB's Executive Secretary to prepare a commemorative work Background Report for the CARC prior to the committee meeting.

Item 2. USS Ward Gun Background Report

Ms. Chimuzu presented a brief overview of the CARC Background Report on the USS Ward Gun, focusing on the following topics:

- **MANDATE FOR THE BACKGROUND REPORT**

The preparation of the report was guided by Minnesota Rules 2400.2703, Subpart 7, Item H, which required for it to include

1. a written description and images of the artwork that is the subject of the removal request
2. the origin, derivation, history, and past ownership of the artwork;
3. a summary of the proposed removal request and the applicant's stated reasons therefore;
4. an analysis of the proposal's potential impact on the Capitol's commemorative artwork collection;
5. a recitation of the criteria for removal in subpart 9
6. a memorandum from the Department of Administration
7. a memorandum from the Minnesota Historical Society

- **USS WARD GUN'S DESCRIPTION AND HISTORY**

- The Gun is a World War II memorial that sits on the south edge of the lower Capitol Mall, west of the Veterans Service Building near 25 12th Street West.
- It fired on and sank an enemy vessel in the very early morning of December 7, 1941.
- The Ward crew was comprised of Naval Reservists from Minnesota.
- After the war, the United States Navy agreed to loan the gun to the Minnesota Department of Veterans Affairs with the assurance that the state properly maintain it.
- The gun was installed on the State Capitol grounds in 1958 along John Ireland Boulevard and moved to its current location in December 1991.
- The gun is owned by the United States Navy.

- **A SUMMARY OF THE REMOVAL REQUEST**

- On August 19, 2024, CAAPB received an application from Randal Dietrich, Executive Director of the Minnesota Military & Veterans Museum, for removal of the USS Ward Gun from the Capitol Mall.
- CAAPB was processing the request per M.R.2400.2703 Subparts 6, 7 and 9.
- CAAPB staff reviewed the application and determined that the application met the condition in Minnesota Rules 2400.2703, Subpart 6, Item C, saying that
 "the artwork has faults in construction or requires maintenance such that the Department of Administration is unable to properly care for or store the artwork;"
- On March 24, 2025, the Board voted to affirm that the application meets the condition in Subpart 6.
- SUMMARY OF PUBLIC COMMENTS
 - The Board opened a 35- day public comment period from March 31st – May 5, ahead of the CARC meeting, to gather input on the application, and 39 out of the 40 comments were in support of the proposal to relocate the USS Ward Gun to the Minnesota Military and Veterans Museum.
- POTENTIAL IMPACT ON OTHER COMMEMORATIVE ARTWORKS
 In terms of the potential impact of the proposal to remove the USS Ward Gun on the Capitol's Commemorative Artwork Collection, the CAAPB staff made the following observations
 - The USS Ward Gun represents Minnesota's unique involvement in the Second World War, and it is the only memorial on the State Capitol Mall that also doubles as an artifact. Should the USS Ward Gun be relocated to the MMVM, its history and materiality cannot be replicated on the Capitol Mall.
 - The positioning of the USS Ward Gun on the State Capitol Grounds provides convenient access to the traffic that comes through the Capitol, though the location may be limited in visibility and has associated parking costs. Therefore, relocating the USS Ward Gun to Camp Ripley may be out of the way for some.
 - Though the USS Ward Gun makes an important contribution towards Minnesota's Veteran and War memorials on the Capitol Mall, it is independent in its layout, appearance and interpretation. Therefore, its removal would not impact the layout, appearance and interpretation of other war memorials on the Capitol Mall.
 - The lack of dedicated funds for the Department of Administration to continue maintaining and restoring the USS Ward Gun pose a degradation risk for the gun, given its continued exposure to weather and outdoor elements.
 - Meeting participants were directed to the report for the detailed considerations.
- The report also included a recitation of the commemorative artwork removal criteria in Minnesota Rules 2400.2703., Subpart 9, which were to serve as a guide for the Board and the CARC in evaluating the USS Ward Gun application.

Minnesota Historical Society Memo

A summary of the MNHS memo included in the CARC Background Report was presented by Capitol & MNHS Sites Art Program Specialist, Ms. Lindsey Rulon Miller, covering the following areas

- OVERVIEW

Ms. Rulon Miller went over a brief historical background of the USS Ward Gun, also mentioning the Minnesota rules 2400.2703 requirement for MNHS to produce a memo concerning the application. The presentation highlighted some of the information in the memo, which was divided in 3 parts: historic context, conservation and archaeology.

