APPENDIX E

NATIONAL HISTORIC PRESERVATION ACT CONSULTATION CORRESPONDENCE

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

June 5, 2026

Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Subject: Notification of Adverse Effect Determination and Invitation to Participate in Section 106 Consultation for the Triumphal Arch Project, George Washington Memorial Parkway, Washington, DC

Dear Executive Director:

Pursuant to Section 106 of the National Historic Preservation Act, as amended (54 U.S.C. § 306108), and its implementing regulations at 36 C.F.R. Part 800, the National Park Service (NPS) is notifying the Advisory Council on Historic Preservation (ACHP) that the NPS has determined that the proposed Triumphal Arch Project in George Washington Memorial Parkway, Washington, DC, would result effects meeting the criteria of 36 CFR § 800.5(a)(1). The NPS also invites the ACHP to participate in consultation regarding this undertaking pursuant to 36 C.F.R. § 800.6(a)(1).

The NPS is the lead federal agency for the undertaking. The proposed action involves construction of a new Triumphal Arch within Memorial Circle, together with associated plaza and landscape improvements, utility and stormwater infrastructure, traffic and pedestrian circulation modifications, security features, lighting, and temporary staging and laydown areas required for construction. The site is located within a ceremonial, commemorative, and transportation setting associated with Arlington Memorial Bridge, the Memorial Avenue Corridor, Lady Bird Johnson Park, Arlington National Cemetery, Arlington House, and the broader monumental core of Washington, DC.

The proposed Arch would be a reinforced concrete structure clad in granite and ornamented with statuary and sculptural elements. The principal architectural mass would rise approximately 166 feet above finish grade, with surmounting statuary extending the total height to approximately 250 feet. The undertaking would include site development within and immediately around Memorial Circle, including a paved plaza, security barriers and bollards, exterior and interior lighting, surveillance and access-control systems, security screening facilities, utility extensions,

stormwater management features, and both temporary and permanent changes to traffic and pedestrian circulation.

The NPS has identified an Area of Potential Effects (APE) for the undertaking that includes areas subject to direct and indirect effects, including physical alteration, visual effects, circulation and access changes, and contextual effects. Historic properties within the APE include, among others, the Memorial Avenue Corridor Cultural Landscape, Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and associated historic districts, cultural landscapes, and contributing features. The NPS has also completed a Phase IA Archaeological Assessment, which concluded that the direct-effects APE has moderate to high archaeological sensitivity for intact precolonial and historic archaeological resources beneath twentieth-century fill and that additional archaeological investigation may be warranted depending on the final depth and extent of disturbance.

The NPS has determined that the undertaking would introduce a new permanent structure and associated physical, visual, and contextual changes into Memorial Circle and the surrounding historic setting. The NPS has concluded that the undertaking would alter characteristics of historic properties that qualify them for inclusion in the National Register of Historic Places in a manner that could impact their integrity of setting, design, feeling, and association. Accordingly, the NPS has found that the undertaking would have effects meeting the criteria of 36 CFR § 800.5(a)(1).

Due to the undertaking's phased nature, the NPS had developed a draft Programmatic Agreement (PA) to govern the resolution of adverse effects associated with the undertaking. The NPS believes that a PA is appropriate because aspects of the undertaking, including final design details, construction methods, utility alignments, stormwater features, traffic and pedestrian modifications, and treatment measures for affected historic properties, will continue to be refined as the project advances.

The NPS initiated consultation with the District of Columbia Historic Preservation Office and Virginia Department of Historic Resources on June 5, 2026, and is continuing consultation to refine the Area of Potential Effects, identify and assess effects on historic properties, and develop measures to avoid, minimize, and mitigate adverse effects.

Given the importance of the historic setting, the presence of multiple nationally significant historic properties, and the nature of the effects, the NPS respectfully requests that the ACHP advise whether it wishes to participate in consultation for this undertaking. If the ACHP elects to participate, the NPS would welcome its involvement as consultation proceeds.

For your review, and in partial fulfilment of 36 CFR § 800.11(e), the NPS is enclosing the:

- Assessment of Effects
- Draft Programmatic Agreement
- Phase IA Archaeological Assessment

The NPS will work with the DC HPO, VA SHPO, and other consulting parties through the Section 106 consultation process. The NPS also invites the ACHP to participate in a virtual consulting party meeting on June 15, 2026, from 1:00 p.m. to 3:00 p.m. Eastern Time. Meeting information will be transmitted separately.

Please let us know by June 15, 2026, whether the ACHP intends to participate in consultation. The NPS shall provide all documentation identified in 36 CFR § 800.11(e) as consultation continues. If you have any questions or need additional information, please contact Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Sincerely,

Jennifer T. Nersesian
Regional Director, National Capital Region
National Park Service

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

June 5, 2026

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

Re: Initiation of Consultation under Section 106 of the National Historic Preservation Act for the Proposed Triumphal Arch at Memorial Circle, Washington, DC, and Request to Consolidate Consultation Pursuant to 36 CFR § 800.3(g)

Dear Mr. Maloney:

The National Park Service (NPS) is initiating consultation with the District of Columbia Historic Preservation Officer (DC HPO) pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800, regarding a proposed undertaking involving construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. The NPS is the lead federal agency for this undertaking and has determined that the proposed action is an undertaking subject to Section 106 and has the potential to affect historic properties.

Pursuant to 36 CFR § 800.3(g), the NPS requests the DC HPO's concurrence that consultation for this undertaking address multiple steps in §§ 800.3 through 800.6. Given the likelihood that identification efforts of historic properties, APE development, effects analysis, and treatment measures will continue to be refined as project planning advances, the NPS believes that consolidated consultation is the most efficient and appropriate means of carrying out review under Section 106.

Please see the following set of attachments that support the NPS determination of effect: List of Invited Consulting Parties; Assessment of Effects; Phase IA Archaeological Assessment; and the Draft Programmatic Agreement.

Consultation and Next Steps

The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1). The undertaking would introduce a new permanent structure, associated hardscape, lighting, security elements, utility infrastructure, stormwater facilities, and traffic and pedestrian

circulation changes into the Memorial Circle setting and would thereby alter characteristics of historic properties that qualify for inclusion in the National Register of Historic Places. In particular, the undertaking has the potential to impact the Memorial Avenue Corridor Cultural Landscape, Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and other related historic properties within the area of potential effects. The undertaking would also introduce new visual elements not presently found within Memorial Circle and change physical features within the setting that contribute to the significance of the historic district and cultural landscape.

The NPS has also developed a draft Programmatic Agreement (PA) to govern resolution of adverse effects associated with the undertaking, and that draft PA is enclosed for the DC HPO's review and concurrence with this proposed approach. The NPS believes that a PA is appropriate for this project because of the phased nature; the number and variety of historic properties that may be affected; and the likelihood that avoidance, minimization, mitigation, design refinement, treatment measures, and post-review implementation commitments will need to be carried out over time and in coordination with multiple agencies and stakeholders. In addition, while NPS has determined the undertaking will have effects meeting the criteria found in 36 CFR § 800.5(a)(1), aspects of the project—including final design details, construction methods, utility alignments, stormwater features, traffic and pedestrian modifications, and treatment measures for affected historic properties—will continue to be refined as the project advances. A PA would provide an appropriate and efficient mechanism to document agreed-upon measures to resolve effects meeting the criteria found in 36 CFR § 800.5(a)(1), establish procedures for review of subsequent design development and implementation, identify roles and responsibilities of the signatories and consulting parties, and ensure that the resolution of adverse effects remains integrated with the project's ongoing planning, engineering, and construction processes.

Section 106 consultation for the proposed undertaking is being initiated with DC HPO, VDHR, and other entitled consulting parties per 36 CFR § 800.2(c)(1)-(3). These parties are marked with an asterisk in the list below. Other stakeholders and interested parties were invited to participate in consultation per 36 CFR §§ 800.2(c)(5) and 800.3(f)(2). The list below also includes parties from which NPS has received a request to consult, which NPS is still considering. All consulting parties and stakeholders were contacted via letters dated June 5, 2026.

The NPS also invites the DC HPO to participate in a virtual consulting party meeting on June 15, 2026, from 1:00 p.m. to 3:00 p.m. Eastern Time. Meeting information will be transmitted separately. Additionally, these materials will be available for public review from June 5, 2026, to June 15, 2026.

The NPS kindly requests the DC HPO's written response on or prior to June 15th regarding: (1) concurrence with NPS's proposal to consolidate consultation pursuant to 36 CFR § 800.3(g); (2) review of the enclosed APE and adverse effect finding; (3) review of the enclosed draft Assessment of Effect and Programmatic Agreement and (4) your review of the list of consulting parties pursuant to 36 CFR § 800.3(f).

Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

We appreciate your participation in this consultation and look forward to working with your office on this undertaking.

Sincerely,

Jennifer T. Nersesian
Regional Director, National Capital Region
National Park Service

Attachments:

- Assessment of Effects
- Draft Programmatic Agreement
- Phase IA Archaeological Assessment

Consulting Parties

- District of Columbia Historic Preservation Office*
- Virginia Department of Historic Resources*
- Advisory Council on Historic Preservation*
- Absentee Shawnee Tribe of Indians of Oklahoma Nation
- Catawba Indian Nation
- Chickahominy Indian Tribe
- Chickahominy Tribe Eastern Division
- Delaware Nation
- Monacan Indian Nation
- Nansemond Indian Nation
- Pamunkey Indian Tribe
- Rappahannock Tribe
- Shawnee Tribe
- Upper Mattaponi Indian Tribe
- National Capital Planning Commission
- Commission of Fine Arts
- Arlington County
- District of Columbia – Ward 2
- Arlington National Cemetery
- The Department of War
- The Trump-Kennedy Center
- National Park Service - National Mall and Memorial Parks

- National Park Service - Rock Creek Park
- National Park Service – National Capital Region National Historic Landscape Program
- Federal Highway Administration
- Architect of the Capitol
- Georgetown 2E ANC Commission

Other parties that have requested consulting party status

- National Trust for Historic Preservation
- Committee of 100 on the Federal City
- DC Preservation League
- The Cultural Landscape Foundation
- National Parks Conservation Association
- American Institute of Architects

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

June 5, 2026

Mr. Roger Kirchen
State Historic Preservation Officer
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Re: Initiation of Consultation under Section 106 of the National Historic Preservation Act for the Proposed Triumphal Arch at Memorial Circle, Washington, DC, and Request to Consolidate Consultation Pursuant to 36 CFR 800.3(g)

Dear Mr. Kirchen:

The National Park Service (NPS) is initiating consultation with the Virgina Division of Historic Resources (VDHR) pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800, regarding a proposed undertaking involving construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. The NPS is the lead federal agency for this undertaking and has determined that the proposed action is an undertaking subject to Section 106 and has the potential to affect historic properties.

Pursuant to 36 CFR 800.3(g), the NPS requests the VDHR's concurrence that consultation for this undertaking address multiple steps in §§ 800.3 through 800.6. Given the likelihood that identification efforts of historic properties, APE development, effects analysis, and treatment measures will continue to be refined as project planning advances, the NPS believes that consolidated consultation is the most efficient and appropriate means of carrying out review under Section 106.

Please see the following set of attachments that support the NPS determination of effect: List of Invited Consulting Parties; Assessment of Effects; Phase IA Archaeological Assessment; and the Draft Programmatic Agreement.

Consultation and Next Steps

The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR

800.5(a)(1). The undertaking would introduce a new permanent structure, associated hardscape, lighting, security elements, utility infrastructure, stormwater facilities, and traffic and pedestrian circulation changes into the Memorial Circle setting and would thereby alter characteristics of historic properties that qualify for inclusion in the National Register of Historic Places. In particular, the undertaking has the potential to impact the Memorial Avenue Corridor Cultural Landscape, Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and other related historic properties within the area of potential effects. The undertaking would also introduce new visual elements not presently found within Memorial Circle and change physical features within the setting that contributes to the significance of the historic district and cultural landscape.

The NPS has also developed a draft Programmatic Agreement (PA) to govern resolution of adverse effects associated with the undertaking, and that draft is enclosed for the VDHR's review and concurrence with this proposed approach. The NPS believes that a PA is appropriate for this project because of the phased nature; the number and variety of historic properties that may be affected; and the likelihood that avoidance, minimization, mitigation, design refinement, treatment measures, and post-review implementation commitments will need to be carried out over time and in coordination with multiple agencies and stakeholders. In addition, while NPS has determined the undertaking will have effects meeting the criteria found in 36 CFR § 800.5(a)(1), aspects of the project including final design details, construction methods, utility alignments, stormwater features, traffic and pedestrian modifications, and treatment measures for affected historic properties will continue to be refined as the project advances. A PA would provide an appropriate and efficient mechanism to document agreed-upon measures to resolve effects meeting the criteria found in 36 CFR § 800.5(a)(1), establish procedures for review of subsequent design development and implementation, identify roles and responsibilities of the signatories and consulting parties, and ensure that the resolution of such effects remains integrated with the project's ongoing planning, engineering, and construction processes.

Section 106 consultation for the proposed undertaking is being initiated with DC HPO, VDHR, and other entitled consulting parties per 36 CFR § 800.2(c)(1)-(3). These parties are marked with an asterisk in the list below. Other stakeholders and interested parties were invited to participate in consultation per 36 CFR §§ 800.2(c)(5) and 800.3(f)(2). The list below also includes parties from which NPS has received a request to consult, which NPS is still considering. All consulting parties and stakeholders were contacted via letters dated June 5, 2026.

The NPS also invites the VDHR to participate in a virtual consulting party meeting on June 15, 2026, from 1:00 p.m. to 3:00 p.m. Eastern Time. Meeting information will be transmitted separately. Additionally, these materials will be available for public review from June 5, 2026, to June 15, 2026.

The NPS kindly requests VDHR's written response on or prior to June 15th regarding: (1) concurrence with NPS's proposal to consolidate consultation pursuant to 36 CFR § 800.3(g); (2) review of the enclosed APE and adverse effect finding; (3) review of the enclosed draft Assessment of Effect and Programmatic Agreement and (4) your review of the list of invited consulting parties pursuant to 36 CFR § 800.3(f).

Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

We appreciate your participation in this consultation and look forward to working with your office on this undertaking.

Sincerely,

Jennifer T. Nersesian
Regional Director, National Capital Region
National Park Service

Attachments:

- Assessment of Effects
- Draft Programmatic Agreement
- Phase IA Archaeological Assessment

Consulting Parties

- District of Columbia Historic Preservation Office*
- Virginia Department of Historic Resources*
- Advisory Council on Historic Preservation*
- Absentee Shawnee Tribe of Indians of Oklahoma Nation
- Catawba Indian Nation
- Chickahominy Indian Tribe
- Chickahominy Tribe Eastern Division
- Delaware Nation
- Monacan Indian Nation
- Nansemond Indian Nation
- Pamunkey Indian Tribe
- Rappahannock Tribe
- Shawnee Tribe
- Upper Mattaponi Indian Tribe
- National Capital Planning Commission
- Commission of Fine Arts
- Arlington County
- District of Columbia – Ward 2
- Arlington National Cemetery
- The Department of War
- The Trump-Kennedy Center
- National Park Service - National Mall and Memorial Parks

- National Park Service - Rock Creek Park
- National Park Service – National Capital Region National Historic Landscape Program
- Federal Highway Administration
- Architect of the Capitol
- Georgetown 2E ANC Commission

Other parties that have requested consulting party status

- National Trust for Historic Preservation
- Committee of 100 on the Federal City
- DC Preservation League
- The Cultural Landscape Foundation
- National Parks Conservation Association
- American Institute of Architects

Outlook

Proposed Triumphal Arch - Section 106 consultation meeting

Organizer	Stidham, Tammy <Tammy_Stidham@nps.gov>
Meeting time	This event occurred 4 months ago (Mon 15-Jun-26 11:00 AM - 1:00 PM)
Location	Microsoft Teams Meeting
My response	Not yet responded
Required attendees	Stidham, Tammy
Optional attendees	Gillham, Lindsay B
Message sent	Thu 11-Jun-26 9:48 AM

The National Park Service (NPS) is inviting you to participate as a consulting party in the review of a proposed undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800. The proposed undertaking involves construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. The NPS is the lead federal agency for this undertaking.

The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1). The undertaking would introduce a new permanent structure, associated hardscape, lighting, security elements, utility infrastructure, stormwater facilities, and traffic and pedestrian circulation changes into the Memorial Circle setting and would thereby alter characteristics of historic properties that qualify for inclusion in the National Register of Historic Places. In particular, the undertaking has the potential to impact the Memorial Avenue Corridor Cultural Landscape, Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and other related historic properties within the area of potential effects. The undertaking would also introduce new visual elements not presently found within Memorial Circle and change physical features within the setting that contributes to the significance of the historic district and cultural landscape.

Because of the phased nature of the undertaking, and because aspects of the project will continue to be refined during design development, the NPS has prepared a draft Programmatic Agreement (PA) to govern the resolution of adverse effects associated with the undertaking. The draft PA is intended to establish procedures for continued review, treatment, mitigation, and implementation as the project advances.

Enclosed link for your review are the following materials - https://parkplanning.nps.gov/triumphalarch

- Assessment of Effects
- Draft Programmatic Agreement

The NPS invites you to participate in a virtual consulting party meeting on June 15 from 1:00 p.m. to 3:00 p.m. Eastern Time. Meeting information will be provided separately. Additionally, these materials will be available for public review from June 5, 2026, to June 15, 2026.

Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Thank you for your consideration and participation in this consultation.

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

Microsoft Teams meeting

Join: https://teams.microsoft.com/meet/294632605765499?p=tbChYIF77WxwY6C8yl

Meeting ID: 294 632 605 765 499

Passcode: tw9zV9K7

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Travis Voyles
Vice Chairman

Reid J. Nelson
Executive Director

June 15, 2026

Jessica Bowron
Comptroller, exercising the delegated authority of the Director
National Park Service
1849 C Street, NW (Room 2721)
Washington, DC 20240

Ref: *Proposed Triumphal Arch Project*
Washington, District of Columbia
ACHP Case Number: 025123

Dear Ms.Bowron:

In response to the recent notification by the National Park Service, the Advisory Council on Historic Preservation (ACHP) will participate in consultation to develop a Section 106 agreement document for the referenced undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within the regulations, "Protection of Historic Properties" (36 CFR Part 800), implementing Section 106 of the National Historic Preservation Act. The criteria are met for this proposed undertaking because it will have substantial impacts on important historic properties, may present important questions of policy or interpretation, and has the potential for presenting procedural problems.

Section 800.6(a)(1)(iii) of these regulations requires that we notify you as the head of the agency of our decision to participate in consultation. By copy of this letter, we are also notifying Jennifer Nersesian Regional Director, National Capital Region, and Tammy Stidham, Associate Regional Director – Lands and Planning, of this decision.

Our participation in this consultation will be handled by Jaime Loichinger, who can be reached at (202) 517-0219 or via email at jloichinger@achp.gov. We look forward to working with your agency and other consulting parties to seek ways to avoid, minimize, or mitigate the undertaking's potential adverse effects on historic properties.

Sincerely,

Reid J. Nelson
Executive Director

Outlook

Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

From Mical Durak <mdurak@arlingtonva.us>
Date Mon 6/15/2026 5:08 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Lorin Farris <lfarris@arlingtonva.us>

1 attachment (219 KB)
2026_06_01-Arch_S106-DraftPA_HPP Comments.pdf;

Good evening, Tammy,

Thank you for the meeting hosted earlier today. Please see below for the comments on this project from Arlington County's Historic Preservation Program (HPP):

Main Comments for AoE and PA

1. The proposed 10-day review period for both the PA and AoE is an inconsiderate and inappropriate way to engage with consulting parties. It did not provide those parties enough time to review the materials, does not allow for a productive form of engagement, and does not follow the standard process for Section 106.
2. HPP concurs with the National Park Service that the construction of the arch would have an adverse direct and indirect effect on several historic resources in the Area of Potential Effects (APE). The construction of the arch in its current iteration would significantly impact the integrity of those historic resources, specifically their feeling, setting, and design.
3. The scale and massing of the arch is inappropriate in the context of its historic setting and would negatively impact the physical and symbolic unity conveyed via the Arlington Memorial Bridge and Memorial Avenue between the Lincoln Memorial and Arlington House as proposed in the McMillan Plan.
    a. Specifically, the arch is too large in scale and massing in relation to the Arlington Memorial Bridge (see pages 28 and 32 of the renderings provided in Appendix A).
    b. HPP staff strongly encourage NPS to explore other options for a design in this area that better complement the existing cultural landscape and historic resources.
4. HPP staff request a copy of the draft Environmental Assessment (EA) for the project when it is ready to share with consulting parties as we have questions about the Finding of No Significant Impact by NPS as noted on page 3 of the Programmatic Agreement.
5. The HPP finds that the proposed mitigation measures are lacking and do not appropriately address the need for mitigation given the major impact such an undertaking would have on these historic resources:
    a. The preparation of an updated National Register of Historic Places (NRHP) nomination does not specify which NRHP-listed resource, of which there are several in the area, will be updated.
    b. The proposed efforts to mitigate the visual impact of the arch only center on the refinement of designs for ancillary elements of the project, but not of the arch itself. HPP staff strongly encourage that the arch be scaled more appropriately with its surroundings.
    c. HPP staff strongly agree with the need for additional archaeological studies to occur prior to excavation and construction given the findings produced by NPS in their Phase IA of the site.

Specific Comments in PA

1. Page 2, "Whereas, in letters dated [insert date], the NPS informed the Federally recognized sovereign Indian Nations..." - *When did this occur? No date is listed. Were they also contacted on June 5th , 2026?*

2. Section E - Archaeology, 3.b.viii - "The NPS and DC HPO agree to review and return all comments within three (3) business days on drafts of the work plan..." - *Three days seems too short of a review period for such a review.*
3. Section E - Archaeology, 4. Precolonial Finds - "The NPS will notify Native American Tribes in the event that any precontact resources are discovered and considered potentially eligible for the National..." - *Shouldn't the tribes be contacted regardless of whether the resource is considered potentially eligible? Wouldn't they have a say in whether the resource might be potentially eligible or not?*
4. Section V.B - Treatment of Human Remains - "In the event human remains....are discovered...NPS will 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..." - *It would be better to have a strict radius outlined here instead of using the vague "surrounding area."*
5. Section X. Amendments to the PA and Non-Compliance - *Will any such amendment be shared with stakeholders/other consulting parties for review?*

In conclusion, HPP staff's comments align with several of the comments made by both the DC SHPO and DHR offices during the call earlier today. We respectfully request that a proposed Section 106 timeline be shared with all consulting parties and that there be future consulting party meetings held on this topic. We welcome future opportunities to meaningfully engage in the Section 106 process for this undertaking in the future.

Thank you,

Mical Durak (she/her)
Historic Preservation Principal Planner
Department of Community Planning, Housing & Development
2100 Clarendon Boulevard, Suite 700
Arlington County, VA
mdurak@arlingtonva.us
(703) 228-3838 (office) or (571) 319-7433 (cell)
Any email sent to or from Arlington County email addresses may be subject to disclosure under the Freedom of Information Act (FOIA).
CPHD's mission is to support and guide how Arlington changes and grows physically, socially, culturally, and economically to create an environment that is vibrant, equitable, inclusive, and sustainable and which prioritizes public health and safety for all, now and in the future.