- STATUTORY RESPONSIBILITIES

Ms. Rulon Miller reviewed MNHS' Statutory responsibilities as related to the Capitol Mall, quoting

Minnesota Statutes 15B.34.,

- (1) jointly, with the commissioner of administration and the Minnesota Historical Society, establish standards and policies for the repair, furnishing, appearance, and cleanliness of and change to the public and ceremonial areas of the Capitol building;*
- (2) review and approve plans and specifications and any changes to approved plans and specifications involving the alteration of the public and ceremonial areas and the exterior of the Capitol building;*
- (3) jointly, with the Minnesota Historical Society, review and approve the design, structural composition, and location of all monuments, memorials, or works of art presently located in the public and ceremonial areas of the State Capitol, or that will be placed in the public or ceremonial areas, according to section 138.68; and*
- (4) assist the State Capitol Preservation Commission with performance of its duties as needed.*

Minnesota Statute 138.68

SUPERVISION OF PRESERVATION.

The works of art in the public and ceremonial areas of the State Capitol are declared to possess historical value for the people of Minnesota. The Minnesota State Historical Society and the Capitol Area Architectural and Planning Board shall approve the design, structural composition, and location of all monuments, memorials or works of art presently located in the public and ceremonial areas of the State Capitol or which shall be placed in such public or ceremonial areas after June 4, 1971. No monument, memorial or work of art shall be relocated or removed from, or placed in such areas or altered or repaired in any way without the approval of the Minnesota State Historical Society. The Minnesota State Historical Society shall have final authority over the disposition of any monuments, memorials or works of art removed from the State Capitol or the Capitol grounds.

CARC Member Paul Mandell posed a question wondering if the USS Ward Gun would still belong the Navy if the Board voted to remove the USS Ward Gun? considering that MNHS would be responsible for its disposition. Ms. Rulon Miller responded to say all responsible parties for the USS Ward Gun were corresponding on the issue, though the details of the loan agreement would not be addressed in the presentation at that point.

- HISTORICAL CONTEXT

Ms. Rulon Miller delved deeper into the USS Ward Gun's historical context, mentioning that

- Lt. William Outerbridge was Captain of the Ward on December 7, 1941, when the Ward Gun took that first shot, and that the First Naval Shots had the goal of building an awareness of the artifact's historic significance.
- In 2002 a mini submarine that fit the description of the damage reported by the USS Ward crew was identified 1,200 below sea level outside of the harbor.
- The first Naval shots held commemoration events every year at the Capitol. The last member of the First Naval Vets passed in 2020, probably with surviving family members. But we don't know if there are any formal commemoration events still being held at the site.

- CONSERVATION

Ms. Rulon Miller stated that the USS Ward Gun Commemorative Monument includes the gun, the metal plaques on the gun and the stone monument historic plaque and that

- MNHS has kept record of correspondence between all the parties involved in its preservation including Dept of Veterans Affairs, NHHC, MNHS and the First Shot Naval Vets (FSNV). The loan agreement placed responsibility for preservation with the MDVA and later with the FSNV and then CAAPB under Dept of Administration.
- As far as conservation is concerned, the Ward Gun was in a sad state and had received layers of paint over the years which was not ideal for the Gun. If the gun were to be conserved in its current location, then the paint would need to be removed and treated with Lubrication of Ordnance Equipment and Painting of Naval Ordnance Equipment, as recommended by Naval Ordnance Systems.

- CULTURAL RESOURCES ASSESSMENT.

Ms. Rulon Miller further mentioned that MNHS looked at the cultural resources assessment in two parts, both above and below ground.

For above ground the memo addressed the various districts, historic sites and National Registry associated with the USS Ward Gun and established the following

- The USS Ward Gun is located close to the boundaries of several overlapping historic designations.
- The State Capitol building is a state historic site, and it is also individually listed on the National Register of Historic places.
- The district is eligible for listing in the National Register of Historic Places, and the process for listing is currently underway.
- The draft Cultural Landscape Report from the Minnesota State Capitol of all historic district was completed in May 2024.