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Sunday, June 14, 2026 3:55 PM
To: Mical Durak <mdurak@arlingtonva.us>
Cc: Lorin Farris <lfarris@arlingtonva.us>
Subject: Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

EXTERNAL EMAIL

Emailing is fine

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474

mobile- (202)438-0028
tammy_stidham@nps.gov

From: Mical Durak <mdurak@arlingtonva.us>
Sent: Friday, June 12, 2026 4:45 PM
To: Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc: Lorin Farris <lfarris@arlingtonva.us>
Subject: Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

Thank you for confirming, Tammy. Can you provide guidance on how NPS wants to receive comments? Would emailing you suffice or would they need to be submitted via the website?ParkPlanning - Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement

Mical Durak (she/her)
Historic Preservation Principal Planner
Department of Community Planning, Housing & Development
2100 Clarendon Boulevard, Suite 700
Arlington County, VA
mdurak@arlingtonva.us
(703) 228-3838 (office) or (571) 319-7433 (cell)
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CPHD's mission is to support and guide how Arlington changes and grows physically, socially, culturally, and economically to create an environment that is vibrant, equitable, inclusive, and sustainable and which prioritizes public health and safety for all, now and in the future.

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Friday, June 12, 2026 1:41 PM
To: Mical Durak <mdurak@arlingtonva.us>
Cc: Lorin Farris <lfarris@arlingtonva.us>
Subject: Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

EXTERNAL EMAIL

They are due on June 15th at midnight

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028

tammy_stidham@nps.gov

From: Mical Durak <mdurak@arlingtonva.us>
Sent: Friday, June 12, 2026 12:50 PM
To: Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc: Lorin Farris <lfarris@arlingtonva.us>
Subject: Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

Hi Tammy,

Can you please clarify when comments from consulting parties and stakeholders are due? We want to ensure that we meet the deadline.

Thank you,

Mical Durak (she/her)
Historic Preservation Principal Planner
Department of Community Planning, Housing & Development
2100 Clarendon Boulevard, Suite 700
Arlington County, VA
mdurak@arlingtonva.us
(703) 228-3838 (office) or (571) 319-7433 (cell)
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CPHD's mission is to support and guide how Arlington changes and grows physically, socially, culturally, and economically to create an environment that is vibrant, equitable, inclusive, and sustainable and which prioritizes public health and safety for all, now and in the future.

From: Lorin Farris <lfarris@arlingtonva.us>
Sent: Friday, June 12, 2026 8:12 AM
To: Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc: Mical Durak <mdurak@arlingtonva.us>
Subject: Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

Thank you!

Get Outlook for iOS

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Friday, June 12, 2026 7:46:41 AM
To: Lorin Farris <lfarris@arlingtonva.us>
Cc: Mical Durak <mdurak@arlingtonva.us>
Subject: Re: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

You don't often get email from tammy_stidham@nps.gov. Learn why this is important

EXTERNAL EMAIL
Just sent

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
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voice- (202)619-7474
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tammy_stidham@nps.gov

From: Lorin Farris <lfarris@arlingtonva.us>
Sent: Thursday, June 11, 2026 3:34 PM
To: Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc: Mical Durak <mdurak@arlingtonva.us>
Subject: [EXTERNAL] Proposed Triumphal Arch - Section 106 consultation meeting

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good afternoon, Tammy,
Thank you for sending the consulting meeting invitation for the Proposed Triumphal Arch. Could you also invite my colleague, Mical Durak, as she manages our involvement with Section 106 projects for Arlington County. I can't seem to be able to forward the invite. Please let me know if that is possible.
Sincerely,
Lorin Farris

Lorin V. Farris (pronouns: she/her)
Arlington County | Historic Preservation Section Supervisor
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CPHD's Mission: CPHD's mission is to support and guide how Arlington changes and grows physically, socially, culturally, and economically to create an environment that is vibrant, equitable, inclusive, and sustainable and which prioritizes public health and safety for all, now and in the future.

ENCLOSURE

The Committee of 100 on the Federal City

June 15, 2026

FROM: The Committee of 100 on the Federal City
945 G Street NW, Washington, DC 20001
www.committeeof100.net
chair@committeeof100.net

TO: Jennifer Madello, Superintendent, George Washington Memorial Parkway, NPS
Tammy Stidham, Associate Regional Director, Lands & Planning, NPS

CC: David Maloney, State Historic Preservation Officer, District of Columbia

SUBJECT: Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement (ID: 136973)

In response to the public notice posted on June 5, 2026, the Committee of 100 on the Federal City (Committee of 100) respectfully submits the following comments to the National Park Service regarding the proposal to construct a large, monumental arch in Memorial Circle (the Proposal) , at the west end of Memorial Bridge, as described in the materials posted on the National Park Service (NPS) web site.

First, from a procedural standpoint:

1. We reiterate our request (to Ms. Stidham, dated June 8, 2026) that the Committee of 100 be permitted to participate as a consulting party for the Section 106 consultations on the Arch Proposal initiated by the National Park Service.

2. We respectfully urge the National Park Service to provide the public with a more meaningful opportunity to provide comments to the National Park Service regarding the Proposal. It is deeply concerning that NPS has provided the public only 10 days (four of which are weekend days) to provide comments regarding a proposal of this magnitude and significant adverse impact on critical cultural landscapes within the Nation's Capital. We ask NPS to extend the public comment period for at least 30 days.

3. Given the limited opportunity for the public to provide comments to NPS, we ask that NPS give due consideration to the extensive record of public comments provided to the National Capital Planning Commission on the Proposal, which are posted on the NCPC's web site (https://www.ncpc.gov).

4. We urge NPS to defer finalizing any plans regarding the Project until proper authorization for the Project has been obtained from Congress, in order to ensure compliance with the Commemorative Works Act (40 U.S.C. §§ 8901–8909); and the Height of Buildings Act (Pub. L. 61-196, 36 Stat. 452 (1910), as amended, Pub. L. 113-103, 128 Stat. 1152 (May 16, 2014)) and 40 U.S.C. § 8106.

Second, from a substantive standpoint:

1. We agree with the NPS's determination in the Assessment of Effects Report (AOE) that the Project would adversely affect historic properties meeting the criteria found in 36 CFR § 800.5(a)(1) within the Area of Potential Effects because it would alter, directly and indirectly, characteristics of those properties that qualify them for inclusion in the National Register of Historic Places.

   We similarly agree that the Project would have adverse effects meeting the criteria of 36 CFR § 800.5(a)(1) that change the integrity of setting, design, feeling, association, and, in some instances, location by introducing visual, spatial, and physical changes that affect character-defining views, reciprocal vistas, circulation patterns, and designed landscape relationships.

   We believe those adverse effects are extremely significant and damaging to the cultural landscapes that help to define the character of the Nation's Capital. To be more specific, we ask that you consider our comments to the National Capital Planning Commission (appended below).

2. **We strongly disagree with the NPS's discussion of avoidance, minimization, and mitigation options as described in the AOE, which fail to consider either a no-build option, or any reasonable alternative location and/or design.**

   The failure to consider a no-build option and the NPS's apparent prior decision that the current planned location at Memorial Circle is the *only* option available to the agency was made, to our knowledge, without any consideration of (or opportunity for public comment regarding) the adverse potential impacts of that decision on historic properties under the National Historic Preservation Act, or on the cultural and historic aspects of the human environment under the National Environmental Policy Act, treating that decision as final (as the AOE does) effectively forecloses any meaningful opportunity to address those impacts.

   We urge NPS to reopen and reconsider this decision, and to initiate a public review process that allows serious consideration of alternatives and options that would eliminate or minimize the obvious adverse impacts of the current Proposal.

Thank you for considering the comments of the Committee of 100 on the Federal City.

Sincerely,
Judy Chesser
Judy Chesser, Chair

Founded more than a century ago, the Committee of 100 on the Federal City is a nonprofit organization dedicated to safeguarding and advancing Washington's historic distinction, natural beauty, and overall livability. The Committee's work recognizes the critical value of public planning, informed by traditions that originate from the L'Enfant Plan and the McMillan Commission, continuing to the current day.

Appendix

Committee of 100 Comments to the National Capital Planning Commission, filed June 2, 2026, regarding the Adverse Impacts of the Proposal:

The Proposal would adversely impact spatial relationships established under the McMillan Plan, and the primacy of the Lincoln Memorial as the western terminus of the National Mall

The *Report of the Senate Park Commission* (1902) (better known as the McMillan Plan) re-envisioned the Mall as a unified composition defined by long, uninterrupted perspectives and a clear hierarchy of elements. The Commission emphasized that "[t]he Mall should be treated as one broad, open, and continuous public ground." (McMillan Plan, p. 25.) The McMillan Plan establishes a dominant east–west axis culminating in a major memorial at the western end, the then-proposed Lincoln Memorial. (McMillan Plan, p. 51-52 and accompanying plates).

The siting of the Lincoln Memorial at that location was not incidental; it implemented the Commission's intent that the western terminus of the Mall be occupied by a single, commanding architectural focus aligned with the Capitol. (Id. See also National Park Service, *National Mall Cultural Landscape Report* (2010), ch. 2 (describing implementation of the McMillan Plan).)
It is telling that the McMillan Plan intentionally compares the proposed Lincoln Memorial to the *Arc de Triomphe* in Paris:

> At the [western end of the Mall], a great *rond pointe*, placed on the main axis of the Capital and the [Washington] Monument, becomes a gate of approach to the park system of the District of Columbia. Centering upon it as a great point of reunion are the drives leading southeast to Potomac Park and northwest by the Riverside Drive to the Rock Creek system of parks from this elevation of 40 feet. The Memorial Bridge leads across the Potomac directly to the base of the hill crowned by the mansion house of Arlington.
> Crowning the *rond pointe* as the *Arc de Triomphe* crowns the *Place de l'Étoile* at Paris, should stand a memorial erected to the memory of that one man in our history as a nation who is worthy to be named with George Washington - Abraham Lincoln. . . . Whatever may be the exact form selected for the memorial to Lincoln, and type it should possess the quality of universality, and also it should have the character essentially distinct from that of any monument either now existing in the District or hereafter to be erected. (McMillan Plan, pp. 51-52)

Installing an actual triumphal arch in the viewshed of the Lincoln memoria—and, to be specific, one that would be more than half again as tall as the *Arc de Triomphe* and more than double the height of the Lincoln Memorial as built—would diminish the fundamental character of the Lincoln Memorial as envisioned in the McMillan Plan. A new arch would compete directly with the Lincoln Memorial for primacy, undermining the hierarchy established by the Plan. The Lincoln Memorial's prominence derives from its isolation, proportional scale, and position at the terminus of a two-mile vista, rather than from sheer height alone. Introducing a massive vertical element into this composition would draw the eye away from the Lincoln Memorial, interrupting the intended visual progression along the axis of the Mall and minimizing the Lincoln Memorial by comparison, altering its perceived scale and authority.

We would also note that [NPCA's] Executive Director's Recommendations state that NCPC has consistently taken the position that the Height of Buildings Act applies to "all federal projects . . . consistent with Comprehensive Plan Policy UD.B.1.3, highlighting the focus on preserving

Washington's picturesque, horizontal character, and reinforcing the Height of Buildings Act." The Director continues by requesting that the applicant "provide, as part of the next submission, an analysis and justification for the project's height in light of the Height of Buildings Act." The Committee of 100 has been a strong supporter of the Height Act and believes it no less applicable to this proposal than to any other project in the District of Columbia.

The Proposal would adversely impact the cultural landscape The Lincoln Memorial and its Relationship to Arlington Cemetery

The McMillan Plan also recognizes the Lincoln Memorial as the "starting point" for a "concourse" connecting the National Mall, the then-planned Potomac Park on the Virginia side of the Potomac, and Arlington Cemetery. The Plan makes clear that this connection carries both spatial and symbolic meaning. (See generally McMillan Plan, pp. 55-59). The McMillan Plan emphasized the desirability of "broader and simpler" treatment for the Memorial Bridge, recommending "the removal of [central ornamental towers envisioned under a previous plan], which could conflict with the proposed Lincoln Memorial." (Id. pp. 57-58.) Those towers were considered by no less an authority than Frederick Law Olmsted, Jr.—the last surviving member of the McMillan Commission—as "so large and elaborate as to compete with the Lincoln Memorial… Not to eliminate them would be like a slap in the face to the Lincoln Memorial and to the plan of which it forms a part." See *Letter from Federick Law Olmsted, Jr. to Newton D. Baker*, April 4, 1916 (National Archives, Olmsted Assocs. Records). They were eliminated.

In the same way, the massive proposed triumphal arch, as currently planned, would disrupt the low-scale concourse and open viewshed between the Lincoln Memorial and Arlington Cemetery as envisioned by the McMillan Commission, which was eventually followed through in the design and construction of the Arlington Memorial Bridge.

The McMillan Plan similarly emphasized a "broader and simpler" treatment for the "reservations" on the west side of the Memorial Bridge, between "the Potomac Park and the Arlington Estate." (McMillan Plan at p. 58). The plan notes the visual power of simple monuments to the dead and warns against larger monuments that detract from the "simplicity and uniformity of the whole," stating that

> In particular, the noble slopes toward the river should be vigorously protected against the invasion of monuments which utterly annihilate the sense of beauty and repose. This is one of the most beautiful spots in the vicinity of Washington; it should not be defaced or touched in any way. . . . (McMillan Plan, p. 59.)

While the members of the McMillan Commission were referring to large monuments constructed as funerary memorials, the proposed construction of a massive triumphal arch of the immense size and scale as currently proposed—in the location currently proposed between the Memorial Bridge and Arlington Cemetery —would similarly violate that intention.

In summary, a new arch of overwhelming height and scale at the location proposed in the concept plan presented to the NCPC would:

- Displace the Lincoln Memorial as the dominant western focal point of the National Mall;
- Alter the perceived scale and importance of the memorial;
- Interrupt the visual, symbolic, and intentionally low-scale "concourse" between the Lincoln Memorial and Arlington National Cemetery; and
- Undermine the integrity of the McMillan Plan as a coherent composition.

COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

David L. Bulova
Secretary of Natural and Historic Resources

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Director

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June 15, 2026

Ms. Jennifer T. Neresian
Regional Director, National Capital Region
National Park Service
5300 Wellington Branch Drive, Suite 100
Gainesville, Virginia 20155

Re: Triumphal Arch at Memorial Circle
Arlington, Virginia
DHR File No. 2026-4065

Dear Ms. Neresian:

The Department of Historic Resources (DHR) has received from the National Park Service (NPS) the initiation of consultation pursuant to Section 106 of the National Historic Preservation Act (NHPA, 54 U.S.C. § 306108) and its implementing regulations 36 CFR Part 800, for the proposed construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway. The undertaking will be constructed in Washington, DC but will affect historic properties in Virginia. Our comments are provided to the NPS as assistance in meeting its responsibilities under the NHPA and 36 CFR Part 800 as the State Historic Preservation Office for Virginia. NPS requested DHR's concurrence to expedite review of this undertaking in accordance with 36 CFR 800.3 (g). NPS also provided and requested DHR's review of the Area of Potential Effect (APE) for the undertaking, lists and mapping of historic properties within the proposed APE, an assessment of effects report, and a draft Programmatic Agreement (PA) to "govern the resolution of adverse effects."

Per 36 CFR 800.3 (g), the Federal Agency and SHPO must *agree* that it is appropriate to address multiple steps under 36 CFR § 800.3 through § 800.6 as long as consulting parties and the public have an adequate opportunity to express their views. *It is DHR's opinion that this standard has not been met*. Even DHR has not been provided an adequate opportunity to review the project information. Considering the review period currently provided, the scope of the undertaking, the public interest in the project, the numerous significant historic properties within the APE, and the severity of the adverse effects, **DHR objects to expediting review in accordance with 36 CFR 800.3(g).**

NPS provided DHR, the District of Columbia (DC) Historic Preservation Office (HPO), consulting parties, and the public a total of 10 calendar days to provide comments on over 180 pages of materials. While the NPS requested SHPO concurrence with proposed expedition of the review, they also proceeded to attempt to compress and expedite the review under 36 CFR § 800.3 through § 800.6 into a single 10 day review. As DHR is objecting to the proposed

expedition of the review, DHR's comments are provided preliminarily regarding the initiation of the review under 36 CFR § 800.3, the scope of the undertaking, and procedural issues identified thus far. DHR also believes it is inappropriate to review a draft Programmatic Agreement before consulting parties and public comments have been received, reviewed, and meaningfully considered.

Within the time provided, DHR cannot verify the accuracy of the proposed Area of Potential Effects, the historic properties the NPS has identified within the APE, nor the correct application of the criteria of adverse effect in accordance with 36 CFR § 800.5. Our lack of comment on this information does not indicate concurrence with NPS' determinations. In accordance with 36 CFR § 800.3 regarding the initiation of consultation, DHR recommends that NPS grant consulting party status to those parties identified in your letter as requesting such and seek to identify additional consulting parties. DHR recommends the NPS invite the participation of: Preservation Virginia, the Virginia Museum of History and Culture (the Virginia Historical Society), Arlington Historical Society, Friends of Joint Base Myer-Henderson Hall, the Pentagon Memorial Foundation, the Virginia Secretary of Veterans and Defense Affairs, the Virginia Department of Veterans Services, the Veterans of Foreign Wars, the American Legion, and other veterans groups who may have an interest in the potential effects to Arlington National Cemetery.

While DHR cannot provide substantive comments on all materials provided related to review under 36 CFR § 800.4 through § 800.6, our initial review suggests further documentation to support the proposed APE is necessary due to the potential visual effects of such a large structure on the landscape; a viewshed study should be included in future supporting documentation of the APE determination. DHR also notes that NPS does not include any historic resources that are not listed in the NRHP or are established as NHLs in their table of identified historic properties. There are likely unlisted historic properties, previously determined eligible or which should be evaluated for eligibility, within the APE that have not been identified by NPS in this information and should be considered in the review in accordance with 36 CFR § 800.4.

Regarding the "initiation" of consultation, NPS has presented this project and its review a fait accompli with the location, design, identification of historic properties, assessment of effects, and proposed mitigation all prepared absent consultation with SHPOs, consulting parties, and the public. Section 106 of the NHPA and the review process outlined in 36 CFR Part 800 is intended to be consultative with the federal agency consulting and seeking input from SHPO/THPOs, consulting parties, and the public throughout the review of an undertaking to inform all steps of the Federal Agency decision making. **It is inconsistent with intent of the NHPA and contrary to 36 CFR Part 800 for this review to occur after all or a majority of the federal agency's decisions have been made and the project is planned for imminent start of construction.**

Per 36 CFR § 800.1 (c) the Federal Agency should ensure initiation of the process "early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process." **The plans included in Appendix A are marked "Released for construction" indicating a level of completeness that would preclude meaningful consideration of a broad range of alternatives and thoughtful consideration of ways to avoid or minimize effects in the design, appearance, or location of the undertaking.** While NPS acknowledges that additional identification and evaluation of effects could occur under the proposed draft PA, functionally the PA language would only facilitate minimal consideration of DHR, DC HPO, consulting party, and public comment on minor elements of the project that have not been finalized, primarily being utility infrastructure and minor design elements. The draft PA provides no meaningful mechanism to allow consultation to inform substantive design choices that would facilitate avoidance or minimization of adverse effects. **Consulting at this stage in the project and requesting comments on everything from the project design to proposed mitigation has precluded DHR's opportunity to provide comments that can inform decision making and does not constitute consultation in accordance with 36 CFR Part 800.**

The NPS has stated that proposed undertaking, the construction of a commemorative arch at Memorial Circle between the Lincoln Memorial and Arlington National Cemetery, will adversely affect numerous nationally significant historic properties. NPS has identified potential effects to at least six National Historic Landmarks (NHLs), including potential adverse effects to the Pentagon and Fort Myer Historic District in Virginia. While DHR has insufficient time to review in detail the completeness of NPS' identification of historic properties and assessment of effects to know if it is an accurate or whether additional effects are present, Section 110 of the NHPA (54 USC §306107) and 36 CFR 800.10 requires that the Federal Agency prior to the approval of a project "*to the maximum extent possible* undertake such planning and actions as may be necessary to minimize harm" to NHLs.

The standard set forth in the NHPA regarding NHLs, and the expectation under 36 CFR § 800.6 (a) for the consideration of alternatives to avoid and minimize adverse effects to historic properties, has clearly not been met. The draft programmatic agreement furthermore provides no substantive process that would allow for this standard to be met. The proposed further design review is unlikely to result in meaningful changes to the appearance of the arch that would avoid or minimize the existing known adverse effects that will occur.

NPS provided no meaningful consideration of alternatives that would minimize adverse effects to the maximum extent possible. The only alternative considered was different sizes/heights of the arch. No consideration was given to alternative commemorative designs that would be less visually heavy on the landscape (such as the originally proposed columns in the McMillan Plan). No consideration was given to alternative locations for the arch that would minimize adverse effects to the numerous historic properties identified. As a proposed monument to Our Nation's history, the proposed arch's design and location should have been developed with meaningful input from the public and consideration of the effects it will have on the landscape. **No consideration was given to a no-build alternative.** This is a commemorative work. Its construction is not vital or necessary. It does not serve a purpose or meet a need beyond commemoration and the administration's definition of "beautification." As currently designed, the arch's purported commemorative value is disruptive of and would adversely affect numerous other nationally significant commemorative spaces.

The historic resources that will be adversely affected by this project are nationally significant properties that honor critical times in Our Nation's history and memorialize the sacrifices made to protect this Nation. The proposed arch will result in an almost complete disruption of the visual dialogue between the Lincoln Memorial, Arlington National Cemetery, and Arlington House. This is an intentionally designed visual connection between the resting place for the soldiers who sacrificed their lives for the Union during the Civil War and Robert E. Lee's former home in Virginia with the memorial for the President who fought and ultimately died to keep this Country united across the Potomac River. This visual connection represents the restored Union, symbolically reuniting the North and the South. This arch truncates that ongoing connection. **Framing the view of Arlington House from the Lincoln Memorial through the Arch does not minimize this disruption; it injects an incongruous and conflicting imperialistic symbol into that space.**

The visual competitiveness of the design draws the eye away from and inserts a visually distracting new element into the views from the myriad other memorial spaces along the Potomac River, including, in Virginia, the George Washington Memorial Parkway and US Marine Corps War Memorial (at Arlington Ridge Park) as well as numerous memorial spaces within the District of Columbia. It is likely to introduce additional visual elements into numerous surrounding historic properties. **The project will introduce an intentionally visually disruptive arch on each of these carefully and thoughtfully designed and historic spaces and landscapes.**

These adverse effects are intentional and inherent in the design of the arch; it is intended to dominate the surrounding landscape. The purpose of its placement at the selected location (within the existing open space at

the intersection of the George Washington Memorial Parkway and the Arlington Memorial Bridge), its proposed size (more than twice the height of the Lincoln Memorial), and its design (a monolith in white marble with gilded statuary) are all intended to be visually overpowering, dwarfing surrounding monuments and visible from points across Virginia and the District.