For below ground or Archaeology of Resources Assessment

- In 2022 an archaeological assessment was completed for the State Capitol Complex, Cultural Resources Literature Review and Archaeological Assessment for the Minnesota State Capitol Area Planning and Context Development Project by 106 Group.

Ms. Rulon Miller further relayed that the overall impact on the cultural landscape must be considered taking into account that the USS Ward Gun is a contributing resource to the cultural landscape and the Cultural Landscape Report recommendation that extent resources be retained. While there were sure to be modifications to memorials and commemorative spaces in the future, a comprehensive plan to guide this process has not yet been developed.

On a final note, Ms. Rulon Miller stated that the MNHS memo recommended that the National Register historian at the SHPO should be determined whether the removal of the USS War gun will adversely impact the integrity of the National Register of Historic Places listed historic documents.

Department of Administration Memo

Department of Administration Facilities Management Director, Kari Suchy, provided a brief overview from the Department of Administration report on the USS Ward Gun stating that per the memo submitted to the CAAPB on January 27, 2025, the Department did not have any concerns with the application, they supported the application for removal since the removal would slow the degradation of the memorial.

Ms. Suchy further said that once the artifact is removed, the Department of Administration would remove the concrete base and plant the area with grass, which would all result in a onetime cost of \$2600. She also mentioned that there have not been any events on the Capitol Grounds around the memorial for several years.

Item 3. Remarks from Applicant and removal sponsor

Minnesota Military and Veterans Museum's (MMVM) Executive Director and Applicant Randal Dietrich thanked the Board for the opportunity to address the group. He stated that he could not be in person as he was in Boston supporting some Minnesota Navy Veterans

Mr. Dietrich relayed that the museum had been working in close coordination with the Navy History and Heritage Command (NHHHC), in particular Admiral Cox and Dan Berra, with whom they had met and presented their plans 18 months prior. Additionally, the Museum engaged Paul Storch, a conservator, to assess the current condition of the Ward Gun, and that the application had the support and advocacy of the Minnesota Navy League and Minnesota Department of Veterans Affairs (MDVA). He also confirmed that works for construction of the MMVM were underway and would be completed by 2026.

Mr. Dietrich also shared about a parallel project that the Museum is working on, the restoration of the conning tower or the sale of the USS Minneapolis Saint Paul submarine which was achieved through close coordination with the Governor's office. The conning tower was successfully lobbied for and restored and will be on display at the Museum by 2025 summer, honoring submariners. Mr. Dietrich explained that having handled the restoration of the conning tower and submarine rudder, the museum team was confident that it was up to task and were already anticipating the challenges that would come with restoring the USS Ward Gun.

Mr. Dietrich further acknowledged that Ward Gun is still under the ownership of the Navy, and that the Museum under the advice of the NHHHC had submitted an application for a new loan agreement to be created between the NHHHC and MMVM, essentially replacing the existing one between NHHHC and

MDVA should the application for removal move forward. He further said the application had since been granted and it was supported due to MMVM's proposal to move the Ward Gun indoors and provide year-round interpretation, something which NHHC has been insistent on and expecting the Museum to see through.

Mr. Dietrich emphasized that the intent of the application was not only to remove the USS Ward Gun from the Capitol Grounds, but to restore and relocate the gun to improve it and save it, ensuring that it stays in the State of Minnesota.

In closing, he said that ideally it would be great if the Ward Gun could be relocated indoors to the new Museum Facility by the time it opens in Summer 2026 considering the artifact's continued exposure to weather elements, however he said the Museum was flexible and understanding of the CAAPB process.

Item 4. Remarks from original sponsor and owner

There were no representatives from the Navy History and Heritage Command Present. However, Ms. Tina Chimuzu relayed that NHHC were aware of the CARC meeting and that CAAPB staff had engaged them to enquire if the removal of the USS Ward Gun would be considered an undertaking requiring a Section 106 review per the National Historic Preservation Act, as amended. Ms. Chimuzu referred to the response from Assistant Counsel Nikki Greenberg from the NHHC which was attached in the CARC report, stating that they did not consider the removal to be an undertaking

Item 5. Public Hearing

There were no comments submitted during the public hearing

Item 6. Committee Discussion

CARC Member Greg Donofrio - wondered how the removal of the USS Ward Gun could not be considered as an undertaking, taking into account that the gun is a historic property and an object requiring the Navy's approval. Dr Donofrio continued to say that in as much as he supported the application for removal, he believed this was an undertaking requiring a Section 106 review process.