The significance of the historic properties and their surrounding landscapes, some of Our Nation's most revered memorial spaces, combined with the severity of the adverse effects to these properties render the process and mitigation currently proposed in the draft Programmatic Agreement insufficient. Documentation of adversely affected historic properties, many of which have been extremely well documented, is largely unnecessary and inadequate mitigation. **Many of these effects, especially in Virginia to Arlington National Cemetery and Arlington House, are (1) un-minimizable, due to the proposed scope, scale, design, placement, and intentional prominence of the Arch, and (2) un-mitigatable in a manner that is commensurate with the severity and significance of the effects.**

DHR recommends that the NPS give more meaningful consideration to other alternatives that would result in substantial avoidance and minimization of adverse effects to these nationally significant historic properties. DHR recommends that the NPS consult with DHR, the DC Historic Preservation Office, consulting parties, and the public in accordance with the purpose and intent of Section 106 of the NHPA and 36 CFR Part 800. DHR does not agree to an expedited review of this undertaking pursuant to 36 CFR 800.3(g); as such DHR requests that NPS continue to identify and invite the participation of consulting parties, address any comments received thus far from consulting parties and the public, and consult regarding the scope of the identification efforts in accordance with 36 CFR 800.4 (a). All parties must be afforded sufficient time, in accordance with 36 CFR Part 800, to comment on each part of the review process.

Please contact Samantha Henderson, Director of the Review and Compliance Division at samantha.henderson@dhr.virginia.gov or (804) 482-6088 to continue consultation on this undertaking.

Sincerely,

Roger W. Kirchen
Director, Virginia Department of Historic Resources and
State Historic Preservation Officer

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June 15, 2026

Ms. Jessica Bowron, Acting Director
National Park Service
Main Interior Building
1849 C Street NW
Washington, D.C. 20240

RE: Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement

Dear Acting Director Bowron,

Thank you for the opportunity to comment on the proposed Triumphal Arch that would be built at the western terminus of Memorial Bridge. We are disappointed that The Cultural Landscape Foundation (TCLF), along with five other organizations, was not granted consulting party status as has been done for the current Section 106 reviews of the White House Visitor Center and Lafayette Park. TCLF, along with the National Trust for Historic Preservation, D.C. Preservation League, Committee of 100 on the Federal City, American Institute of Architects, and the National Parks Conservation Association each bring subject area expertise that could be helpful in addressing how to avoid, minimize, and mitigate the adverse effects detailed in Appendix D. Historic Properties and Assessment of Adverse Effects Tables. While the granting of consulting party status is at the discretion of the agency administering the review, in TCLF's near-thirty-year history such a request has never not been granted.

Indeed, it suggests proponents of the arch are afraid of hearing sound and reasoned opinions from subject area experts the agency has long included in previous Section 106 reviews. Moreover, as a former NPS employee who spent fifteen years as Coordinator of the Historic Landscape Initiative, I know how constructive consulting party input is and have seen in many, many cases where that input has made projects better. In addition, the Draft Programmatic Agreement for the Arch project states in the "Stipulations" section (1.B.1): "The Undertaking will be consistent with … the *Secretary of the Interior's Standards and Guidelines for the Treatment of Cultural Landscapes."* During my NPS tenure, I served as the primary author of the *Landscape Guidelines.*

At 250-feet-tall, the arch would be a significant addition to the Monumental Core, which stretches from the U.S. Capitol Grounds to Arlington National Cemetery, and includes the White House Grounds and the National Mall. The proposed arch interrupts and severs key visual and spatial relationships that are integral to the Monumental Core's design intent and its inherent symbolism, discussed below, and which have been stewarded by NPS for more than a century. This is acknowledged in the Assessment of Effects (AOE): "the undertaking meets the criteria of 36 CFR § 800.5(a)(1) because it would result in impacts to the integrity of historic properties through the alteration of character-defining visual and spatial relationships that contribute to their significance."

The AOE also states: "The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1) within the Area of Potential Effects because it would alter, directly and indirectly, characteristics of those properties that qualify them for inclusion in the National Register of Historic Places. As reflected in the table, the undertaking would have effects meeting the criteria of 36 CFR § 800.5(a)(1) that change integrity of setting, design, feeling, association, and, in some instances,

location by introducing visual, spatial, and physical changes that affect character-defining views, reciprocal vistas, circulation patterns, and designed landscape relationships."

Shockingly, in response to this overwhelming list of adverse effects, there is no credible attempt at avoidance. The construction of an arch at this scale and in this specific location is treated as *a fait accompli.* Moreover, the proposed minimization and mitigation efforts barely register as token gestures as their massive collective impact will do little to deter the extraordinary adverse effects that would result from this undertaking and unpin the spirit of the Section 106 consultation process.

The *Guidelines for the Treatment of Cultural Landscapes'* section on "Spatial Organization and Land Patterns" is clear about what is and is not recommended. **Recommended:** "Identifying, retaining and preserving the existing spatial organization and land patterns of the landscape as they have over time." ***Not* recommended:** "Allowing spatial organization and land patterns to be altered through incompatible development or neglect." A 250-foot-tall arch in Memorial Circle sited between the Lincoln Memorial and Arlington National Cemetery and Arlington House and in the Monumental Core is undeniably incompatible development.

In addition, the compressed timeframe for public comment—a mere ten days—is insufficient given the enormity of the project, the significance of the resources affected, and NPS' own catalogue of adverse effects.

Also of great concern is the lack of Congressional authorization to ensure compliance with the Commemorative Works Act (40 U.S.C. §§ 8901–8909), and the Height of Buildings Act (Pub. L. 61-196, 36 Stat. 452 (1910), as amended, Pub. L. 113-103, 128 Stat. 1152 (May 16, 2014)) and 40 U.S.C. § 8106.

The introduction of a monumental arch in Memorial Circle—and its impact on historic visual and spatial relationships—would create a terrible precedent and would radically alter more than a century of carefully orchestrated, and stewarded legacy of Internationally recognized landscape architecture, architecture, civic design, and art that contribute to the significance of the capital city's Monumental Core. There are two critical benchmarks in Washington, D.C.'s landscape legacy—Pierre L'Enfant's plan of 1791 and the McMillan Plan of 1902. The latter was devised by a distinguished group that included the landscape architect Frederick Law Olmsted, Jr.

Olmsted, Jr.'s impact on the development of the capital city is exceptional. Along with the McMillan Commission, he was a member of the first Commission of Fine Arts (CFA) in 1910, and served until 1918; he was the principal author of the Organic Act that created the National Park Service (which manages much of the city's Monumental Core), a member of the first National Capital Park Commission (1924-26) and National Capital Parks and Planning Commission (1926-32), both predecessors to the current commission, and the principal designer of the White House Grounds plan of 1935, which has guided work on those grounds for more than 90 years. The CFA's website notes: "Olmsted Jr.'s work of many decades on the National Mall created a unified spatial composition from a sequence of disconnected landscapes."

According to NPS' Cultural Landscape Report (CLR) of 1999 for the Lincoln Memorial and West Potomac Park**,** "Olmsted exercised a unique influence over the development of the Lincoln Memorial grounds, serving as arbiter of design decisions regarding all aspects of the treatment of the landscape." In addition, "Layout, spatial relationships, planting, and site features were often

conceived, shaped, and reviewed by the landscape architect member of the commission prior to approval by the full commission."

Visually connecting the Lincoln Memorial to Arlington National Cemetery is Memorial Bridge described in the National Register of Historic Places nomination (1980) as "Washington's most beautiful bridge"; it was designed by William Mitchell Kendall, a partner at the architectural firm McKim, Mead & White. Earlier bridge designs include one from 1886 by Paul Pelz that "featured Renaissance Revival Towers and articulated steel arches crossing the Potomac River," and competition winning design from 1899 by Edward Pearce Casey that included "Triumphal Arches on piers [that] emphasized an imperial architectural image" as noted in *Civic Art: A Centennial History of the U.S. Commission of Fine Arts* (p. 107).

Indeed, as part of the current campaign to get the proposed arch built, its proponents have circulated images of those aforementioned Memorial Bridge designs and others from the late nineteenth and early twentieth century that include arches and other tall vertical elements.

All those proposals were ultimately rejected. To argue that these proposals prove an arch was predestined is fallacious, at best. Similarly, the suggestion that L'Enfant called for the construction of one or more arches in the city is based on an inventive interpretation of a letter between L'Enfant and Thomas Jefferson in 1791. L'Enfant said no such thing.

According to NPS, the present Memorial Bridge was "Symbolically … designed to show the strength of a united nation by joining a memorial on the north side of the Potomac River (the Lincoln Memorial) with one on the south (Arlington House, the Robert E. Lee Memorial)." The architect envisioned an elaborate sculptural program … including seated figures of the first four American presidents on the D.C. side and reclining statues of oceans and river gods on Columbia Island. The bridge itself was to have forty allegorical statues." That entire sculptural program was eliminated by the CFA, as some statuary and pylons were seen as too tall in relation to the memorial.

The Lincoln Memorial is a hinge point (on a bent axis) visually connecting the Washington Monument and the Reflecting Pool to the east, and Arlington House. The Historic American Engineering Record report of 1988 about Arlington Memorial Bridge by historian Elizabeth Nolin noted: "As the final link in the chain of monuments which start at the Capitol building, the Arlington Memorial Bridge connects the Mall in Washington, D.C. with Arlington National Cemetery in Virginia. Designed to connect, both physically and symbolically, the North and the South, this bridge, as designed in the Neoclassical style, complements the other monumental buildings in Washington such as the White House, the Lincoln Memorial, and the Jefferson Memorial."

Some 110 years ago, Olmsted, Jr. wrote a letter to Secretary of War Newton D. Baker concerning the proposed Memorial Bridge design; his sage observations are apt today: **"The existing bridge design was the result of a competition held about 1899, before the Lincoln Memorial was even dreamed of…** [emphasis added]

"The bridge plans were carefully studied by members of the so-called Park Commission of 1900, of which I am the sole survivor. As a result of that study certain recommendations about them were made an essential part of our general plan. Among other things we said:

"Such modifications would call for the removal of the central ornamental towers, which would conflict with the proposed Lincoln Memorial."

"**These towers are the most conspicuous feature of the design and are so large and elaborate as to compete with the Lincoln Memorial** not only in an artistic sense but in point of cost. To eliminate them from the design would involve its complete restudy as an artistic problem. **Not to eliminate them would be like a slap in the face to the Lincoln Memorial and to the [McMillan] plan of which it forms a part."** [emphasis added]

Washington, D.C. derives its significance from an unrivaled built legacy that has stood the test of time, thanks in large measure to the authenticity of the review processes of various commissions and governmental agencies that engage the public and subject experts as "consulting parties" offering a seat at the table in the Section 106 process. As the 2012 exhibition *Unbuilt Washington* at the National Building Museum noted, "The physical character of Washington, D.C., that we take for granted today is the unique result of countless decisions, debates, successes, failures, reconsiderations, missed opportunities, and lucky breaks."

Historically, the arch was never built and the cultural landscape in which it is being forced upon derives its significance from the high degree of integrity associated with its inherent visual and spatial relationships, which are a hallmark of its historic design that has been stewarded for multiple generations. *The Secretary of the Interior's Standards for Restoration* lists 10 standards including number ten: "Designs that were never executed historically will not be constructed." Shouldn't that foundational *Standard* be the starting point for any Section 106 conversation?

We hope that these comments along with the words and precedent of the principal author of the Organic Act and a founding CFA and NCPC commissioner who greatly influenced the overall design of the city offers decision makers in this case valuable insight and worthwhile guidance.

Feel free to contact me with any questions and thank you for your consideration.

Sincerely,



Charles A. Birnbaum, FASLA, FAAR
Founding President & CEO

Cc:
Jennifer Madello, Superintendent, George Washington Memorial Parkway, NPS
Tammy Stidham, Associate Regional Director, Lands & Planning, NPS
David Maloney, State Historic Preservation Officer, District of Columbia

June 15, 2026

Ms. Jennifer T. Nersesian, Regional Director
National Capital Region
National Park Service
1100 Ohio Drive, SW
Washington, DC 20024

RE: Initiation of Section 106 Consultation for the Proposed Triumphal Arch in Memorial Circle

Dear Ms. Nersesian:

Thank you for initiating consultation with the District of Columbia State Historic Preservation Officer (DC SHPO) regarding the proposed Triumphal Arch in Memorial Circle. We have reviewed the project submittal and are writing to provide our initial comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

We understand that the National Park Service (NPS) proposes to use Federal funds to construct a new memorial within the District of Columbia that will celebrate the 250th anniversary of the founding of our nation. The approximately 250-foot-tall structure, which would be referred to as the Triumphal Arch, is proposed for Memorial Circle near the western terminus of Arlington Memorial Bridge, an area of extraordinary historic significance. Once complete, it would be the largest memorial arch in the world. It would also be the tallest and most visible memorial constructed in the District since completion of the Washington Monument. For these reasons, the effects of the proposed undertaking on historic properties should be carefully considered in accordance with the Section 106 regulations.

The NPS has requested our concurrence to expedite consultation by addressing multiple steps in the Section 106 process pursuant to 36 CFR 800.3(g). According to 36 CFR 800.2(a)(4), Federal agencies are to "plan consultations appropriate to the scale of the undertaking and the scope of Federal involvement." Given the scale, visibility and effects of the proposed Federally funded monument on historic properties, the DC SHPO does not agree that expediting consultation is appropriate in this case.

However, we do concur with NPS's determination that this undertaking will adversely affect numerous historic properties and, as described in the Assessment of Effects (AOE) Report, the "most substantial" adverse effects will occur on those properties which "derive significance, in part, from their planned visual, commemorative, and spatial relationships across the Potomac River and through the monumental core." Within the District of Columbia, these adversely affected properties include the Memorial Avenue Corridor Cultural Landscape, Arlington Memorial Bridge, the Lady Bird Johnson Park Cultural Landscape, the Lincoln Memorial Cultural Landscape, the Lincoln Memorial, the National Mall Site, the National Mall Historic District, and the Mall Cultural Landscape. As documented in the AOE, other historic properties in DC will also be adversely affected. We anticipate providing further comments regarding additional adverse effects as consultation continues.

While DC SHPO's primary concerns center on the memorial's adverse effects, we also have significant, overarching concerns about how and why we are being requested to resolve those adverse effects at the onset of consultation rather than considering potential sites, reviewing conceptual designs and planning for Section 106 consultation as we normally do when consulting with the NPS regarding a new memorial. The following comments, which generally follow the order of the step-by-step process outlined in the regulations, address what we consider to be the deficiencies in the overall Section 106 review of this undertaking that brought us to this point.

As an initial matter, we are concerned that consultation for one of the largest memorials ever proposed in the District of Columbia did not commence "at the early stages of project planning" as required by 36 CFR 800.1(a). Since our receipt of the formal initiation letter on June 5, 2026, marked the first time the NPS contacted us about the project, it also appears that the requirement of 36 CFR 800.1(c) to "…ensure that the… process is initiated early… so that a broad range of alternatives may be considered" has not been met. Nor does it appear that the NPS's responsibility to consult with our office "… in a manner appropriate to the agency planning process...and to the nature of the undertaking and its effects on historic properties" as cited at 36 CFR 800.3(c)(3) has been fulfilled.

DC SHPO has reviewed the lists of consulting parties and "[o]ther parties that have requested consulting party status" in the initiation letter and supports giving consulting party status to both. Under 36 CFR 800.2(c)(5), "[c]ertain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties." The significant scope and effects of the undertaking mean that it will affect many interests, including those of the "[o]ther parties that have requested consulting party status." Based on these organizations' missions and their routine participation in Section 106 consultations for projects in the District, their demonstrated interest in the properties affected by the undertaking is clear. We strongly urge that they may be made consulting parties. Considering the scope of the undertaking, even this expanded list is likely missing necessary consulting parties. It should be evaluated to determine who else should be added.

Along with the consulting parties, the Section 106 regulations stress the importance of involving and considering the views of the public. CFR 800.2(d)(1) describes those views as "essential to informed Federal decision making in the Section 106 process" and public participation in this undertaking is especially important given how the arch would alter the character of our nation's capital and likely be of interest to individuals from all parts of the country. Yet it is our understanding that the public has been offered just 10 days to review the nearly 200 pages of related documentation and provide comments within this insufficient window of opportunity.

Given the visibility of the proposed monument from other areas of the city, the proposed Area of Potential Effect (APE) is drawn too narrowly, especially in areas of higher elevation. Further analysis to determine the visibility of the structure is necessary to determine and document the APE in accordance with 36 CFR 800.4(a).

When adverse effects are found, 36 CFR 800.6(a) requires Federal agencies to "…consult with the SHPO and other consulting parties…to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate…" those adverse effects. So fundamental is this requirement to the Section 106 process that 36 CFR 800.1(a) identifies it among the primary goals of consultation.

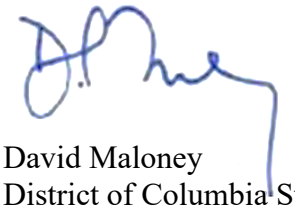
Avoidance efforts in typical Section 106 reviews of new memorials usually begin with the evaluation of a range of possible locations. Since a memorial honoring our country's 250th anniversary appears to have no relationship to Memorial Circle and would be inconsistent with Memorial Avenue's symbolic view corridor, the arch could conceivably be constructed at other locations. However, the AOE suggests no consideration was given to any other sites, including the two ceremonial gateways suggested by the U.S. Commission on Fine Arts (CFA) for additional memorials, specifically Pennsylvania Avenue, SE near the Sousa Bridge and South Capitol Street near the Douglass Bridge, or any of the sites identified in the National Capital Planning Commission's Memorials and Museums Master Plan. While a large memorial on these sites could result in adverse effects, all adverse effects are not equal. The "most substantial" adverse effects of the proposed site could be avoided if the arch were constructed in a location that did not significantly diminish the important reciprocal views that symbolize the reunification of the country after the Civil War or visually compete with the Lincoln Memorial.

When avoidance of adverse effects is not possible, minimization is usually sought via the review of an initial concept for a new memorial and subsequent design modifications. In this instance, the consulting parties have been presented with a fully developed, CFA approved design for a memorial arch. No opportunities for concept review or meaningful design review have been provided and the few design options characterized by the AOE as "various smaller arch heights" were dismissed before Section 106 was initiated. While the NPS suggests opportunities for design review of architectural detailing and materials will be provided, the essential size, scale and character of the memorial have already been established via CFA approval and the AOE states that the structure will be clad in granite. All the remaining design review options suggested by the NPS address mostly minor details that have no potential to minimize adverse effects in any meaningful way. Similarly, DC SHPO does not believe any of the mitigation measures suggested in the draft Programmatic Agreement will adequately resolve the adverse effects of the proposed project, and therefore does not concur in its use.

For all these reasons , we are concerned the DC SHPO's opportunities to reflect the interests of the District of Columbia and its citizens in the preservation of our cultural heritage in a manner that would meaningfully avoid, minimize, or mitigate the adverse effects of the undertaking have been precluded. Moreover, it appears that the Advisory Council on Historic Preservation's (ACHP) opportunity to comment may be foreclosed.

If you should have any questions or comments regarding any of these matters, please contact me at david.maloney@dc.gov or 202-442-8850 or Andrew Lewis at andrew.lewis@dc.gov or 202-442-8841.

Sincerely,



David Maloney
District of Columbia State Historic Preservation Officer

26-0593

cc: Consulting Parties

Outlook

Re: Proposed Triumphal Arch - Section 106 consultation meeting

From Smith, Kathryn G <Kathryn_Smith@nps.gov>
Date Mon 6/15/2026 5:54 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Campbell, Patrick <J_Patrick_Campbell@nps.gov>

Thank you for the opportunity to consult on the proposed Triumphal Arch project at Memorial Circle, part of the George Washington Memorial Parkway. As the NPS's Assessment of Effects report (AoE Report) notes, the height and location of the proposed arch mean it has the potential to adversely affect a number of National Historic Landmarks (NHLs) in Washington, DC and Arlington, Virginia. As you know, the National Historic Preservation Act (NHPA) provides heightened protection for designated NHLs through Section 110(f) (codified at 54 USC 306107) and the NHPA's implementing regulations at 36 CFR 800.10. Specifically, the NHPA requires that Federal agencies, to the maximum extent possible, undertake planning and actions necessary to minimize harm to any NHL that may be directly and adversely affected by an undertaking. This means that prior to the approval of any Federal undertaking that may affect a National Historic Landmark, the responsible Federal agency must notify the Advisory Council on Historic Preservation (ACHP) and the Secretary of the Interior [duties delegated to the National Park Service, NHL Program or NPS-NHL] of the consultation and to invite both parties to consult if there may be an adverse effect on the NHL.

I have reviewed the material provided by NPS and the following comments and guidance are provided to assist the agency in complying with Section 110(f) of the NHPA (codified at 54 USC 306107).

1. Ten calendar days to review and provide substantive comments on this complex undertaking is insufficient.
2. The Assessment of Effects Report (AoE Report) does not include an analysis of alternate locations that were considered. This would be a key avoidance or minimization strategy.
3. The White House is an NHL, but it is not depicted on the APE maps or evaluated for adverse effects. The US Capitol, like the White House, is an NHL that is exempt from Section 106 review under 54 U.S.C. 307104, but it is included in the analysis. Please explain why.
4. Page 22 – Quarters 1, Fort Myer (NHL NRIS# 72001382) and Fort Myer Historic District (NHL NRIS# 72001380) - Please separate these and identify each one as an NHL. Also identify the Pentagon as an NHL (NHL NRIS# 89000932).
5. Page 23 - Viewshed and visual minimization – The discussion doesn't make clear what methods this might include. From my review of the project, it appears impossible to minimize this very large and visible project without relocating it or abandoning the arch design. Perhaps minimization should include ongoing design development that includes consideration of alternative designs and alternative

locations that would not cause the effects that have been identified in the AoE Report.

6. Thank you for providing the viewshed visualizations. It would be helpful to have visualizations from more locations, including from the NHLs. Providing views with leaf-off conditions would also be advisable.
7. TABLE 2: It appears you missed the "Observatory Hill Historic District" National Register listing (NRIS# SG100000479; Asset Detail). The nomination includes detailed information of views from the campus surrounding the Old Naval Observatory.
8. TABLE 3 - NHL Assessment of Effects:
    a. Pentagon - Agree with finding. The arch is likely to affect the viewsheds from the Pentagon's two ceremonial entrances on the north and east elevations. Additional visualizations might help confirm if the effects will be adverse.

    b. Fort Myer NHL District: Agree that the arch will likely be visible from the Fort Myer NHL district and has potential to cause adverse effects. The proposed Arch location is about 5,000 feet southeast of the flagpole at Whipple Field (adjacent to the NHL Fort Myer district) and about 200 feet lower in elevation. While there are intervening trees and the elevation change is significant (approx. 230 feet versus 30 feet), there is still possibility that the upper elements of the arch will be visible.

    Fort Myer NHL has no updated documentation. Its location on Arlington Heights is significant to its history. It was built as part of Civil War defenses before becoming Fort Myer. Views to the Potomac and over DC would have been important to its defensive mission.

    Sensitive location on the fort – the flagpole across from the senior officers' quarters that face Grant Ave. This is Whipple Field, former site of Fort Whipple during the Civil War. The location has a sweeping eastward/southeastward vista of the monumental core of DC, including the Wash Monument, Capitol dome, Post Office tower, Lincoln Memorial, Memorial Bridge, and Jefferson Memorial.

    Visual simulations of the arch from this area would help determine the extent and nature of the effects to the view.

    c. US Capitol Building– The viewshed simulation provided shows that the arch will be visible, but its distance from the NHL and its location off the main east-west axis along the Mall would minimize its prominence.

    d. Smithsonian Institution Building: Agree that there will be no adverse effect on this NHL.

    e. Georgetown NHL District: As a historic port town, its location on the river and views from the waterfront upriver and downriver are important. Agree that there will be no adverse effect to the NHL because of the distance, intervening landforms and vegetation, and the general visual clutter already present in the viewshed.

f. Old Naval Observatory NHL: The National Register nomination for Observatory Hill district [listed 1/12/2017; NRIS# 100000479] gives insights into the important views from this prominent location: “Written descriptions and images from the mid and late 19th century attest to the park-like character of Observatory Hill, suggesting that it was visited by the public for recreation and for the views it offered.” “the Observatory Hill district possesses a variety of features (Table 1) that give character to the cultural landscape: topography; land use; spatial organization; circulation; vegetation; small-scale features; and views and vistas”
    i. Views and Vistas
        1. Views to and from the National Mall - upper campus, Period: Old Naval Observatory, Contributing
        2. Views to and from Arlington National Cemetery – upper campus, Period: Old Naval Observatory, Contributing
        3. View to Georgetown –upper campus - Period: Old Naval Observatory, Contributing
        4. View to Lincoln Memorial – lower campus - Period: Hygienic Laboratory/NIH, Contributing
    ii. Observatory Hill National Register nomination, Page 7-41 - "Significant views that remain intact include those to the National Mall and West Potomac Park and to Arlington House and Arlington National Cemetery. As two prominent landmarks in the Washington landscape, the Naval Observatory and Arlington House have had a reciprocal relationship since the Observatory’s completion in 1844. Views from the Observatory to locations on the National Mall have been present since the nineteenth century, particularly views of the Washington Monument. The intended relationship between the Mall and the Observatory Grounds is evident in the 1902 McMillan Plan, which specifically mentions that the hill had an exceptionally beautiful view and depicted the area as a parkland extension of the Mall. Subsequent development of Observatory Hill and its surrounding area—most notably the addition of the U.S. Institute of Peace (completed in 2010) on the south slope of the hill—has somewhat obstructed views from the historic district. Nonetheless, it retains a visual relationship with the west end of the National Mall and West Potomac Park."

    "Views toward Observatory Hill were especially important during the nineteenth century when the Observatory provided local time service, dropping a ball down a pole mounted on the Observatory dome at noon each day. Most artists’ depictions of Observatory Hill focused on views from the river or across the river toward the Observatory, highlighting its prominence over the Potomac River and overlooking the city. The hill’s visibility diminished as the city grew, but the hill and the dome of the Observatory are still visible from the Potomac and from Arlington."
    • "Views and vistas from upper campus have been an important aspect of its landscape since before the construction of the Naval Observatory. These views exist because of the prominence of the hill in Washington’s topography. Although some of the views from the hill

present during the period of significance no longer exist, three notable views remain and are contributing to the district's historic landscape: the National Mall, including the Washington Monument and West Potomac Park; Arlington House and Arlington National Cemetery; and Memorial Bridge"

iii. The NHL boundary is much smaller than the full campus, so evaluation should be done regarding views outward from the Old Naval Observatory Building and its direct surroundings. Because of intervening later development, it may not have direct views towards Arlington National Cemetery anymore. Existing condition photos and visual simulations from the NHL would be helpful.

9. Programmatic Agreement Draft
    a. Stip. B – Codes & Standards – There is no Secretary of the Interior's Standard for new construction. There are Standards for the Treatment of Cultural Landscapes that address Rehabilitation. The Guidelines associated with the Rehabilitation Standard state that "When alterations to a cultural landscape are needed to assure its continued use, it is most important that such alterations do not radically change, obscure, or destroy character-defining spatial organization and land patterns or features and materials." Further, "The installation of additions to a cultural landscape may seem to be essential to the new use, but it is emphasized in the Rehabilitation guidelines that such new additions should be avoided, if possible, and considered *only* [original emphasis] after it is determined that those needs cannot be met by altering secondary, i.e., non-character-defining spatial organization and land patterns or features."
    b. It appears that continued design review stipulated in the document is unlikely to result in any substantive improvements to the adverse effects unless the location, size, and/or configuration of the arch can be changed. Mitigation will need to be substantial and will be difficult to define based on the extent and nature of the adverse effects.
    c. Viewshed and Visual Mitigation – the enumerated methods for minimization and mitigation for views are unlikely to have much effect except locally right next to the arch.

Thank you for the opportunity to provide assistance regarding the affected National Historic Landmarks.

Best,
Kathryn

Kathryn G. Smith
National Historic Landmarks Coordinator
Community Preservation Assistance Program Manager
National Park Service
National Capital Region
202.619.7180

202.913.3859 mobile

1100 Ohio Drive, SW
Washington, DC 20242
kathryn_smith@nps.gov

NCR Website https://www.nps.gov/RESSNCR

NHL Website http://www.nps.gov/nhl
Facebook National Historic Landmark Program - NPS
Instagram NationalHistoricLandmarkNPS #NationalHistoricLandmark #FindYourPark

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From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Friday, June 12, 2026 11:18 AM
Subject: Proposed Triumphal Arch - Section 106 consultation meeting
When: Monday, June 15, 2026 1:00 PM-3:00 PM.
Where: Microsoft Teams Meeting

The National Park Service (NPS) is inviting you to participate as a consulting party in the review of a proposed undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800. The proposed undertaking involves construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. The NPS is the lead federal agency for this undertaking.

The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1). The undertaking would introduce a new permanent structure, associated hardscape, lighting, security elements, utility infrastructure, stormwater facilities, and traffic and pedestrian circulation changes into the Memorial Circle setting and would thereby alter characteristics of historic properties that qualify for inclusion in the National Register of Historic Places. In particular, the undertaking has the potential to impact the Memorial Avenue Corridor Cultural Landscape, Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and other related historic properties within the area of potential effects. The undertaking would also introduce new visual elements not presently found within Memorial Circle and change physical features within the setting that contributes to the significance of the historic district and cultural landscape.

Because of the phased nature of the undertaking, and because aspects of the project will continue to be refined during design development, the NPS has prepared a draft Programmatic Agreement (PA) to govern the resolution of adverse effects associated with the undertaking. The draft PA is intended to establish procedures for continued review, treatment, mitigation, and implementation as the project advances.

Enclosed link for your review are the following materials - https://parkplanning.nps.gov/triumphalarch

- Assessment of Effects
- Draft Programmatic Agreement

The NPS invites you to participate in a virtual consulting party meeting on June 15 from 1:00 p.m. to 3:00 p.m. Eastern Time. Meeting information will be provided separately. Additionally, these materials will be available for public review from June 5, 2026, to June 15, 2026.

Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Thank you for your consideration and participation in this consultation.

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

Microsoft Teams meeting

Join: https://teams.microsoft.com/meet/294632605765499?p=tbChYIF77WxwY6C8yl

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United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

June 22, 2026

Mr. David Maloney
State Historic Preservation Officer
District of Columbia Historic Preservation Office
899 North Capitol Street, NE, Suite 7100
Washington, DC 20002

RE: Section 106 Consultation for the Proposed Triumphal Arch in Memorial Circle

Dear Mr. Maloney,

Thank you for providing the District of Columbia Historic Preservation Officer's (DC HPO's) comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 C.F.R. Part 800.

Public participation regarding the proposed Triumphal Arch has been extraordinary, with the NPS receiving over 100,000 public comments regarding this undertaking. Those views expressed are being considered in accordance with applicable laws and regulations. This level of participation indicates that those who wish to participate have indeed been able to do so. In your response to NPS's invitation to consult, you stated that the DC HPO "does not believe any mitigation measures suggested in the draft Programmatic Agreement will adequately resolve the adverse effects of the proposed project." The only mitigation measure so far suggested by the DC HPO is to site the project at an alternative location. Based on our previous communications, it is NPS's understanding that if the project consists of an approximately 250-foot-tall arch, located in Memorial Circle, it is the DC HPO's position that there is no way to mitigate or minimize the identified adverse effects. Please either confirm that this is indeed your position or propose any suggested mitigation measures that do not consist of either site relocation or diminution of the structure.

Thank you very much, and we look forward to your response. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Sincerely,

JENNIFER NERSESIAN
Digitally signed by JENNIFER NERSESIAN
Date: 2026.06.22 12:08:57 -04'00'

Jennifer T. Nersesian
Regional Director

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

June 22, 2026

Mr. Roger W. Kirchen
Director and State Historic Preservation Officer
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

RE: Section 106 Consultation for the Proposed Triumphal Arch in Memorial Circle

Dear Mr. Kirchen,

Thank you for providing the Department of Historic Resources' (DHR's) comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 C.F.R. Part 800.

Public participation regarding the proposed Triumphal Arch has been extraordinary, with the NPS receiving over 100,000 public comments regarding this undertaking. Those views expressed are being considered in accordance with applicable laws and regulations. This level of participation indicates that all who wish to participate have indeed been able to do so. In your response to NPS's invitation to consult, you stated that the DHR believes many of the proposed undertaking's effects on historic properties "are (1) un-minimizable, due to the proposed scope, scale, design, placement, and intentional prominence of the Arch, and (2) un-mitigatable in a manner that is commensurate with the severity and significance of the effects." It is NPS's understanding that if the project consists of an approximately 250-foot-tall arch, located in Memorial Circle, it is the DHR's position that there is no way to mitigate or minimize the identified adverse effects. Please either confirm that this is indeed your position or propose any suggested mitigation measures that do not consist of either site relocation or diminution of the structure.

Thank you very much, and we look forward to your response. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Sincerely,

JENNIFER NERSESIAN Digitally signed by JENNIFER NERSESIAN
Date: 2026.06.22 12:09:37 -04'00'

Jennifer T. Nersesian
Regional Director

Outlook

Fw: [EXTERNAL] Clarification for the record

From Stidham, Tammy <Tammy_Stidham@nps.gov>
Date Thu 02-Jul-26 11:19 AM
To Hoaglund, Jordan W <jordan_hoaglund@nps.gov>; Gillham, Lindsay B <Lindsay_Gillham@nps.gov>; Levine, Haninah <haninah.levine@sol.doi.gov>

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

From: Maloney, David (OP) <david.maloney@dc.gov>
Sent: Thursday, 02 July 2026 12:37:22
To: Stidham, Tammy <Tammy_Stidham@nps.gov>
Subject: [EXTERNAL] Clarification for the record

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello, Tammy. I wanted to forward this statement to you for the sake of clarity and completeness.

In my June 26, 2026 letter to you, I discussed the need in the Section 106 review process to consider ways to avoid the adverse historic effects of locating the proposed monumental arch at Memorial Circle. In that context, I mentioned the South Capitol Street oval, which the Chairman of the Commission of Fine Arts had raised as a potential location for an arch, as an alternative to consider. Since then, I have received questions about the potential of constructing an arch at the South Capitol Street oval and want to clarify why it was raised. I mentioned the potential of this alternative location to emphasize the need to consider ways to avoid the adverse historic effects as part of the Section 106 process. This was not an endorsement of locating an arch at this location, which would raise other issues that have not been evaluated. Finally, as is the case with all comments I make in the Section 106 process, the letter reflected my views as the District's State Historic Preservation Officer and is not intended to speak for the larger District government.

Thanks,
David

David Maloney (he/him/his)
State Historic Preservation Officer • DC Office of Planning
899 North Capitol Street NE, Suite 7100 • Washington, DC 20002
202-442-8850
david.maloney@dc.gov
planning.dc.gov

Telework Day: Tuesdays. I can still be reached via email and phone during these days.
Sign up here for OP's newsletter and announcements

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

July 10, 2026

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

Re: Continued Consultation under Section 106 of the National Historic Preservation Act for the Proposed Triumphal Arch at Memorial Circle, Washington, DC

Dear Mr. Maloney:

Thank you for providing the District of Columbia State Historic Preservation Officer's (DC HPO) letters dated June 15, 2026, and June 26, 2026. The National Park Service (NPS) is pleased to know DC HPO is meaningfully participating in the review process required by the National Historic Preservation Act (NHPA) and its implementing regulations at 36 C.F.R. Part 800 for this undertaking. Due to NPS's extraordinary transparency at the outset of this review process, DC HPO was able to prepare substantial initial comments regarding the undertaking. Notably, it is clear through your letters that DC HPO agrees the proposed action is an undertaking, as defined in 36 C.F.R. § 800.16(y), that has the potential to cause effects on historic properties.

NPS considered DC HPO's request that it grant consulting party status to those who requested such status. NPS is pleased to inform you that DC HPO's input has been incorporated into this review process. Accordingly, NPS has granted consulting party status to the following groups:

- National Trust for Historic Preservation
- Committee of 100 on the Federal City
- DC Preservation League
- The Cultural Landscape Foundation
- National Parks Conservation Association
- American Institute of Architects
- National Mall Coalition
- Family Circle of Descendants at Arlington House

Based on the Virginia Department of Historic Resources's suggestions, NPS has also granted consulting party status to:

- Preservation Virginia
- Virginia Museum of History and Culture
- Arlington Historical Society
- Friends of Joint Base Myer-Henderson Hall
- Pentagon Memorial Foundation
- Virginia Secretary of Veterans and Defense Affairs
- Virginia Department of Veterans Services
- Veterans of Foreign Wars – National Organization
- The American Legion – National Organization

Further, NPS noted DC HPO's concern with the length of the initial public comment period provided for this undertaking. While NPS did receive over 100,000 comments during this initial comment period, NPS incorporated DC HPO's views and reopened public comment for twenty additional days on July 10, 2026.

NPS is now seeking DC HPO's views regarding the area of potential effects (APE) and the historic properties located therein for this proposed undertaking. NPS provided DC HPO, consulting parties, and the public with its initial APE determination on June 5, 2026. However, DC HPO believes the APE was "drawn too narrowly, especially in areas of higher elevation." DC HPO provided that "[f]urther analysis to determine the visibility of the structure is necessary to determine and document the APE in accordance with 36 C.F.R. [§] 800.4(a)."

The Section 106 regulations define an APE as "the geographic area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking" (36 CFR § 800.16[d]). The APE is defined to allow for the evaluation of potential effects to historic properties resulting from an undertaking.

To begin developing the APE for this project, the NPS referenced the APEs developed for other recent federal undertakings that involved major construction and physical prominence in the Potomac River basin, including the rehabilitation of the Arlington Memorial Bridge, the Rehabilitation of the Lincoln Memorial, the rehabilitation of the Tidal Basin and West Potomac Park seawalls, and the Long Bridge Project. Reviewing the APE development and consultation process for these prior projects informed the drafting of the initial APE for this project by identifying considerations and analysis raised in prior efforts that are germane to the current proposed undertaking. Additionally, it allowed the NPS to consider consulting party input on those prior APEs that may also be relevant to the APE of this project.

To establish preliminary boundaries for the APE, aerial imagery basemaps in ArcGIS Pro and Google Earth were used to identify the general extents of potential construction and visual impacts. To inform the outer boundaries of the preliminary APE and identify critical study areas within it, the NPS analyzed photographs of important viewsheds, as well as architectural landscape renderings developed by the project's designers that overlay the proposed undertaking on those viewsheds. This analysis of APE outer extents considered areas of higher elevation (from which views would be more likely); major urban infrastructure (particularly elevated structures that would have a greater potential to block views); and other urban conditions like building density, street patterns, tree coverage, and potential viewsheds.

The NPS then used existing cultural resources GIS tools to identify, map, and list cultural resources within the APE. The NPS consulted data from the Cultural Resources Inventory System (CRIS), the Virginia Cultural Resources Inventory System (VCRIS), and the National Register Information System including nomination documentation held at the National Archives. Once the APE was drafted, the impacted resources were gathered using a selection-by-location tool in ArcGIS Pro. This geoprocessing tool allows a user to select resources from one set of layers (in this case the data layers containing data for the National Register, National Historic Landmark, CRIS-CL, and CRIS-HS programs) using a defined spatial limit (in this case the preliminary boundary for the APE).

The APE for this project encompasses the area in which the NPS anticipates that direct and/or indirect effects to historic properties are possible. Within the overall APE, the NPS has identified an "area of direct effects." This area includes the immediate proposed construction footprint, directly adjacent areas, and the primary ceremonial axis linking the Washington D.C. monumental core with Arlington National Cemetery.

The area of direct effects extends from Arlington National Cemetery in the west, across the Memorial Avenue Corridor to the Lincoln Memorial, and then along the length of the National Mall to the United States Capitol. In addition to those axial landscapes, it also includes adjacent and cultural landscapes including, generally from west to east: Arlington House, the Robert E. Lee Memorial, the entirety of the Memorial Avenue Corridor, Lady Bird Johnson Park, portions of Mount Vernon Memorial Highway, portions of the George Washington Memorial Parkway, the southern entrance of Rock Creek and Potomac Parkway, the Washington Monument and grounds, and the United States Capitol and grounds.

Beyond the area of direct effects, the APE extends farther to include places that are not expected to be directly affected by the undertaking but are potentially subject to indirect effects (the area of indirect effects). The outer bounds of the APE encompass Joint Base Myer–Henderson Hall to the west and from there, the boundary extends to the east to surround Arlington National Cemetery and Arlington Ridge Park. The boundary turns north before it reaches the bank of the Potomac River and parallels the riverbank upriver to a point north of Rosslyn. The boundary then crosses the river and encompasses the Georgetown Waterfront, continuing to the east to include

the southern entrance of the Rock Creek and Potomac Parkway and the Lincoln Memorial and grounds. From the Lincoln Memorial, the boundary generally follows the northern side of the National Mall—with a jog northward to include the Old Post Office Tower—to the U.S. Capitol and Grounds, which mark the eastern end of the APE. From this eastern terminus, the APE boundary generally follows the southern side of the National Mall, extending in a line to the west until 15th Street SW, where it turns to the south to include the bridges from the waterfront to Hains Point. The boundary then extends southwest across the Potomac to a point north of Ronald Reagan Washington National Airport and there turns westward to encompass the Pentagon and curve north to surround Arlington National Cemetery, up to Joint Base Myer–Henderson Hall.

Additionally, NPS publicly provided details of the historic properties within the area of direct effects in Table 1 of Appendix D and details of the historic properties within the area of indirect effects in Table 2 of Appendix D. These tables include a listing of historic districts, cultural landscapes, and archeological sites within the APE, as well as contributing features and elements within them. These tables also detail the designation of the properties.

As DC HPO will note, as provided above, NPS considered "areas of higher elevation (from which views would be more likely)" and "major urban infrastructure (particularly elevated structures that would have a greater potential to block views)" when defining the APE. Such considerations were of main concern to DC HPO in its June 15, 2026, letter. NPS believes this information is more than sufficient for DC HPO to provide additional input as to what should be the APE and to identify the historic properties located within the APE. As such, NPS requests DC HPO provide its preferred APE and identify historic properties located within which DC HPO believes to be sufficient for this undertaking.

Please provide your response to the above by July 19, 2026.

Sincerely,

Frank Lands
Deputy Director, Operations
National Park Service

For

Jennifer T. Nersesian
Regional Director
National Capital Region
National Park Service

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

July 10, 2026

Mr. Roger Kirchen
State Historic Preservation Officer
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Re: Continuation of Consultation under Section 106 of the National Historic Preservation Act for the Proposed Triumphal Arch at Memorial Circle, Washington, DC

Dear Mr. Kirchen:

Thank you for providing the Virginia Department of Historic Resources's (VDHR) letters dated June 15, 2026, and July 2, 2026. The National Park Service (NPS) is pleased to know VDHR is meaningfully participating in the review process required by the National Historic Preservation Act (NHPA) and its implementing regulations at 36 C.F.R. Part 800 for this undertaking. Due to NPS's extraordinary transparency at the outset of this review process, VDHR was able to prepare substantial initial comments regarding the undertaking. Notably, it is clear through your letters that VDHR agrees the proposed action is an undertaking, as defined in 36 C.F.R. § 800.16(y), that has the potential to cause effects on historic properties.

NPS considered VDHR's request to grant consulting party status to additional groups who may have concerns with the undertaking's effects on historic properties. NPS is pleased to inform you that VDHR's input has been incorporated into this review process. Accordingly, NPS has granted consulting party status to the following groups:

- Preservation Virginia
- Virginia Museum of History and Culture
- Arlington Historical Society
- Friends of Joint Base Myer-Henderson Hall
- Pentagon Memorial Foundation
- Virginia Secretary of Veterans and Defense Affairs
- Virginia Department of Veterans Services
- Veterans of Foreign Wars – National Organization

- The American Legion – National Organization

Additionally, NPS has also granted consulting party status to:

- National Trust for Historic Preservation
- Committee of 100 on the Federal City
- DC Preservation League
- The Cultural Landscape Foundation
- National Parks Conservation Association
- American Institute of Architects
- National Mall Coalition
- Family Circle of Descendants at Arlington House

Further, NPS noted VDHR's concern with the length of the initial public comment period provided for this undertaking. While NPS did receive over 100,000 comments during this initial comment period, NPS incorporated VDHR's views and reopened public comment for twenty additional days on July 10, 2026.

NPS is now seeking VDHR's views regarding the area of potential effects (APE) and the historic properties located therein for this proposed undertaking. NPS provided VDHR, consulting parties, and the public with its initial APE determination on June 5, 2026. However, VDHR believes the APE is "incomplete." VDHR requested "information in order to assess the appropriateness of the APE." Specifically, VDHR suggested a "viewshed study should be included" in supporting documentation of the APE determination.

The Section 106 regulations define an APE as "the geographic area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking" (36 CFR § 800.16[d]). The APE is defined to allow for the evaluation of potential effects to historic properties resulting from an undertaking.

To begin developing the APE for this project, the NPS referenced the APEs developed for other recent federal undertakings that involved major construction and physical prominence in the Potomac River basin, including the rehabilitation of the Arlington Memorial Bridge, the Rehabilitation of the Lincoln Memorial, the rehabilitation of the Tidal Basin and West Potomac Park seawalls, and the Long Bridge Project. Reviewing the APE development and consultation process for these prior projects informed the drafting of the initial APE for this project by identifying considerations and analysis raised in prior efforts that are germane to the current proposed undertaking. Additionally, it allowed the NPS to consider consulting party input on those prior APEs that may also be relevant to the APE of this project.

To establish preliminary boundaries for the APE, aerial imagery basemaps in ArcGIS Pro and Google Earth were used to identify the general extents of potential construction and visual impacts. To inform the outer boundaries of the preliminary APE and identify critical study areas within it, the NPS analyzed photographs of important viewsheds, as well as architectural landscape renderings developed by the project's designers that overlay the proposed undertaking on those viewsheds. This analysis of APE outer extents considered areas of higher elevation (from which views would be more likely); major urban infrastructure (particularly elevated structures that would have a greater potential to block views); and other urban conditions like building density, street patterns, tree coverage, and potential viewsheds.

The NPS then used existing cultural resources GIS tools to identify, map, and list cultural resources within the APE. The NPS consulted data from the Cultural Resources Inventory System (CRIS), the Virginia Cultural Resources Inventory System (VCRIS), and the National Register Information System including nomination documentation held at the National Archives. Once the APE was drafted, the impacted resources were gathered using a selection-by-location tool in ArcGIS Pro. This geoprocessing tool allows a user to select resources from one set of layers (in this case the data layers containing data for the National Register, National Historic Landmark, CRIS-CL, and CRIS-HS programs) using a defined spatial limit (in this case the preliminary boundary for the APE).

The APE for this project encompasses the area in which the NPS anticipates that direct and/or indirect effects to historic properties are possible. Within the overall APE, the NPS has identified an "area of direct effects." This area includes the immediate proposed construction footprint, directly adjacent areas, and the primary ceremonial axis linking the Washington D.C. monumental core with Arlington National Cemetery.