In response, CAAPB's Executive Secretary Erik Cedarleaf Dahl reiterated that CAAPB staff had reached out to NHHC, and Assistant Counsel Nikki Greenberg wrote back to say that the Navy does not consider the relocation of the USS Ward Gun to be an undertaking, falling under Section 106 requirements of National Historic Preservation Act. The Counsel further stated that the loan artifact in question does not fall within the meaning of historic property as defined in 36 CFR 800.16 I, nor the loan and undertaking as defined in Federal Regulations 36816.

Additionally, Mr. Cedarleaf Dahl mentioned that the CAAPB staff could check back with the Navy Counsel and will continue working with them on the issue. Mr. Cedarleaf Dahl also confirmed that Member Donofrio's comment on the matter will be added to the record for the Board's awareness. However, he proposed that the meeting move forward as planned, whilst the Board staff work on following up with the Navy on the issue, though he was unsure if it would be possible for the Navy to reverse their position.

CARC Member Chad Roberts – questioned if the owner of a historic property determines if the object is an undertaking or if this would be determined by a Federal Agency or the State Historic Preservation Office (SHPO). He further wondered if the determination process is different for Federal Agencies compared to individuals

Executive Secretary Cedarleaf Dahl responded to say that the Navy would determine if the removal were an undertaking since they own the gun.

Mr. Roberts added that he supported the removal of the Ward Gun but did not agree that it was not an undertaking

CARC Member Paul Mandell - echoed Executive Secretary Cedarleaf Dahl's point to say that the Committee would have to decide on the removal regardless of whether the application was considered an undertaking or not, and that the determination would be up to the SHPO or the Navy.

CARC Member Greg Donofrio - raised an additional question on the removal criteria in M.R.2400.2703., Subpart 9, wondering if the committee would have to find a no effect determination to every one of them as he was also still considering the impact of the removal on the National Register Eligible district.

Mr. Cedarleaf Dahl responded to say that unfortunately CAAPB does not yet have a response on SHPO's position on the issue.

CARC Member Chad Roberts – reviewed the rules regarding other historic properties to check if there would be an adverse impact and he leaned towards the idea that though there could be an adverse impact, the application could still be approved or changed, however the impact would need to be identified. He was however unclear about MNHS capacity to identify the impact or if it's a different role for the Committee.

Mr. Roberts further said he didn't have any concerns that the application could cause an actual problem, and he thought the committee shouldn't be caught up on the idea of adverse impacts.

Mr. Cedarleaf Dahl said there is no different rule for the group, CAAPB staff just wanted to make sure that they provided complete information, letting the committee know that the issue was not figured out prior to the meeting. He however suggested to keep the process moving forward and bring the issue to the Board together with a recommendation from the CARC.

MNHS Dave Kelliher – referred to Subpart 9, Item E, on the criteria covering MMVM's capacity to house the artifact, noting that it is positive that there is exhibition space at the MMVM, and that the ability for the MMVM to conserve and exhibit the artifact mitigates the Dept of Administration lack of funding for conservation.

Mr. Cedarleaf Dahl clarified to say that though the commemorative works rules request for the Committee to consider and apply the criteria when analyzing the application, any criteria not met should not hold back the recommendation.

CARC Member Paul Mandell - observed that the language in the criteria does not require for the application to meet all the criteria, and having worked on the project he advised that it would be better if the object went indoors and avoid more paint work. He also remembered that every December 7th

when there were still survivors they would go and have a ceremony inside and be able to look at the gun but that does not happen anymore, and so the removal doesn't directly impact any one person.

CARC Member Greg Donofrio – asked if there was a specific reason why the Cultural Landscape Report was still in draft status. To which Executive Secretary Cedarleaf Dahl responded to say that it was approved by the Board and was final, but yet to be uploaded to the website. Also confirming that SHPO reviewed it as a partner, as did the Department of Administration.

CARC Member Representative Schultz - spoke in support of the application, stating that it was a win-win-win proposal for the Capitol Mall, for the families and the community of individuals tied to the historic day. He thought that the committee should continue to support the request through the process and appreciated Mr. Dietrich for taking the effort to help move the application through the process.