The area of direct effects extends from Arlington National Cemetery in the west, across the Memorial Avenue Corridor to the Lincoln Memorial, and then along the length of the National Mall to the United States Capitol. In addition to those axial landscapes, it also includes adjacent and cultural landscapes including, generally from west to east: Arlington House, the Robert E. Lee Memorial, the entirety of the Memorial Avenue Corridor, Lady Bird Johnson Park, portions of Mount Vernon Memorial Highway, portions of the George Washington Memorial Parkway, the southern entrance of Rock Creek and Potomac Parkway, the Washington Monument and grounds, and the United States Capitol and grounds.

Beyond the area of direct effects, the APE extends farther to include places that are not expected to be directly affected by the undertaking but are potentially subject to indirect effects (the area of indirect effects). The outer bounds of the APE encompass Joint Base Myer–Henderson Hall to the west and from there, the boundary extends to the east to surround Arlington National Cemetery and Arlington Ridge Park. The boundary turns north before it reaches the bank of the Potomac River and parallels the riverbank upriver to a point north of Rosslyn. The boundary then crosses the river and encompasses the Georgetown Waterfront, continuing to the east to include

the southern entrance of the Rock Creek and Potomac Parkway and the Lincoln Memorial and grounds. From the Lincoln Memorial, the boundary generally follows the northern side of the National Mall—with a jog northward to include the Old Post Office Tower—to the U.S. Capitol and Grounds, which mark the eastern end of the APE. From this eastern terminus, the APE boundary generally follows the southern side of the National Mall, extending in a line to the west until 15th Street SW, where it turns to the south to include the bridges from the waterfront to Hains Point. The boundary then extends southwest across the Potomac to a point north of Ronald Reagan Washington National Airport and there turns westward to encompass the Pentagon and curve north to surround Arlington National Cemetery, up to Joint Base Myer–Henderson Hall.

Additionally, NPS publicly provided details of the historic properties within the area of direct effects in Table 1 of Appendix D and details of the historic properties within the area of indirect effects in Table 2 of Appendix D. These tables include a listing of historic districts, cultural landscapes, and archeological sites within the APE, as well as contributing features and elements within them. These tables also detail the designation of the properties. Further, Appendix A provided VDHR with viewshed impact renderings from multiple locations within the APE, which was of main concern by VDHR in its June 15, 2026, letter.

NPS believes this information is more than sufficient for VDHR to provide additional input as to what should be the APE and to identify the historic properties located within the APE. As such, NPS requests VDHR provide its preferred APE and identify historic properties located within which VDHR believes to be sufficient for this undertaking.

Please provide your response to the above by July 19, 2026.

Sincerely,

Frank Lands
Deputy Director, Operations
National Park Service

For

Jennifer T. Nersesian
Regional Director
National Capital Region
National Park Service

DEPARTMENT OF COMMUNITY PLANNING, HOUSING & DEVELOPMENT
Neighborhood Services Division – Historic Preservation Program
2100 Clarendon Boulevard, Suite 700, Arlington, VA 22201
TEL 703.228.3830 www.arlingtonva.us

Memorandum

To: Tammy Stidham, Associate Regional Director, National Park Service (NPS)

Date: July 16, 2026

From: Mical Durak, Historic Preservation Program (HPP), CPHD

Subject: HPP Feedback on Concerns to Historic Properties in the Area and Potential Effects on Those Resources

Thank you for reaching out to seek further information about historic properties in the area near the proposed undertaking and the potential effects of the project on those properties. Please see below for Arlington County's Historic Preservation Program's (HPP) comments:

Feedback on Area of Potential Effects and Identified Historic Resources:

- HPP staff concur with the National Park Service's (NPS) list of 43 identified historic resources (both within area of direct effects and indirect effects) as outlined in *Appendix D: Historic Properties and Assessment of Adverse Effects Tables* (attached) which was shared with Consulting Parties in June 2026.
- However, HPP staff disagree with NPS's assessment of the adverse effect on some of those properties. For example, the Lyndon B. Johnson Memorial Grove is located close and within visual range of the proposed undertaking making it more likely that the "proposed undertaking *would* result in adverse indirect effects" rather than the stated "may." Other examples include, but are not limited to, the World War II Memorial, Thomas Jefferson Memorial, and Theodore Roosevelt Island for which the assessment of effect as "no adverse effect is anticipated" should be re-assessed by NPS. We encourage NPS to comprehensively re-assess listed resources and their potential to be affected, including visually, atmospherically, or consequentially, by the proposed undertaking.
- HPP staff agree with NPS's assessment that additional archaeological studies must occur prior to excavation and construction. NPS identified 44AX0028 (Alexandria Canal) in their Assessment of Effect (AoE); however, according to the Virginia Cultural Resource Information System (V-CRIS), there are 13 other known archaeological sites within NPS's current APE boundary for the project: 44AR0008, 44AR0017, 44AR0032, 44AR0036, 44AR0043, 44AR0045, 44AR0046, 44AR0047, 44AR0048, 44AR0049, 44AR0050, 44AR0057, and 44AR0058. Known archaeological resources within the Area of Potential Effects (APE) in Washington, D.C., would also need to be identified. Furthermore, NPS needs to identify how all those resources would be affected by this undertaking as they were not included in the initial assessment.

- HPP staff strongly recommend that NPS expand the APE, especially the area of potential indirect effects. The height of this proposed undertaking makes it more likely to have a visual effect on surrounding resources at higher elevations in Arlington. HPP staff are concerned that the potential indirect or consequential effect on nearby historic neighborhoods, several of which are listed on the National Register of Historic Places (NRHP) or contain NRHP-listed, NRHP-eligible, or locally significant historic resources, have not been properly studied or evaluated. Some of the nearby neighborhoods include Rosslyn, Radnor/Fort Myer Heights, Clarendon-Courthouse, Lyon Park, Penrose, Foxcroft Heights, and Arlington View.
    - Additionally, NPS's use of recent federal undertakings involving "major construction and physical prominence in the Potomac River basin" as a reference point to help develop the existing APE is understandable; however, a majority of those projects were for the rehabilitation of existing structures – not for the construction of a tall and visually prominent structure and thus, given the scale and design, require further consideration.
- Finally, HPP staff request that the project team develop additional viewshed studies with a vantage point from Arlington County. Such studies would serve as a necessary assessment to understand the concern HPP staff have about the potential visual impact on nearby historic resources/neighborhoods in Arlington County (beyond the Arlington National Cemetery).

In conclusion, HPP staff would like to reiterate that the requested deadline for comments on this specific topic does not follow standard protocols and has impacted our ability to provide a comprehensive response. As with the initial engagement with consulting parties for this project, for which there was a 10-day review period, it does not follow the standard Section 106 process. Furthermore, requesting that consulting parties identify historic properties in the area near the potential undertaking and share "thoughts on issues related to the potential undertaking's effects on such historic properties" also strays from the standard Section 106 process. NPS had already developed their AoE; therefore, we require further clarity as to exactly what NPS is requesting of Arlington County as a consulting party.

Again, we respectfully request that a proposed Section 106 timeline be shared with all consulting parties and that there be future consulting party meetings held on this topic. We welcome future opportunities to meaningfully engage in the Section 106 process for this undertaking in the future.

Mical Durak

Mical Durak
Historic Preservation Principal Planner

Outlook

RE: [EXTERNAL] RE: Invitation to participate in consultation - Proposed Triumphal Arch

From Koeppel, Sarah Y CTR WHS FSD (USA) <sarah.y.koeppel.ctr@mail.mil>
Date Thu 7/16/2026 8:01 AM
To Hoaglund, Jordan W <jordan_hoaglund@nps.gov>
Cc Stidham, Tammy <Tammy_Stidham@nps.gov>; Kloehn, Ariam C CIV WHS FSD (USA) <ariam.c.kloehn.civ@mail.mil>; Miranda, Rafael A CAPT USN COMNAVFACSYSCOM (USA) <rafael.a.miranda.mil@us.navy.mil>; Rogers, Emilie A CIV WHS FSD (USA) <emilie.a.rogers.civ@mail.mil>; Keethler, Emma C CTR (USA) <emma.c.keethler2.ctr@mail.mil>; King, Joseph W III CIV WHS FSD (USA) <joseph.w.king78.civ@mail.mil>

Thanks so much, Jordan. I am the correct POC but unfortunately didn't receive the June 5th email. If the opportunity is still available, we do request to participate in this Section 106 review as a consulting party. Please let us know if we may be designated as such and advise on any necessary next steps to join the consultation process.

Regarding your July 10 email, WHS notes that the NPS has already evaluated the potential effects to the Pentagon Historic District in its June 2026 Environmental Assessment. Therefore, we have no further comments or additional information to provide beyond that existing evaluation at this time.

Thanks so much,
Sarah

Sarah Koeppel, RPA
Deputy Federal Preservation Officer
(Contractor), Eastern Research Group, Inc.
Facilities Services Directorate (FSD)
Washington Headquarters Services (WHS)
M: (301) 606-3628
NIPR: sarah.y.koeppel.ctr@mail.mil
https://www.whs.mil

From: Hoaglund, Jordan W <jordan_hoaglund@nps.gov>
Sent: Monday, July 13, 2026 2:52 PM
To: Koeppel, Sarah Y CTR WHS FSD (USA) <sarah.y.koeppel.ctr@mail.mil>
Cc: Stidham, Tammy <Tammy_Stidham@nps.gov>; Kloehn, Ariam C CIV WHS FSD (USA) <ariam.c.kloehn.civ@mail.mil>; Miranda, Rafael A CAPT USN COMNAVFACSYSCOM (USA) <rafael.a.miranda.mil@us.navy.mil>
Subject: Re: [EXTERNAL] RE: Invitation to participate in consultation - Proposed Triumphal Arch

You don't often get email from jordan_hoaglund@nps.gov. Learn why this is important

Hi Sarah - I checked with Tammy (cc'd) who sent the original invitation on June 5 and it looks like we had you as the contact back then as well. Let us know if it needs to go to someone else. Also copying Capt. Rafi Miranda who has been helping our team with coordination across DoW.

Thanks!

Jordan Hoaglund
National Park Service
Priority Project Coordinator (Detail)
Washington Support Office
1849 C Street; Room 3321
Washington, DC 20240
Cell: 303-565-6796

Please see my Shared Calendar for specific availability.

From: Koeppel, Sarah Y CTR WHS FSD (USA) <sarah.y.koeppel.ctr@mail.mil>
Sent: Monday, July 13, 2026 11:02 AM
To: Hoaglund, Jordan W <jordan_hoaglund@nps.gov>
Cc: Stidham, Tammy <Tammy_Stidham@nps.gov>; Kloehn, Ariam C CIV WHS FSD (USA) <ariam.c.kloehn.civ@mail.mil>
Subject: [EXTERNAL] RE: Invitation to participate in consultation - Proposed Triumphal Arch

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The Committee of 100
on the Federal City

945 G Street, N.W., Washington, D.C. 20001 ◆ www.committeeof100.net ◆ info@committeeof100.net

July 17, 2026

Ms. Tammy Stidham
Associate Regional Director – Lands & Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

By email: tammy_stidham@nps.gov

Dear Ms. Stidham:

On behalf of the Committee of 100 on the Federal City ("Committee of 100"), I am writing in response to the invitation by Jordan W. Hoagland (email received July 10, 2026) to the Committee of 100 to participate as a Consulting Party pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800, with respect to a proposed undertaking involving construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. (the "Arch Proposal"). The NPS is the lead federal agency for this undertaking.

Mr. Hoagland's email asks the Committee of 100 to provide "knowledge of, or concerns with, historic properties in the area near the potential undertaking, and your thoughts on issues related to the potential undertaking's effects on such historic properties." The invitation requests that we provide any information for NPS to consider by Sunday, July 19, 2026.

The Committee of 100 accepts the NPS's invitation to participate as a Consulting Party in this matter. Our views follow.

1. As a preliminary matter, we strongly object to the rushed timeframe and perfunctory process that NPS has chosen to conduct its review and consultation responsibilities under the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA). This rushed process is particularly inappropriate and improper for a massive new structure in the monumental core of Washington, D.C. that would have such profound and adverse effects to significant and carefully planned historic structures and cultural landscapes in the Nation's Capital. As the regulations state:

   > "The agency official should use appropriate mechanisms, taking into account the magnitude of the undertaking and the nature of its effects upon historic properties, the likely effects on historic properties, and the relationship of the Federal involvement to the undertaking to ensure that the public's views are considered in the consultation. The agency official should also consider the extent of notice and information concerning historic preservation issues afforded the public at earlier steps in the section 106 process to determine the appropriate level of public involvement when resolving adverse effects so that the standards of § 800.2(d) are met." 36 C.F.R. § 800.6(a)(4) (emphasis added).

   Here, given the magnitude of the Arch Proposal, NPS has an obligation to carry out the Section 106 consultation process in a manner that provides a meaningful opportunity for consideration

of the public's views, particularly regarding alternatives. Considering the considerable public interest in this project (and the very short comment opportunity offered for public comment, i.e. June 5-15, 2026, only six working days), we request that NPS share with the Consulting Parties all public comments received to date regarding the proposal, and provide NPS's analysis and response to the views of the public. Without this, we question whether NPS has met its obligation "to ensure that the public's views are considered in the consultation," as required by 36 C.F.R. § 800.6(a)(4).

2. With respect to the Arch Proposal's adverse effects on historic properties, we have previously stated our view to NPS that the Arch Project would have significant adverse effects on historic properties within the Area of Potential Effects. In fact, those impacts would seriously damage the cultural landscapes that help to define the character of the Nation's Capital. For a more detailed explanation of our views with respect to adverse effects, please see the detailed set of comments addressed to you dated June 15, 2026 (copy attached).

3. More fundamentally, however, the question that NPS should be addressing at this point is not whether the Arch Proposal would adversely affect existing historic properties, since those adverse effects on historic sites and cultural landscapes of the highest order have been well documented (and even acknowledged by NPS). Instead, the question that NPS should be addressing at this point is what alternatives or modifications could be applied to the undertaking to avoid, minimize or mitigate those adverse effects. As the applicable regulations expressly state:

   > "The agency official shall consult with the SHPO/THPO and other consulting parties . . . <u>to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties.</u>" 36 CFR § 800.6(a) (emphasis added).

   Despite this obligation to confer with the Consulting Parties regarding project alternatives, NPS has effectively ruled out any meaningful opportunity to consult on the key topic of project alternatives—particularly alternative locations and height—that would avoid the adverse effects of the current proposal in their entirety. To the contrary, NPS, in its "Assessment of Effects Report," has made it clear that it intends to limit consideration of alternatives solely to minor design changes to a massive 250-foot structure that would forever alter the existing cultural landscape.

   It is the view of the Committee of 100 that the Assessment of Effects Report is seriously flawed by foreclosing appropriate consideration of project alternatives, and should be withdrawn. Indeed, the NPS should halt further consideration of this proposal unless and until it has seriously explored project alternatives in consultation with the Consulting Parties as required under 36 CFR § 800.6(a), and through a process appropriate to the magnitude of the Arch Proposal as required by 36 CFR § 800.6(a)(4). To that end, we request that NPS, as lead agency, initiate a meaningful consultation process to follow up on the suggestion made by the DC State Historic Preservation Officer (DC SHPO), and confer with the various Consulting Parties regarding alternative locations such as near the Douglass Bridge, or any of the sites identified in the National Capital Planning Commission's Memorials and Museums Master Plan.

4. We note that NPS, as the lead agency under the NHPA, is required to "ensure that a determination, finding, or agreement under the procedures in this subpart is supported by sufficient documentation to enable any reviewing parties to understand its basis." 36 CFR § 800.11. We request that NPS provide the basis under which it has made findings regarding its

evaluation of project alternatives under 36 CFR § 800.6, and specifically its apparent determination that alternative project locations should be excluded.

5. It is also the view of the Committee of 100 that the NPS's review of the project under NEPA is procedurally and substantially defective. The Environmental Assessment (EA) was issued without any opportunity for public comment, contrary to the obligation of the agency to ensure that its NEPA evaluation includes "[m]eaningful participation by the public and other stakeholders." Director's Order No. 12, § 4.3 (2011). In addition, the substantive determinations in the Finding of No Significant Impact (FONSI) are patently unsupportable, and are contrary to the substantial adverse impacts identified under Section 106. Issuance of the FONSI by NPS without any opportunity for public comment, and well before the completion of the Section 106 review, makes it evident that it was not based on an actual substantive review. The EA and FONSI should be withdrawn.

6. The Committee of 100 is also deeply concerned about the transportation impacts of the Arch Proposal, given its proposed height and proximity to Reagan National Airport and its severe disruption to existing traffic patterns. Related to this, since the project requires the approval of both the Federal Aviation Administration and the Federal Highway Administration, we look forward to understanding how the NPS will meet its obligations under Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303. In our view, there are feasible and prudent alternatives to the current proposal, which NPS must address under Section 4(f) before a final decision is made.

7. Finally, we reiterate our view that the Arch Proposal is subject to the requirements of the Commemorative Works Act, 40 U.S.C. §§ 8901–8909, and the Height of Buildings Act, Pub. L No. 61-196, 36 Stat. 452 (1910). Again, considering the magnitude of this proposal and its significant impacts on the cultural landscapes administered by the National Park Service, we urge the agency to halt further consideration of the Arch Proposal unless and until the project is expressly authorized by federal statute, or unless the project is redesigned at a location and configuration that is consistent with those two statutes.

Sincerely,

Judy Chesser

Judy Chesser
Chair

cc:

Ms. Jennifer Madello, NPS - jennifer_madello@nps.gov
Mr. Jordan Hoagland, NPS - jordan_hoaglund@nps.gov
Mr. David Maloney, DC SHPO - david.maloney@dc.gov
Mr. Reid Nelson, Executive Director, Advisory Council on Historic Preservation - rnelson@achp.gov

Enclosure: Committee of 100 Comments to NPS, June 15, 2026, "Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement" (ID: 136973)

July 18, 2026

Tammy Stidham
Associate Regional Director, Lands and Planning
National Park Service, National Capital Region

Cc: Jordan Hoagland, Priority Project Coordinator, National Park Service
Jennifer Madello, Superintendent, George Washington Memorial Parkway, National Park Service

RE: NPCA Response to Invitation to Consult Under Section 106 of the National Historic Preservation Act, Proposed Triumphal Arch at Memorial Circle, George Washington Memorial Parkway

Dear Ms. Stidham:

On behalf of the National Parks Conservation Association (NPCA) and our more than 1.9 million members and supporters, thank you for the invitation to participate as a consulting party in the Section 106 review of the proposed Triumphal Arch at Memorial Circle. NPCA is a nonpartisan organization dedicated to protecting and enhancing America's national parks. We have advocated for the stewardship of George Washington Memorial Parkway, the National Mall, and national park units throughout the National Capital Region for decades. NPCA most recently served as a consulting party in the Section 106 review at Clara Barton National Historic Site, administered by the same park unit, and we bring that same commitment to constructive, substantive participation here.

We accept this invitation while noting that the Section 106 and NEPA processes conducted for this undertaking to date have been wholly inadequate. Consultation was initiated late, compressed into inadequate review periods and conducted after the decisions it was meant to inform had already been made. The environmental review considered only two alternatives for one of the most consequential additions proposed to the capital's monumental landscape in a century. And the consulting parties whose interests are most directly affected have either objected to the process or never been invited into it. It is not too late to change course, and this letter identifies specific steps needed to improve this process.

I. The Consultation Conducted to Date Has Been Wholly Inadequate

Section 106 consultation must begin early in project planning so that it can meaningfully inform agency decisions, and it must provide consulting parties a reasonable opportunity to identify concerns, advise on identification and evaluation, articulate views on effects, and participate in resolving adverse effects. NPS initiated consultation on June 5, 2026, with a ten day comment window on a lengthy Assessment of Effects and a draft Programmatic Agreement that had not yet filled in its own list of affected resources. NPCA requested consulting party status in early June and submitted comments on June 15. NPS then issued its Finding of No Significant Impact on June 18, and the National Capital Planning Commission granted preliminary site and building plan approval on July 9, before the formal invitation to consult arrived on July 10. Consultation initiated after the NEPA decision document has issued and

after preliminary design approval has been granted is not the early, meaningful consultation the process requires.

The current response window continues the pattern. The invitation allows nine days, spanning two weekends, for consulting parties to respond. Both State Historic Preservation Officers objected to a nearly identical compressed window in June. The PEPC record shows that the document now open for review is the same June 5, 2026 Assessment of Effects and draft Programmatic Agreement, reopened for public comment through July 30, 2026, unrevised and without any disposition of the comments and objections already submitted. The consultation response deadline of July 19 therefore closes eleven days before the agency's own public comment period on the identical materials. We respectfully request that NPS extend the consulting party response deadline by at least 30 days, and in no event set it earlier than the July 30 close of public comment; confirm whether the posted documents have been revised in any respect since June 5; provide a comment disposition documenting how the June 2026 submissions of consulting parties and both State Historic Preservation Officers have been addressed; and share with all consulting parties the full body of public comments received on this undertaking to date, together with the agency's analysis of and response to those views.

II. Section 106 Requires Genuine Consulting Party Engagement Going Forward

Consultation should be a sustained exchange in which consulting parties help shape identification, the assessment of effects, and the resolution of adverse effects. To date, no consulting party meeting has been convened at which parties could engage NPS and one another on this undertaking, and the record contains no evidence that any submitted comment has changed any element of the project or the agreement. For an undertaking of this magnitude, the National World War I Memorial at Pershing Park provides the appropriate benchmark: a comparable monumental core undertaking for which NPS conducted Section 106 consultation across four years, with repeated consulting party meetings, before concluding a Memorandum of Agreement in 2019.

NPCA requests that NPS commit to a structured consultation plan for this undertaking, including a schedule of consulting party meetings beginning before written responses are due, circulation of the current consulting party list, written responses to consulting party comments at each stage, and continued consultation through design development.

Despite conceded adverse effects to the Arlington National Cemetery Historic District and to the setting in which the nation buries and honors its war dead, no veterans service organizations and no organizations representing families of those interred at Arlington appear as consulting parties. NPCA requests that NPS invite them and other missing parties, complete Tribal consultation, and respond in writing to both State Historic Preservation Officers before advancing the agreement.

III. NPS Must Develop and Analyze a Reasonable Range of Alternatives

An adequate review of alternatives has not occurred. Under NEPA, an Environmental Assessment must consider a reasonable range of alternatives; the EA for this undertaking considered only two. Under Section 106, the resolution of adverse effects begins with avoidance and minimization, which cannot be evaluated without alternatives to compare. The record shows the opposite of that analysis. The Assessment of Effects acknowledges that smaller designs were rejected in part because a 250-foot height was deemed necessary to represent the 250th anniversary. Height driven by symbolism rather than by site analysis forecloses minimization by design. And comments from NPS's own

National Historic Landmarks program reviewers concluded that the documented effects cannot be minimized without relocating or abandoning the project, a conclusion that makes the absence of a relocation alternative indefensible.

NPCA requests that NPS develop and circulate to consulting parties, before any resolution of adverse effects, a genuine alternatives analysis that includes at minimum: alternative locations outside the Memorial Circle setting and outside the protected axis linking the Lincoln Memorial and Arlington National Cemetery, including the sites the District of Columbia State Historic Preservation Officer has suggested, such as the vicinity of the Frederick Douglass Memorial Bridge, and the candidate sites already identified in the National Capital Planning Commission's Memorials and Museums Master Plan, substantially reduced scale alternatives at the proposed site, alternative forms of commemoration for the 250th anniversary that do not require a permanent monumental structure in this landscape, and a no action alternative treated as a genuine option rather than a formality. Consulting parties should have the opportunity to comment on the range of alternatives before it is narrowed, not after.

IV. The Undertaking Lacks Statutory Authorization

Neither the Assessment of Effects nor the draft Programmatic Agreement cites any act of Congress authorizing construction of the Arch, and neither addresses the Commemorative Works Act, 40 U.S.C. § 8901 et seq. A permanent 250-foot commemorative arch erected to honor the nation's 250th anniversary is a commemorative work under any plain reading of the statute, and its location within Area I triggers the two step process of 40 U.S.C. § 8908, including a determination of preeminent historical and lasting significance, consultation with the National Capital Memorial Advisory Commission, and congressional approval.

Congress has not authorized this undertaking. No statute permits construction of the Arch, and an Executive Order cannot supply authority that Congress has withheld. Until Congress acts, the undertaking is unauthorized, and NPS should halt further consideration of the project until Congress has authorized it under the Commemorative Works Act.

V. The Environmental Review Cannot Support This Undertaking

The Environmental Assessment evaluated only two alternatives and concluded with a Finding of No Significant Impact for a structure that would rise more than twice the height of the Lincoln Memorial and permanently alter one of the most significant designed landscapes in the United States. The Finding of No Significant Impact issued on June 18, 2026, before Section 106 consultation with newly invited parties had begun, while the objections of both State Historic Preservation Officers were pending, and while the Assessment of Effects itself documented adverse effects to roughly two dozen historic properties. Documented adverse effects of that breadth are irreconcilable with a finding of no significant impact. An Environmental Impact Statement should be required, and when public comment was first solicited in June, neither the Environmental Assessment nor the Finding of No Significant Impact appeared in the PEPC record, leaving the public unable to review the NEPA documents on which the Programmatic Agreement's recitals rely.

VI. Conceded Adverse Effects and the Deficiencies of the Draft Programmatic Agreement

The Assessment of Effects concedes adverse effects to the Memorial Avenue Corridor Cultural Landscape, the Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and its related features, the Arlington National Cemetery Historic District, Arlington House, and the ceremonial axis

linking the Lincoln Memorial to Arlington National Cemetery that gives the cemetery its commemorative setting. The draft Programmatic Agreement cannot resolve these effects in its current form. As circulated, it contained unfilled placeholders for the number and identity of affected historic resources, undated Tribal notification letters, and consultation milestones left blank. The Agreement should not be executed until identification is complete, the area of potential effects is properly drawn, and the alternatives analysis described above has been circulated and considered.

For the reasons above, we urge NPS to:

- Refrain from proceeding absent congressional authorization under the Commemorative Works Act, and identify in writing to the consulting parties the specific statutory authority it contends permits this undertaking;
- Extend the consulting party response deadline by at least 30 days and adopt a structured consultation plan with a schedule of consulting party meetings, a circulated consulting party list, and written responses to comments at each stage;
- Invite veterans service organizations and organizations representing families of those interred at Arlington National Cemetery to consult, complete government to government consultation with federally recognized Tribes, and respond in writing to the objections of both State Historic Preservation Officers;
- Develop and circulate a genuine range of alternatives, including alternative locations such as those suggested by the DC State Historic Preservation Officer and identified in the Memorials and Museums Master Plan, reduced scale designs, alternative forms of commemoration, and a meaningful no action alternative, before resolving adverse effects;
- Complete identification and evaluation of historic properties, re-draw the area of potential effects, and decline to execute the Programmatic Agreement in its current form; and
- Withdraw the Finding of No Significant Impact and prepare an Environmental Impact Statement.

NPCA appreciates the opportunity to participate in this consultation. We intend to be an engaged and constructive consulting party, and the requests above describe the process that would make that engagement possible. Please direct all consultation materials, meeting notices, and correspondence to me at the address below.

Sincerely,



Edward Stierli
Mid-Atlantic Senior Regional Director
National Parks Conservation Association
EStierli@npca.org
777 6th Street NW, Suite 700
Washington, DC 20001

Outlook

[EXTERNAL] Re: Invitation to Consult Under Section 106 of the National Historic Preservation Act for the Proposed Triumphal Arch at Memorial Circle, Washington, DC

From Arlington Historical Society <arlingtonhistoricalsociety@gmail.com>
Date Sun 7/19/2026 9:25 AM
To Hoaglund, Jordan W <jordan_hoaglund@nps.gov>
Cc Stidham, Tammy <Tammy_Stidham@nps.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Hoaglund:

Thanks for the opportunity to provide historical consultation for the proposed undertaking. The following link is to an article on AHS' website that best articulates our thoughts on the matter.

https://arlhist.org/preserving-arlingtons-historic-landscape-through-an-open-and-public-process/

The full text of the article:

Preserving Arlington’s Historic Landscape Through an Open and Public

Process

Arlington residents are being asked to consider a proposal for a monumental arch near some of the nation’s most significant historic landmarks. While opinions on the proposal vary, most agree that a project of this scale deserves an open and transparent review process that allows the public to understand the facts and share their perspectives.

The Arlington Historical Society supports a careful evaluation of the proposal through established federal, state, and local review processes, including consideration by preservation, planning, and environmental authorities. Such a review would be undertaken by the Commission on Fine Arts and the National Capital Planning Commission and would include environmental review under the National Environmental Policy Act and historic preservation review under Section 106 of the National Historic

Preservation Act. These reviews will help ensure that changes affecting nationally significant historic places are informed by expert analysis and public input.

The area surrounding Arlington House, Arlington National Cemetery, Arlington Memorial Bridge, and the Lincoln Memorial forms one of the most important historic landscapes in the United States. Completed in the early twentieth century, Arlington Memorial Bridge was designed as a symbol of national reconciliation following the Civil War. Linking the National Mall with Arlington National Cemetery, it serves as both a transportation corridor and a memorial to unity, remembrance, and shared sacrifice.

The bridge's open views and carefully planned sightlines are integral parts of its historic design. Together with Arlington House and the surrounding memorial landscape, they create a setting experienced by millions of visitors each year. These visual connections help tell an important chapter of our nation's story and have long been recognized as worthy of preservation. The historic line of sight, which also includes the Capitol and the Washington Monument, was influenced by the 1901 U.S. Senate Park Commission, better known as the McMillan Commission. Led by Senator James McMillan and guided by architect Daniel Burnham, the commission aimed to return to Pierre L'Enfant's original vision: a grand, orderly plan centered around long sightlines, open space, and monumental symmetry.

Questions about views, sightlines, and the setting of historic landmarks are not new. Preservation professionals, planners, and courts have long recognized that the surroundings of historic places often contribute as much to their significance as the structures themselves. Nearly fifty years ago, the federal government sued Arlington County to limit building heights in Rosslyn (*United States v. County Board of Arlington County*). They argued that tall structures could adversely affect the visual experience of the nation's monuments and memorials. While the court did not block the construction of these buildings, the case remains an important example of the longstanding public interest in preserving the historic character and integrity of the National Capital Region.

The Arlington Historical Society believes that any change to one of the nation's most historically significant lines of sight should be evaluated through a thorough and open public process. A process that considers historic preservation, visual impacts, planning principles, and public input before decisions are made. The history of Washington and Arlington demonstrates that major alterations to the monumental landscape have traditionally been preceded by careful study and public debate.

References

Arlington Historical Society, "Restoring the Capital Vision," accessed June 15, 2026, https://arlhist.org/restoring-the-capital-vision/.

Lynton, Stephen J. "A Long Road: Bitter Fight Against I-66 Now History." *The Washington Post*, December 21, 1982.

Perry, Nancy. "How Eminent Domain Destroyed an Arlington Community." *Arlington Historical Magazine*, 2017.

United States v. County Board of Arlington County, 487 F. Supp. 137 (E.D. Va. 1979).

Submitted by the Arlington Historical Society Board

Arlington Historical Society



On Fri, Jul 10, 2026 at 5:21 PM Hoaglund, Jordan W <jordan_hoaglund@nps.gov> wrote:

> The National Park Service (NPS) is inviting you to participate as a consulting party in the review of a proposed undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800. The proposed undertaking involves construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. The NPS is the lead federal agency for this undertaking.
>
> The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1). The undertaking would introduce a new permanent structure, associated hardscape, lighting, security elements, utility infrastructure, stormwater facilities, and traffic and pedestrian circulation changes into the Memorial Circle setting and would thereby alter characteristics of historic properties that qualify for inclusion in the National Register of Historic Places. In particular, the undertaking has the potential to impact the Memorial Avenue Corridor Cultural Landscape, Lady Bird Johnson Park Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and other related historic properties within the area of potential effects. The undertaking would also introduce new visual elements not presently found within Memorial Circle and change physical features within the setting that contributes to the significance of the historic district and cultural landscape.
>
> Because of the phased nature of the undertaking, and because aspects of the project will continue to be refined during design development, the NPS has prepared a draft Programmatic Agreement (PA) to govern the resolution of adverse effects associated with the undertaking. The draft PA is intended to establish procedures for continued review, treatment, mitigation, and implementation as the project advances.
>
> NPS is specifically seeking information from you regarding knowledge of, or concerns with, historic properties in the area near the potential undertaking, and your thoughts on issues related to the potential undertaking's effects on such historic properties.
>
> Please provide any information, in writing, you wish for NPS to consider regarding the above request by July 19, 2026.
>
> Enclosed link for your review are the following materials - https://parkplanning.nps.gov/triumphalarch
>
> - Assessment of Effects
> - Draft Programmatic Agreement
>
> Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.
>
> Thank you for your consideration and participation in this consultation.
>
> Jordan Hoaglund
> **National Park Service**
> Priority Project Coordinator (Detail)
> Washington Support Office
> 1849 C Street; Room 3321
> Washington, DC 20240

Cell: 303-565-6796

Please see my Shared Calendar for specific availability.

National Mall Coalition

July 19, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, D.C. 20242

Via email: tammy_stidham@nps.gov

Dear Ms. Stidham:

In response to the June 10th email from Jordan W. Hoagland, I am writing on behalf of the National Mall Coalition ("Coalition") to accept the National Park Service ("NPS") invitation to participate as a Consulting Party for the Historic Preservation Section 106 review of the proposed undertaking involving construction of a Triumphal Arch at Memorial Circle.

Since our founding in 2000, the Coalition, a grassroots nonprofit organization of architects, historians, planners, and concerned citizens, has worked to protect the brilliant legacy of the historic 1791 L'Enfant and 1902 McMillan Plans for the capital and the National Mall and to ensure the vitality, beauty, and continued active role of the Mall in the capital and in American life. The first goal honors the visionary L'Enfant design that laid out the Mall as an embodiment in landscape and architecture of America's founding principles. The second goes to the heart of American democracy – the role of the people in decision-making for the Stage for American Democracy.

In our opinion, the proposed Triumphal Arch project violates both these objectives – and the laws put in place by Congress to ensure protection of the historic plans and the public consultation process. The Coalition submitted comments to this effect to NPS on June 15, 2026 (included below). We reiterate what we wrote then: "The Coalition urges NPS to send the project back to the drawing board unless and until basic questions can be discussed in a proper, lawful public consultation process, including: What is the *purpose* of a monument celebrating our 250th anniversary? What alternative symbolic forms – besides a victory arch (what victory?) – could symbolize *e pluribus unum*, democracy, freedom? Where should a 250th monument most meaningfully be located? What meaning will a 250th monument add to the beauty and symbolism of the capital and the Mall? What do we want Americans and foreign visitors to take away from their experience of such a monument?"

The Coalition wishes to associate our organization with the comments submitted on July 17 by the Committee of 100 on the Federal City. (See attached pdf) We strongly support the Committee's observations and criticisms of the project and the public process.

In addition, we wish to associate our organization with several of the thoughtful observations, criticisms, and recommendations made during the public testimony phase of the June 9, 2026 NCPC meeting. Comments presented – in person and on Zoom – by architects, architectural historians, historic preservationists, and veterans pointed out that the location, architectural form, and size of the Arch would constitute grave "adverse effects" to the historic design, symbolism, and meaning of the capital city and Mall. The lack of a timely and meaningful public consultation process *before* NPS took the project to the Commission of Fine Arts (and received final approval) and NCPC destroyed even the semblance of a meaningful public process for our country's preeminent nationally significant landscape and cultural resource. In addition:

- Architectural historian Professor Bryan Green made a crucial point that we do not find taken into consideration in any of the NPS documents and NCPC reports: "The form itself is wrong." Triumphal arches have a long history. They are a form with meaning: triumph, victory, conquest. But this corridor connecting the Mall and the Lincoln Memorial across Memorial Bridge to Arlington National Cemetery is not about victory or triumph. It honors service to country. A Triumphal Arch at that location violates the essential meaning of Memorial Circle and also, tragically, of the sacrifice of veterans buried there.
- Several members of the public, including the President of the Society of Architectural Historians, pointed out that the list of affected Cultural Resources in the NPS documents is severely lacking, missing many important landscapes that will be adversely impacted.

The Coalition would add that effects on the historic L'Enfant and McMillan Plans, which are protected by the Commemorative Works Act, also have received little mention or serious analysis. L'Enfant's original 1791 plan may have ended just west of the Washington Monument, but the 1902 McMillan Plan quite intentionally embraced and extended the design and national symbolism when it extended the Mall to the Lincoln Memorial and across Memorial Bridge to Arlington Cemetery. Providing reinforcement to this point, the Committee of 100 in the Appendix to its comments directly quotes the McMillan Plan, showing that NPS and the project sponsors are either ignorant of or misinterpreting the Commission members intentions. If there were to be an Arc de Triomphe, it would be a monument to Lincoln – at the Lincoln Memorial site:

> At the [western end of the Mall], a great rond pointe, placed on the main axis of the Capital and the [Washington] Monument, becomes a gate of approach to the park system of the District of Columbia. Centering upon it as a great point of reunion are the drives leading southeast to Potomac Park and northwest by the Riverside Drive to the Rock Creek system of parks from this elevation of 40 feet. The Memorial Bridge leads across the Potomac directly to the base of the hill crowned by the mansion house of Arlington. Crowning the rond pointe as the Arc de Triomphe crowns the Place de l'Étoile at Paris, should stand a memorial erected to the memory of that one man in our history as a nation who is worthy to be named with George Washington - Abraham Lincoln. . . . Whatever may be the exact form selected for the memorial to Lincoln, and type it should possess the quality of universality, and also it should have the character essentially distinct from that of any monument either now existing in the District or hereafter to be erected. (McMillan Plan, pp. 51-52)

We urge NPS to go back to the drawing board with the Triumphal Arch project, open a Section 106 consultation process, and begin discussions about site, form, and meaning. Let's start by asking how and where we can respectfully honor the 250th anniversary of American democracy.

Sincerely,



Judy Scott Feldman, PhD
Chair, National Mall Coalition
jfeldman@nationalmallcoalition.org

June 15, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, D.C. 20242

RE: Participation as a "consulting party" in the Section 106 process for the Triumphal Arch. Comments on the Arch project

The National Mall Coalition hereby requests status as a "consulting party "to the proposed Triumphal Arch at Memorial Circle undertaking. The Coalition submits the following public comments.

The National Mall Coalition, a grassroots nonprofit organization of architects, historians, planners, and concerned citizens, has worked since our founding in 2000 – including as a "consulting party" for numerous Mall-area projects – to protect the brilliant legacy of the historic 1791 L'Enfant and 1902 McMillan Plans for the capital and the National Mall and to ensure the vitality, beauty, and continued active role of the Mall in the capital and in American civic life.

Whatever one thinks of a triumphal arch, the location chosen at Memorial Circle will interfere with the brilliant historic plans, including L'Enfant's inspired initial plan, that give our capital the visual and symbolic power revered by Americans and foreign visitors alike. An arch towering over Memorial Circle will break the continuous line from the Capitol to the Washington Monument to Lincoln and across the Potomac to Arlington Cemetery. It will sever the sublime vista and symbolism of post-Civil War reconciliation from Lincoln to Arlington National Cemetery and, for visitors to that sacred ground, from Arlington to Lincoln. Many veterans are justly opposing the arch for the damage it does to the view of Arlington Cemetery.

The Coalition sees scant evidence in the publicly available design review materials that the design team understands or respects the historic concepts embedded in the capital and the Mall, the Stage for American Democracy. On the contrary, the choice of a triumphal arch, its proposed location, and the colossal size signal an *intentional rupture* in the historic vision and the US Constitution-based symbolism that have defined the capital since L'Enfant's plan in 1791 and the McMillan Commission's expansion of that plan in 1902 to include the Lincoln Memorial and site for the Jefferson Memorial – a rupture totally at odds with the Enlightenment ideals that inspired the Constitution and the 1791 Plan.

The proposed arch's violation of the capital's historic planning foundations, along with NPS's lack of a meaningful public review process, cannot be ignored or minimized. It represents, in the Coalition's view, an affront to American democracy.

The Coalition urges NPS to send the project back to the drawing board unless and until basic questions can be discussed in a proper, lawful public consultation process, including: What is the *purpose* of a monument celebrating our 250th anniversary? What alternative symbolic forms – besides a victory arch (what victory?) – could symbolize *e pluribus unum*, democracy, freedom? Where should a 250th monument most meaningfully be located? What meaning will a 250th monument add to the beauty and symbolism of the capital and the Mall? What do we want Americans and foreign visitors to take away from their experience of such a monument?

Congress declared the Mall a "substantially completed work of civic art" in 2003 and yet we continue to see proposed additions – in this case without Congressional authorization.

Overwhelming public outrage against the proposed Triumphal Arch is proof that this project has failed to satisfy, let alone seriously consider, these questions. As the project stands now, the Arch is a colossal symbol not of American democracy but of its precariousness in the face of a willful and careless administration. It's time to recover respect for the capital's visionary planning legacy and the public consultation process that sustains Americans' faith in their democracy.

Submitted on June 15, 2026, by:

Judy Scott Feldman, PhD
Chair, National Mall Coalition
jfeldman@nationalmallcoalition.org /301-335-8490

National Trust for Historic Preservation®

July 19, 2026

Tammy Stidham
Associate Regional Director – Lands & Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

via email: tammy_stidham@nps.gov

Re: Proposed Triumphal Arch at Memorial Circle, Washington, DC

Dear Ms. Stidham,

The National Trust for Historic Preservation[1] deeply appreciates the invitation we received on July 10, 2026 from the National Park Service (NPS) to participate as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) with respect to the proposed construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. The July 10 email from Jordan Hoagland to Brent Leggs, our President and CEO, requested comments by July 19 (today). Meanwhile, we are pleased to see that the NPS has reopened the opportunity for broader public comments on the Section 106 documents through July 30, 2026, on its Planning, Environment & Public Comment (PEPC) website (https://parkplanning.nps.gov/document.cfm?parkID=186&projectID=136973&documentID=151576).

The Effects Report and Draft PA are legally insufficient and require substantial revisions to achieve compliance with the NHPA and its implementing regulations. 54 U.S.C. §§ 300101 et seq. and 36 C.F.R. Part 800. The proposed undertaking also fails to comply with the Commemorative Works Act, 40 U.S.C. §§ 8901–8910, the Height of Buildings Act, Pub. L. 61–196, 36 Stat. 452, the National Environmental Policy Act (NEPA), 42 U.S.C. § 4332, and Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303(c). We strongly urge the National Park Service to ensure full compliance with all relevant federal laws and

[1] The National Trust for Historic Preservation in the United States is a private nonprofit organization chartered by Congress in 1949 to "facilitate public participation" in the preservation of our nation's heritage, and to further the historic preservation policy of the United States. 54 U.S.C. § 312102(a). With more than one million members and supporters around the country, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government. In addition, the National Trust has been designated by Congress as a member of the Advisory Council on Historic Preservation, which is responsible for working with federal agencies to implement compliance with Section 106 of the NHPA. *Id.* §§ 304101(a)(8), 304108(a).

regulations for this undertaking, especially given its high profile and controversial nature. To assist NPS, the National Trust has identified the following deficiencies:

Failure to Comply with Section 106 of the NHPA

- Since the Finding of No Significant Impact (FONSI) was released more than a full month ago, the NPS has failed to comply with the statutory requirement that Section 106 review must be completed "prior to" approval of the project, 54 U.S.C. § 306108. This after-the-fact review under Section 106 creates the strong impression that the agency is merely going through the motions, with the already-decided intention of rubber-stamping the proposed plans.

- The use of a Programmatic Agreement is inappropriate for this undertaking. None of the requirements established in 36 C.F.R. § 800.14(b) are met: this undertaking is not a program, a complex project situation, nor does it encompass multiple undertakings, and it does not meet any of the criteria listed in § 800.14(b)(1). The project's height, scale, mass, architectural style, and the adverse effects that it will inflict upon numerous historic resources are all well known. There is thus no legal justification for deferring the specific resolution of these adverse effects through subsequent design review and mitigation negotiations via the use of a Programmatic Agreement for this undertaking. We encourage NPS instead to develop a Memorandum of Agreement.

- The Effects Report and the Draft PA do not adequately consider the avoidance and minimization of adverse effects. The whole point of the Section 106 consultation process is to "develop and evaluate *alternatives* or *modifications* to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties." 36 C.F.R. § 800.6(a) (emphasis added). The NPS has failed to consider less harmful alternatives and modifications to the project that are being suggested by the consulting parties.

- We specifically support the suggestion by the DC State Historic Preservation Officer, in a June 26 letter to the NPS Regional Director, that the proposed Arch could be shifted to a much less harmful location at the base of South Capitol Street near the Anacostia riverfront. Moving the project to this location would avoid adverse effects on existing memorials. This location would also place the Arch on a direct axis with the U.S. Capitol Building, and would create a celebratory focal point for the bustling neighborhood that continues to emerge between Audi Field and Nationals Park. It's a much more inviting and hospitable place for crowds of visitors to see the Arch. The NPS must give serious consideration to this much less harmful alternative.

- The Effects Report correctly identifies 12 historic resources that would suffer "[T]he most substantial effects meeting the criteria of 36 CFR § 800.5(a)(1) … all of which derive significance in part from their planned visual, commemorative, and spatial relationships across the Potomac River and through the monumental core."[2] However, the section on

[2] "Memorial Avenue Corridor Cultural Landscape, Arlington Memorial Bridge, Lady Bird Johnson Park Cultural Landscape, Arlington National Cemetery Historic District, Arlington

"Avoidance, Minimization, and Mitigation Measures" in the Effects Report fails to consider the avoidance and minimization of adverse effects for all of these substantially affected historic resources.[3] Instead, it only considers a limited direct sightline between the Lincoln Memorial and the entrance of Arlington National Cemetery to arrive at the conclusion that the height and scale of the proposed arch should not be reduced. This inappropriate limitation does not satisfy NPS's responsibility to consider the avoidance and minimization of adverse effects to all historic resources that would be adversely affected by the proposed project.

- The Draft PA's recitals should be amended to include descriptions of the 12 historic resources identified by the Effects Report as being most substantially affected by the proposed undertaking and their relationships to each other. Currently, only the George Washington Memorial Parkway and Memorial Circle are identified in the recitals, despite other historic resources being significantly impacted by the proposed project.