Executive Director Randal Dietrich – said while working for MNHS he had attended a lot of the December 7 events, but unfortunately many of the leaders have since passed. He also noted during the pandemic when there were no in person meetings, the Museum had been working with MDVA to host the annual virtual remembrance of the December 7th event which allowed for statewide participation, and the annual commemoration has since continued in conjunction with the MDVA.

Item 7. Committee Action

CAAPB Executive Secretary Erik Dahl communicated that staff had put together a draft recommendation on the USS Ward Gun to the Board on behalf of the committee, which was open to discussion and amendments, and that he would conduct a roll call for the member to vote.

Ms. Tina Chimuzu read out the suggested CARC Recommendation as follows;

“To this end, the Commemorative Artwork Review Committee, convened by the Executive Secretary of the CAAPB, suggests the Board consider taking action on the following statement;

"The Capitol Area Architectural and Planning Board, having previously accepted the recommendation of CAAPB staff that the condition in M.R.2400.2703, Subpart 6., Item C., for removal of the commemorative work are met, now further accepts the recommendation by the Commemorative Artwork Review Committee (CARC), formed for the USS Ward Number Three Gun, that the proposal outlined in the application from Executive Director Randal Dietrich to remove the USS Ward Gun from the State Capitol Mall to the Minnesota Military and Veterans Museum in Camp Ripley, meets necessary criteria in M.R.2400.2703., Subpart 9.

To that end, the CARC further recommends, as proposed in the application and further stipulation in the CAAPB staff report dated May 22, 2025.

- removal of the work from its location in the Lower Mall of the Minnesota State Capitol Mall in the Capitol Area of Minnesota;
- transfer of the gun to prominent interior placement in the new Minnesota Military and Veterans Museum in Camp Ripley, Minnesota;
- removal of the stone sign with the engraved names of the Minnesota soldiers associated with the USS Ward (DD139) and the historic use of the gun at the very beginning of WWII, with

disposition of the sign to be determined by the Minnesota Historical Society, (as required by Statute 15B);

- demolition of the concrete bases of the stone sign and the gun and restoration of the site as outlined in the report from the Department of Administration report dated January 27, 2025."

Executive Secretary Cedarleaf Dahl added that ultimately the Minnesota Historical Society would determine the disposition of the Gun, but the committee and Board should recommend where they think it should go. So, the suggested recommendation was for the CARC to vote on the removal and recommend on where the USS Ward Gun should go, though the recommendation could be amended as suggested by the Committee.

CARC Member Paul Mandell – asked if the Historical Society Board or another body within MNHS decide on the Ward Gun's disposition, should the CAAPB act on the application

MNHS' David Kelliher responded to say that he did not think this would be a Board Action on the part of the Historical Society.

Representative Schultz – motioned to adopt the recommendation as presented. CARC Member Paul Mandell seconded and after a roll call conducted by Executive Secretary Erik Cedarleaf Dahl all members present unanimously voted to approve the recommendation.

Executive Secretary Cedarleaf Dahl announced that the recommendation would be presented before the CAAP Board, tentatively at the meeting on June 3rd, 2025.

Next Steps after CARC Meeting

Ms. Chimuzu then communicated that after the CARC Meeting;

- The CAAPB Executive Secretary would prepare a report for the Board and post to the CAAPB website which will include:
 - The CARC's recommendation to the Board
 - a summary of the public comments received at the CARC public meeting and hearing, and any additional information obtained during the application review process;
 - opinions gathered from committee experts or other independent professionals,
 - a detailed budget for all aspects of the modification or removal request, and the applicant's stated options for funding the request.
- After reviewing the report from the Executive Secretary, the Board will determine if an additional 30-day public comment period or public hearing to gather additional input.
- If the Board determines that no additional comment period or hearing is needed, the board shall proceed to reach a decision by holding a public meeting at which the board shall vote to grant or deny the request for removal.
- If the Board grants the request for removal, the applicant must deposit funds with the Department of Administration.
- If the Board grants the request the removal will proceed in accordance with the proposed disposition plan. The Minnesota Historical Society will determine the final disposition of the artwork.

Adjourn

Meeting adjourned at 4:10 p.m.