- The Effects Report and Draft PA do not adequately address the proposed project's impacts on Arlington National Cemetery. As the hallowed resting place of 400,000 veterans and their families, Arlington National Cemetery is a powerful reminder of American military sacrifice, and national unity, all within sight of the monumental core of the Nation's Capital. Distinguished by its rolling hillsides with uniform rows of solemn graves lined with powerful, unadorned headstones, Arlington National Cemetery is a living memorial that hosts hundreds of funeral services every month. The Arch, as proposed, would dominate the National Cemetery, and would be inconsistent with its solemn and hallowed character. The Effects Report does not record any meaningful efforts to avoid or minimize these significant adverse effects, instead narrowly focusing on a limited sightline between the entrance of Arlington National Cemetery and the Lincoln Memorial. The Effects Report and Draft PA do not adequately address the impact on Arlington House, the Eternal Flame, and Arlington National Cemetery and the view from those historic resources to the Lincoln Memorial, which will be blocked by the proposed Arch.

- The Effects Report and Draft PA do not adequately consider the proposed undertaking's impacts on the Lincoln Memorial. The proposed arch is double the size of the Lincoln Memorial and would diminish and disrupt its iconic and powerful presence. The Effects Report does not document any consideration of the avoidance or minimization of the adverse effects that would be imposed on the Lincoln Memorial due to the unprecedented height and scale of the proposed Arch, and the Draft PA does not provide for any such consideration in the future. As with Arlington National Cemetery, the Effects Report's consideration of the avoidance or minimization of adverse effects on the Lincoln Memorial due to the height and scale of the proposed arch is inappropriately limited to a

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House Historic District, Arlington House (Robert E. Lee Memorial), Arlington House Cultural Landscape, Lincoln Memorial Cultural Landscape, the Lincoln Memorial, National Mall Site, National Mall Historic District, and The Mall Cultural Landscape." Pg. 21-22, *Triumphal Arch at Memorial Circle Assessment of Effects Report.*

[3] Pg. 22-23, *Triumphal Arch at Memorial Circle Assessment of Effects Report.*

single sightline rather than the totality of adverse effects.

- The abnormally short comment period for this undertaking is inadequate to satisfy NPS's consultation responsibilities under Section 106. "[T]he agency official should plan consultations appropriate to the scale of the undertaking." 36 C.F.R. § 800.2(a)(4). "[T]he agency official should consult with the SHPO/THPO in a manner appropriate to the agency planning process for the undertaking and to the nature of the undertaking and its effects on historic properties." *Id.* § 800.3(c)(3). The proposed undertaking would dramatically and jarringly alter some of the most hallowed and important landmarks in our nation and would inflict significant adverse effects upon them. In addition, the public opposition to the proposal has been overwhelming. It is inappropriate and unreasonable for the consultation process for such a major undertaking to be limited to only one consultation meeting, which did not include any of the historic preservation organizations invited after-the-fact to join as consulting parties. This severe limitation of the Section 106 consultation process is highly irregular and inconsistent with legal requirements.

Failure to Comply with Section 110(f) of the NHPA for National Historic Landmarks

- The requirements of Section 110(f) of the NHPA have not been met. When an undertaking "may directly and adversely affect" a National Historic Landmark (NHL), Section 110(f) requires that the federal agencies "to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the landmark." 54 U.S.C. § 306107. NPS has not come close to meeting the "maximum extent possible" threshold here.

- Appendix D to the Effects Report identifies seven NHLs within the Area of Potential Effects: the Pentagon; the Smithsonian Building; Georgetown Historic District; Old Naval Observatory; the United States Capitol; Fort Myer Historic District; and Quarters 1. The Pentagon is acknowledged to have the potential for "direct and indirect adverse effects," thus triggering the requirements of Section 110(f).[4]

- In addition, the Fort Myer Historic District and Quarters 1 are acknowledged to expect adverse indirect effects. NPS has failed to engage in ***any*** efforts to avoid or minimize adverse effects to these National Historic Landmarks, and the irregularly short Section 106 consultation for this undertaking inherently precludes its qualification as a maximal planning effort. Further, there is no evidence that NPS's National Historic Landmark program has been included in this consultation, which is standard practice to ensure Section 110(f) compliance.

Failure to Comply with the Height of Buildings Act

- The undertaking's non-compliance with the Height of Buildings Act is obvious and indisputable. Pub. L. 61–196, 36 Stat. 452. Given that non-compliance with this federal

[4] Pg. 23-24, *Triumphal Arch at Memorial Circle Assessment of Effects Report.*

law is also the cause of the proposed undertaking's most severe adverse effects, NPS should require the correction of this legal deficiency prior to concluding the Section 106 consultation process. Compliance with applicable federal law is a minimal baseline for achieving reasonable avoidance and minimization of adverse effects as required by the NHPA. NPS would be betraying its stewardship responsibilities by authorizing a project that violates federal law and inflicts substantial adverse effects upon historic resources.

Failure to Comply With Section 4(f) of the Department of Transportation Act

- Section 4(f) of the Department of Transportation Act prohibits the "use" of historic sites and parks that will be adversely affected, unless there is no feasible and prudent alternative to doing so, and the project includes "all possible planning to minimize harm" to the adversely affected property. 49 U.S.C. § 303(c); 23 C.F.R. Part 774. Both the Federal Highway Administration (FHWA) and the Federal Aviation Administration (FAA) have review and approval roles for this project, and their approval must be preceded by compliance with Section 4(f), which has not occurred.

- The FHWA is listed as a Consulting Party on page 4 of the Effects Report. However, the FAA is *not* included in the Consulting Party list, even though the FAA has been involved in reviewing the height of the proposed Arch, in light of its proximity to National Airport and the risk of interference with flight patterns for approaching and departing flights. In fact, news reports have stated that the FAA will require flashing red lights on top of the arch as an aviation safety measure, which would dramatically exacerbate its adverse visual effects. The FAA needs to be added as a Consulting Party.

- Substantively, the proposed project fails to comply with Section 4(f) because there are feasible and prudent alternatives that would avoid or minimize harm to the affected historic properties, and the plans fail to include all possible planning to minimize harm.

Failure to Comply With the National Environmental Policy Act

- The Draft PA states (in the second-to-last Whereas Clause on p.3) that "NPS completed an EA, published June 5, 2026, as part of NPS's NEPA compliance and issued the Finding of No Significant Impact." That statement is false, because the EA and FONSI were not posted on the NPS's PEPC website until June 18. In any event, as you know, NPS has provided no opportunity whatsoever for any public comment on the NEPA documents.

- The fact that the FONSI was issued more than a month ago, without prior completion of Section 106 review, highlights the fact that its conclusion of "no significant impact" is arbitrary and fundamentally contradicted by the record.

- In our view, compliance with NEPA requires the preparation of a full Environmental Impact Statement in this case, because the proposed project is a "major Federal action[] significantly affecting the quality of the human environment," per 42 U.S.C. § 4332(2)(C). The public opposition to the proposed Arch has been overwhelming, and the project would result in adverse effects to a large number of nationally significant historic and

cultural resources.

Failure to Comply With the Commemorative Works Act and Failure to Obtain Congressional Authorization

- Finally, we remind the National Park Service that the proposed undertaking requires the approval of Congress pursuant to the Commemorative Works Act at 40 U.S.C. §§ 8901-8909, and 40 U.S.C. § 8106, which requires Congressional authorization for any structure erected on public grounds of the Federal Government in the District of Columbia.

The National Trust again thanks NPS for this opportunity to participate as a consulting party and to comment on the proposed undertaking. We strongly urge NPS to engage in meaningful Section 106 consultation with all consulting parties and to thoughtfully address the issues identified above. Substantially more effort is required for this proposed undertaking to achieve NHPA compliance, and the National Trust would be happy to assist NPS in meeting its legal obligations. Thank you for your consideration of our comments.

Sincerely,



Elizabeth S. Merritt
Deputy General Counsel

COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

David L. Bulova
Secretary of Natural and Historic Resources

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July 21, 2026

Ms. Jennifer T. Nersesian
Regional Director, National Capital Region
National Park Service
5300 Wellington Branch Drive, Suite 100
Gainesville, Virginia 20155

Re: Triumphal Arch at Memorial Circle
Arlington, Virginia
DHR File No. 2026-4065

Dear Ms. Nersesian:

The Department of Historic Resources (DHR) has received from the National Park Service (NPS) a request for comments regarding their Area of Potential Effects (APE) and "to identify the historic properties located within the APE." DHR's comments regarding the APE and the current identification of historic properties are below. DHR reminds NPS that the Federal Agency is responsible for conducting a reasonable and good faith effort to identify historic properties, not SHPO. In an effort to assist NPS, DHR can provide some additional information about historic properties DHR knows to be within the APE, both as currently defined and beyond, but DHR continues to expect that NPS will fulfill its obligations under 36 CFR § 800.4 to identify and evaluate historic properties that are not listed within the National Register of Historic Places (NRHP) within the APE.

Area of Potential Effects

DHR understands that NPS has generally established the APE based on GIS analysis (which has not been provided), topography and existing urban infrastructure, and previous APEs for undertakings in the vicinity including the Long Bridge project and the Memorial Bridge rehabilitation. DHR notes that none of the projects cited by NPS rise to the scale of the proposed new construction in height and visibility. DHR would appreciate the opportunity to learn more about the GIS modelling NPS has used and DHR questions why a viewshed model could not be included in this documentation if NPS conducted this analysis.

The view renderings provided in Appendix A include primarily views from Washington, DC with only three (3) from points in Virginia (all focused on Arlington National Cemetery) in addition to the observation deck views that show areas of Virginia. The potential views from the proposed observation deck looking Northeast and South (pages 43 and 44) illustrate the distance from which this Arch will be visible and it encompasses significantly more than what NPS has identified within their APE. DHR reiterates our recommendation to conduct or provide a viewshed study, not renderings of views of the Arch from select locations but analysis of properties from where the Arch will

be visible. Renderings are useful in assessing effects but when only one historic property within Virginia is depicted, it is not clear that all potential effects are considered based on the information provided.

Specifically, please clarify how the boundary of Arlington Boulevard to the north and northwest takes into consideration the height and visibility of the proposed Arch in relation to the numerous multi-story buildings and the topography. To the west and north of the River on the Virginia side of the APE, the topography, which generally slopes upward, and the curve of the Potomac River would allow for views of the Arch from, at a minimum, areas and buildings located immediately outside the APE (also clearly illustrated in page 43 of Appendix A). DHR recommends that NPS determine whether additional areas in Arlington, particularly to the north of the APE, should be considered based on the views already provided in Appendix A.

To the south of Arlington National Cemetery, please justify the decision to stop the APE at Southgate Road. This cut off excludes the Air Force Memorial (DHR Inventory No. 000-9821, previously recommended potentially eligible for listing in the NRHP) from consideration of the effects. This memorial includes open views towards the Pentagon, across the Potomac River to Washington DC and overlooking Arlington National Cemetery. DHR recommends its inclusion in the assessment of effects or further analysis regarding the potential visibility of the Arch from this location.

"Direct" and "Indirect" Effects

It is DHR's opinion that the distinction used by NPS to establish the APE between "direct" effects and "indirect" effects is incorrect. In 2019, the D.C. Circuit US Court of Appeals determined, in National Parks Conservation Association v. Semonite et al., that the term "directly" in Section 110(f) of that NHPA (54 U.S.C. 306107) refers to causality not physicality of the effects. ACHP has since issued guidance that clarifies that "if the effect comes from the undertaking at the same time and place with no intervening cause, it is considered 'direct' regardless of its specific type (e.g., whether it is visual, physical, auditory, etc.). 'Indirect' effects to historic properties are those caused by the undertaking that are later in time or farther removed in distance but are still reasonably foreseeable." (https://www.achp.gov/news/court-rules-definitions-informs-agencies-determining-effects).

Visual, auditory, or atmospheric effects that are directly caused by an undertaking and will diminish the integrity of a historic property are direct adverse effects. It is DHR's opinion that the historic properties that NPS has identified in the APE for "indirect" effects (in Table 2 of Appendix D), primarily identified as having potential visual effects, will be directly affected by this undertaking and should be described as such.

NPS has provided no explanation regarding whether the potential for reasonably foreseeable additional effects to historic properties has been considered. Has NPS conducted traffic studies to understand whether the undertaking will result in potential changes to the traffic flow and pedestrian use of the George Washington Memorial Parkway or Arlington Memorial Bridge long term? DHR understands that the Federal Aviation Administration (FAA) will be conducting an aeronautical study as part of this undertaking and that safety lights will be required on the Arch; how has NPS considered the potential reasonable and foreseeable effects of changes to air traffic patterns around the Arch and to/from Reagan Washington National Airport? DHR notes that Reagan Airport has not been included in the APE for this undertaking; due to many restrictions on airspace within this area, additional properties may need to be included in the APE if the aeronautical study suggests changes to air traffic flow around the proposed Arch.

Identification of Historic Properties

DHR reiterates our previous comment from June 15 that the identification of historic properties (as described in Appendices C and D) has thus far only included properties listed in the National Register of Historic Places and National Historic Landmarks. 36 CFR 800.16 (l) defines a historic property as "any prehistoric or historic district,

site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places." Under 36 CFR 800.4 (a) (3), NPS has the responsibility to identify and evaluate possible historic properties that are not yet identified and are not currently listed in the NRHP as part of their identification efforts.

To assist NPS in their ongoing identification efforts, DHR has provided, as an attachment to this letter, maps from DHR's Virginia Cultural Resource Information System (VCRIS) of the properties DHR has currently recorded within the APE. While NPS stated that they consulted VCRIS in their July 10 letter, their identification efforts do not reflect any consideration of this data. NPS has a license to access VCRIS and should include a thorough search of our database in their identification of historic properties. DHR reminds NPS that this information includes properties that have been determined eligible as well as properties that warrant further evaluation of eligibility. When determining the scope of any further identification efforts that should be undertaken, DHR recommends considering what previous surveys have occurred and the age of previous investigations/evaluations; per 36 CFR 800.4 (c) (1) "the passage of time, changing perceptions of significance, or incomplete prior evaluations may require the agency official to reevaluate properties previously determined eligible or ineligible.".

As it is clear from the existing VCRIS data alone that the potential historic properties in the APE exceed those currently identified by NPS, please advise DHR regarding the proposed scope of additional identification efforts that NPS intends to undertake in order to determine what historic properties are located within the APE. If NPS needs assistance accessing VCRIS as part of their review, please contact our Archives Staff.

DHR reminds NPS that the level of effort afforded to an undertaking's identification of historic properties should take into account "the magnitude and nature of the undertaking and the degree of Federal involvement [and] the nature and extent of potential effects on historic properties." As stated in our June 15 and July 1 letters, it remains DHR's opinion that the magnitude of this undertaking and nature of the potential effects to historic properties is significant; to quote our colleagues in DC "this will be the tallest and most visible monument constructed in the District since completion of the Washington Monument." (letter dated June 26). Therefore, in accordance 36 CFR 800.4 (b) (1), it is DHR's opinion that the undertaking warrants further effort to meet the expectation of a reasonable and good faith effort to carry out identification of historic properties.

Please contact me at samantha.henderson@dhr.virginia.gov or (804) 482-6088 to continue consultation on this undertaking.

Sincerely,

Samantha Henderson, Director
Review and Compliance Division

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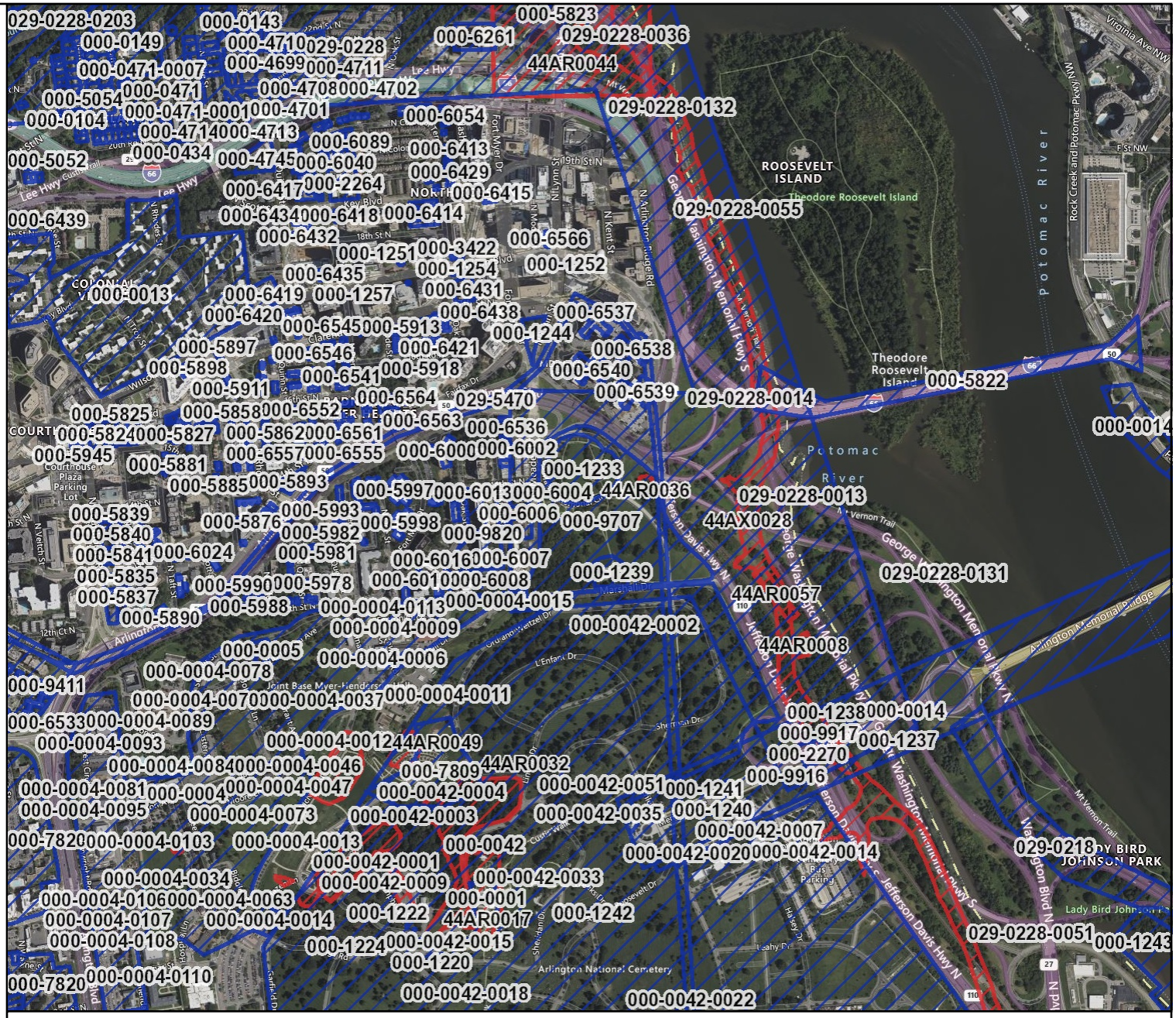
Virginia Dept. of Historic Resources

V-CRIS

Virginia Cultural Resource Information System

Legend

- Architecture Resources
- Architecture Labels
- Archaeological Resources
- Archaeology Labels
- DHR Easements
- County Boundaries



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Title: DHR File No. 2026-4065 APE (north)

Date: 7/21/2026

DISCLAIMER:Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions.The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites:Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

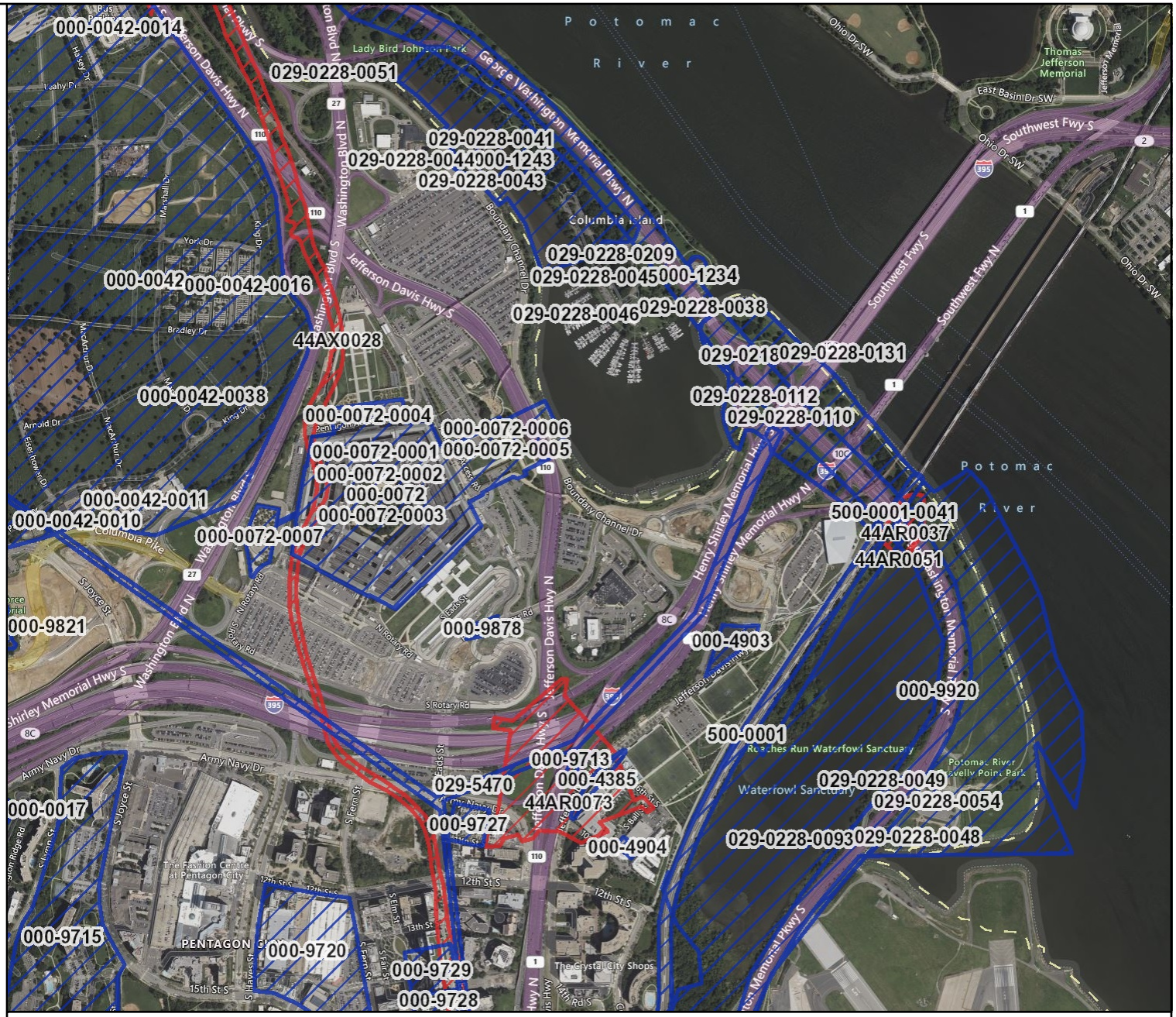
Virginia Dept. of Historic Resources

V-CRIS

Virginia Cultural Resource Information System

Legend

- Architecture Resources
- Architecture Labels
- Archaeological Resources
- Archaeology Labels
- DHR Easements
- County Boundaries



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Title: DHR File No. 2026-4065 APE (southeast) **Date: 7/21/2026**

DISCLAIMER:Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions.The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites:Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

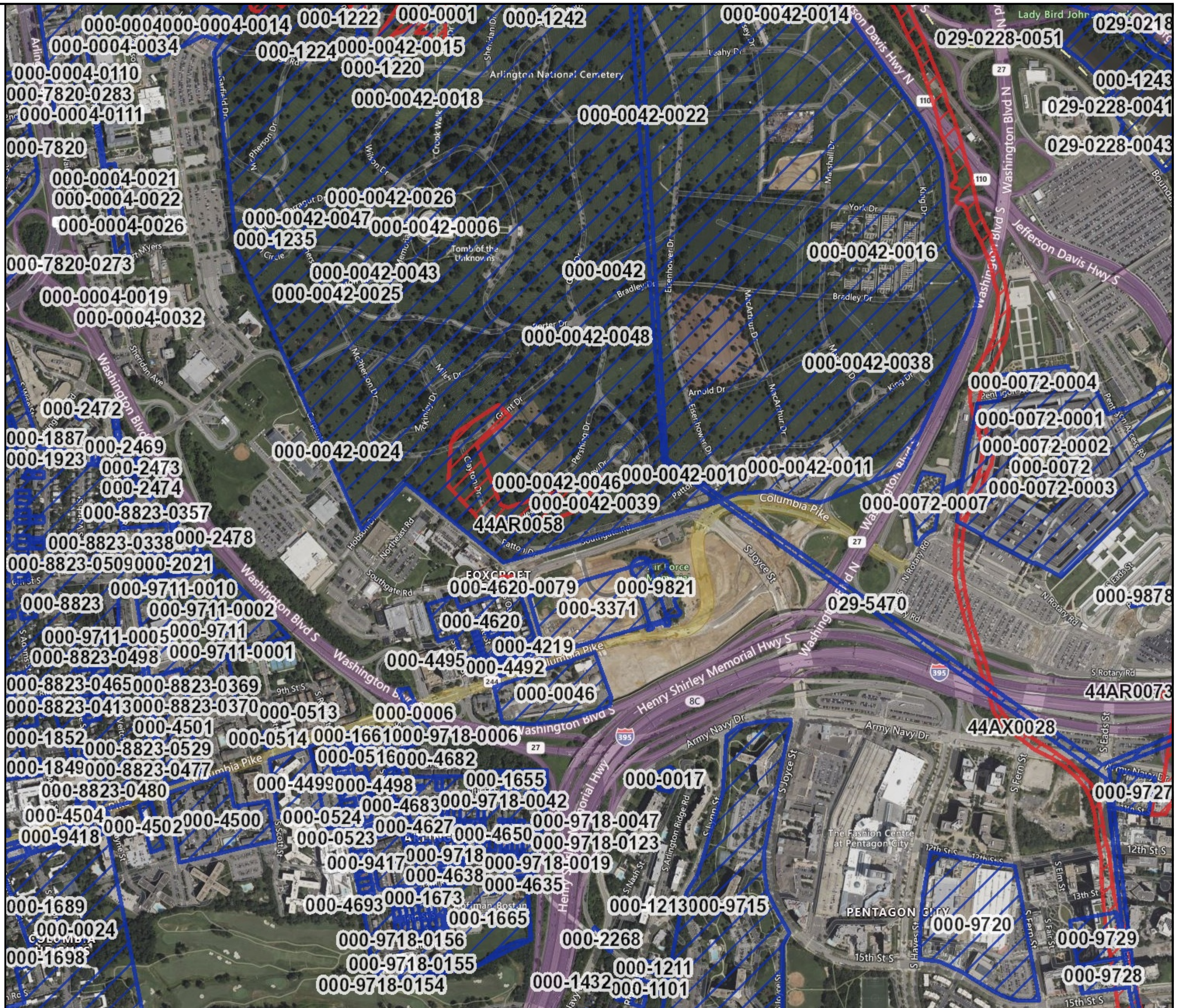
Virginia Dept. of Historic Resources

V-CRIS

Virginia Cultural Resource Information System

Legend

- Architecture Resources
- Architecture Labels
- Archaeological Resources
- Archaeology Labels
- DHR Easements
- County Boundaries



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Feet

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Title: DHR File No. 2026-4065 APE (southwest) **Date: 7/21/2026**

DISCLAIMER:Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions.The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites:Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

July 24, 2026

Ms. Jennifer T. Nersesian, Regional Director
National Capital Region
National Park Service
1100 Ohio Drive, SW
Washington, DC 20024

RE: Additional Comments on the Section 106 Consultation for the Proposed Triumphal Arch in Memorial Circle

Dear Ms. Nersesian:

The District of Columbia State Historic Preservation Officer (DC SHPO) received the National Park Service's (NPS) most recent letter regarding the proposed Triumphal Arch in Memorial Circle on July 10, 2026. This letter provides additional comments in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

We are pleased that consulting party status has been granted to the additional organizations that requested to participate in consultation. Opportunities for those parties and the public to comment should remain open until the consultation process is concluded.

With regard to the Area of Potential Effect (APE), we appreciate the detailed information that was provided to explain how the draft APE, which is attached for reference, was developed. We offer the following additional comments on that draft:

- Per 36 CFR 800.16(d) and as noted in your letter, the APE is "…influenced by the scale of the undertaking." Since the height and visibility of the proposed monumental arch would make it a permanent addition to the skyline of the nation's capital, a robust APE that includes comparable landmarks on the skyline is warranted.

- As previously noted, the visibility of the arch from areas of higher elevation should be evaluated. For this reason, we recommend that the NPS consider panoramic views from places such as the "Overlook" at St Es, views from the Washington National Cathedral observation deck, views from the Frederick Douglass National Historic Site (Cedar Hill), and the like. If such areas are included, they can be included as discontiguous sections of the APE.

- We note that the majority of East Potomac Park and points south (e.g. JBAB) are excluded from the APE. Was this decision based upon flag tests (i.e. balloon tests such as those conducted for cell phone antennas), site visits and/or related efforts which confirmed the monument would not be visible from these areas? For comparison, the new Frederick Douglass Bridge is 168' tall and highly visible from a very large area (see image below). A monument that exceeds that height by an additional 82' would be comparable in terms of effects and visible from an even larger area.



- Additional information about historic properties that fall within the APE is available via our PropertyQuest website (www.propertyquest.dc.gov)

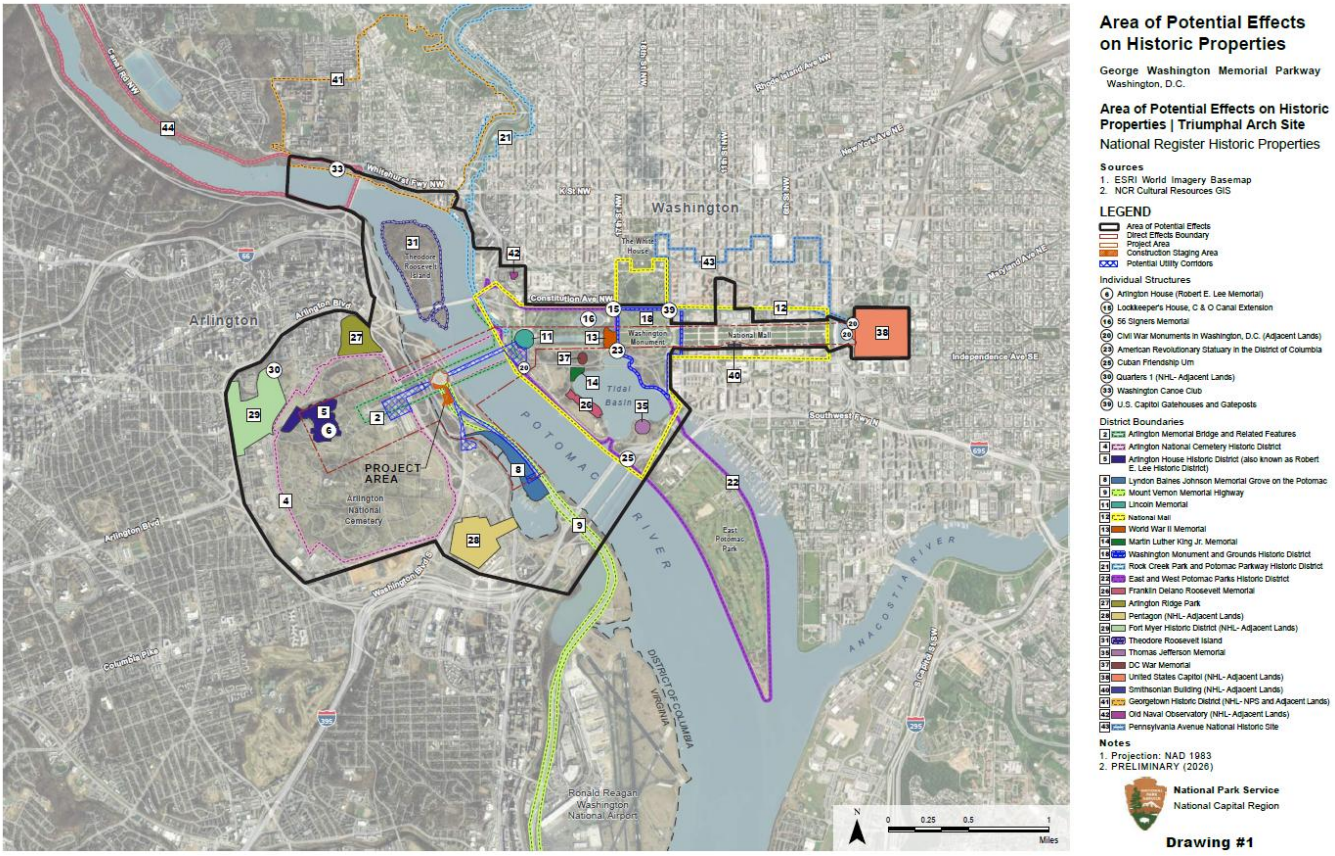
If you should have any questions or comments regarding any of these matters, please contact me at david.maloney@dc.gov or 202-442-8850 or Andrew Lewis at andrew.lewis@dc.gov or 202-442-8841.

Sincerely,

David Maloney
District of Columbia State Historic Preservation Officer

26-0593

DRAFT AREA OF POTENTIAL EFFECT



National Park Service
U.S. Department of the Interior

George Washington Memorial Parkway

June 2026

Triumphal Arch at Memorial Circle

Assessment of Effects Report

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1 Introduction

The National Park Service (NPS) is developing a design for the construction of a monumental arch, the Triumphal Arch (the Arch), within the George Washington Memorial Parkway in Washington, D.C. As a federal undertaking, this project is subject to Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) "Protection of Historic Properties" (Section 106). This Assessment of Effects Report describes the project (the proposed undertaking) and analyzes potential adverse effects on historic properties, including archeological resources, within the project area. It is being prepared as part of the continuing consultation process between the NPS, the District of Columbia Historic Preservation Office (DC HPO), Virginia Department of Historic Resources (VDHR), Federally Recognized Tribes, and other consulting parties.

Section 106 consultation for the proposed undertaking is being initiated with DC HPO, VDHR, and other entitled consulting parties per 36 CFR § 800.2(c)(1) and (3). These parties are marked with an asterisk in the list below. Other stakeholders and interested parties were invited to participate in consultation per 36 CFR §§ 800.2(c)(5) and 800.3(f)(2). The list below also includes parties from which NPS has received a request to consult, which NPS is still considering. All consulting parties and stakeholders were contacted via letters dated June 5, 2026.

Consulting Parties

- District of Columbia Historic Preservation Office*
- Virginia Department of Historic Resources*
- Advisory Council on Historic Preservation*
- Absentee Shawnee Tribe of Indians of Oklahoma Nation
- Catawba Indian Nation
- Chickahominy Indian Tribe
- Chickahominy Tribe Eastern Division
- Delaware Nation
- Monacan Indian Nation
- Nansemond Indian Nation
- Pamunkey Indian Tribe
- Rappahannock Tribe
- Shawnee Tribe
- Upper Mattaponi Indian Tribe
- National Capital Planning Commission
- Commission of Fine Arts
- Arlington County
- District of Columbia – Ward 2

- Arlington National Cemetery
- Department of War
- The Trump-Kennedy Center
- National Park Service - National Mall and Memorial Parks
- National Park Service - Rock Creek Park
- National Park Service – National Capital Region National Historic Landscape Program
- Federal Highway Administration
- Architect of the Capitol
- Georgetown 2E ANC Commission

Other parties that have requested consulting party status

- National Trust for Historic Preservation
- Committee of 100 on the Federal City
- DC Preservation League
- The Cultural Landscape Foundation
- National Parks Conservation Association\
- American Institute of Architects

1.1 Description of Undertaking

1.1.1 Purpose and Need

The purpose of the proposed undertaking is to celebrate 250 years of American independence by honoring America's founding principles through installation of an arch 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.

Arlington Memorial Bridge and Memorial Avenue serve as a ceremonial entrance to Washington, D.C. and the gateway to Arlington National Cemetery, physically and symbolically uniting the nation's history along a corridor already lined with monuments honoring diverse figures of American significance. Executive Order (EO) 14252, *Making the District of Columbia Safe and Beautiful*, directs the Secretary of the Interior to develop proposals to ensure federal buildings and lands uplift and beautify public spaces and generate in the citizenry pride in and respect for our nation, promoting beautification and the preservation of our history and heritage. Installation of an appropriate structure presents an opportunity to advance that directive within one of the most symbolically significant corridors in the Capital.

1.1.2 Proposed Undertaking

The proposed undertaking includes construction of the Arch within Memorial Circle, associated plaza and landscape improvements, supporting utility and stormwater infrastructure, traffic and pedestrian circulation modifications, security features, lighting, and temporary staging and laydown areas required for construction.

Appendix A contains plans, sections, and renderings of the proposed undertaking. These are for illustration purposes only and may not reflect the final design.

The Arch would be an approximately 250-foot-tall reinforced concrete structure clad in granite and ornamented by a central winged figure and two eagles, positioned above each Arch leg. Dimensions will be finalized during future design efforts. The following dimensions are current approximations. The principal architectural component would rise approximately 166 feet above finish grade, with surmounting statuary extending the total height to approximately 250 feet. The main footprint of the structure would be approximately 91 feet by 166 feet, with a 15,197-square-foot footprint at ground level. The maximum lateral projection at the upper cornice would extend to 107 feet 4 inches by 183 feet 4 inches. The structure would contain 70,072 gross square feet distributed across five levels: a ground level, two service mezzanine levels not open to the public, a gallery level, and an observation deck level. The observation deck would provide 9,812 square feet of exterior deck area at 161 feet 6 inches above grade.

The Arch would serve as a monumental architectural feature aligned with the axis between Memorial Avenue and the Arlington Memorial Bridge.

The Arch would be 166 feet wide with a 55-foot-wide opening, providing views from the observation deck to area landmarks.

The Arch would be built from concrete and finished with granite. The granite used for the Arch would be sourced from one of three quarries, located in Vermont, North Carolina, or California—depending on availability and desired color.

- Ground Floor Level: The ground level would contain security screening, back-of-house functions, and vertical circulation lobbies.

- Mezzanine Level: The mezzanine levels would contain mechanical and support spaces. The gallery level would contain exhibit space, back-of-house areas, restrooms, and vertical circulation lobbies, with the possibility of including a café and gift shop.

- Observation Deck: The observation deck level would include the vertical circulation lobby and exterior deck.

The Arch would include six stairways and five elevators. Two pairs of elevators in the north and south legs would serve the lower public levels, and a fifth elevator would serve the observation deck. Two large circular spiral stairs would connect the ground level to the gallery level; two

elliptical spiral stairs would connect the gallery level to the observation deck; and two egress stairs would connect all levels to dedicated exit-only doors at grade.

The proposed undertaking would also include site development within and immediately around Memorial Circle. A paved public plaza would surround the Arch inside the traffic circle. The plaza would be protected by a barricade seat wall generally located at the existing inner curb and by removable or retractable bollards at authorized vehicle access points. Exterior lighting would be installed to illuminate the Arch and plaza, and the undertaking would include minimal exterior signage, perimeter and rooftop security cameras, access-control systems for major doors and nonpublic areas, interior and exterior video surveillance, and a security screening area with walk-through magnetometers, x-ray equipment, and explosive trace detection equipment. Vehicle access to the plaza would be restricted to authorized maintenance, contractor, law enforcement, and emergency vehicles.

The Arch would be illuminated using a low spill, fully shielded lighting system designed to highlight the Arch. Illumination of the Arch would be supplemented by eight light stanchions, ranging from 14 to 20 feet in height, strategically located around the intersection. In addition, aviation required safety lighting would be incorporated into the design using the least intrusive technology available, ensuring compliance with aircraft visibility requirements while limiting unnecessary light emission.

Proposed Changes to Vehicle, Pedestrian, and Bicycle Use

During construction, temporary closures would be implemented, as follows:

- Westbound traffic from Arlington Memorial Bridge will be reduced to two lanes.
- Eastbound traffic from Memorial Avenue will not be able to turn northbound on Arlington Boulevard, and will be directed onto Arlington Memorial Bridge.
- Northbound traffic from Washington Boulevard will not be permitted into the circle, but will need to turn right onto Arlington Memorial Bridge.
- The sidewalk on the south side of the Circle would be temporarily rerouted to the north side.

Additional short-term closures and detours will be required at the beginning of the project to establish the maintenance of traffic configuration, during construction to accommodate utility installations, and again near the end of construction to complete final transportation-related elements.

Under the proposed undertaking, new traffic signals would be installed to control vehicle movements within and around Memorial Circle. The signalization plan would coordinate signal phases for all major vehicle approaches and activate pedestrian crossing phases through passive detection to ensure safe and efficient circulation for all users. These upgrades would replace

existing yield and merge conditions with full signal control. Signalization-related changes include:

- Full signalization of Memorial Circle and all pedestrian crossings
- Three coordinated signal groups at Washington Boulevard, Arlington Boulevard, and Memorial Avenue
- Eight new fully signalized pedestrian crossings accessing the center of the Circle
- Elimination of all existing yield and merge movements
- Pedestrian actuation and detection for walk phases that activate only when needed
- Dedicated signal phases for high-volume turning movements to minimize conflicts

The proposed undertaking would also include implementation of a series of physical modifications within and around Memorial Circle. These improvements would reshape roadway geometry, expand pedestrian space, and incorporate new materials and features that calm traffic and create safer conditions for people walking. Construction activities would include enlarging key median islands, converting existing pavement treatments to more durable and pedestrian friendly materials, and adjusting the circulating roadway to reduce speeds and better accommodate all users. Physical construction–related changes include:

- Enlarged median islands on the east and west sides of Memorial Circle
- Circulating roadway narrowed to approximately 20 feet
- Conversion of the pavement marked truck apron to a mountable concrete truck apron
- Replacement of existing Belgian block along the outer edge of the Circle with grass
- Recommended safety design features such as raised crossings, curb extensions, median refuge islands, reduced curb radii, and rumble strips
- Construction phase changes including closure of the southern half of the Circle, detouring two-way traffic to the north side, elimination of certain left turn movements, and temporary pedestrian routing with a new temporary crosswalk designed in compliance with the Americans with Disabilities Act and the Architectural Barriers Act, and meets the Public Right-of-Way Accessibility Guidelines incorporated into the Architectural Barriers Act Accessibility Standards.

The proposed undertaking would include designating a dedicated pickup and drop off area along Memorial Avenue to accommodate short-term loading and unloading and enhanced wayfinding to direct visitors toward designated safe crossings.

<u>Construction Phasing</u>

Construction of the Arch would occur in multiple phases over an approximately two-to-three-year period. Construction activities would generally proceed as described below.

Phase 1–Site Excavation (2–3 months). The initial phase would include site preparation, excavation within the construction footprint, and installation of temporary utilities. Temporary fencing, erosion and sediment control measures, stormwater management protocols, and staging areas would be established. Temporary pedestrian, bicycle and vehicle detours would be implemented.

Phase 2– Foundation and Support of Excavation (4–5 months). Following excavation, drill rigs would be mobilized to install the deep foundation system. Caissons would be installed to a depth of approximately 75 feet to reach bedrock. This phase would involve drilling and constructing reinforced concrete piles to support the future structure. Continuous heavy equipment operations would occur during this period.

Phase 3–Structural Concrete (10–11 months). After the foundation system is completed, crews would construct the primary structural components of the Arch. This phase would include use of tower cranes (up to 320 feet tall), forklifts, skid steers, and concrete pump systems to construct the vertical and horizontal elements of the Arch.

Phase 4–Precast Cladding (4–5 months). During this phase, the granite panels would be affixed to the Arch. Granite panels would be delivered from their source quarry and assembled on-site as the structure progresses. At the same time, work inside the structure would begin, including installing the stairs and elevators, starting the roofing system to make the building weather tight, and beginning major mechanical, electrical, and plumbing work.

Phase 5–Statue Placement and Ceiling Installation (5–6 months). Before the facade is fully completed, a scaffold system would be built to create a working platform to install the Arch ceiling panels. To install the statue, a 300’ tall mobile crane would be required to set and assemble the statue components. As the statue is constructed, a scaffold tower would need to be installed around it to facilitate access for connections, welding, and finishing of the statue. During these events, interior fit out would be concurrently running inside the Arch.

Phase 6– Site Hardscapes / Landscaping / Project Completion (6–7 months). At this phase, the project would be near completion. All the stone pavers and site walls would be set during this time, as well as the completion of any other landscape, hardscape, and stormwater management facilities. The interior features would be completed. The demobilization process would be underway and any construction related temporary traffic control would be removed. Permanent traffic changes, including changes to signalization, installation of crosswalks, etc. would be put in place.

Phase 7–Site Restoration and Demobilization (2 months). At the conclusion of construction, the contractor would remove temporary infrastructure, staging materials, and construction fencing.

Disturbed turf and landscape areas within NPS jurisdiction would be restored to preconstruction conditions.

Staging Areas

The construction staging footprint would encompass approximately 45,000 square feet immediately south of the project site, with an additional 80,000 square feet designated for parking and to minimize vehicular traffic obstruction. The staging area would be surfaced with geotextile fabric and six inches of stone to protect underlying soils. These areas would support equipment storage, material laydown, and construction trailers. After construction is complete these areas would be restored to their current condition and replanted. Tree removal is not anticipated at this time.

Utility Installation

To support operation of the Arch and associated facilities, new potable water, sanitary sewer, electric, gas and telecommunications utilities would be extended to the Memorial Circle area.

Utilities would be extended to the site using one or more of three anticipated utility corridors. Utilities would be routed through any single corridor or combination of corridors depending on engineering needs, construction feasibility, and coordination with existing infrastructure. Installation of utilities would occur over multiple construction phases identified above.

Utility corridors include:

- Connection from existing utilities near the Arlington National Cemetery Welcome Center, along Memorial Drive, and across the Boundary Channel Bridge or under the Boundary Channel by horizontal directional drilling (HDD)
- Connection from existing utilities near the Columbia Island Marina and near the Pentagon, along or within Washington Boulevard and George Washington Memorial Parkway
- Connection from existing utilities near the Lincoln Memorial, crossing underneath by HDD, within, or attached to the Arlington Memorial Bridge

Installation methods may include open trenching, HDD, embedding utilities within or beneath existing roadways and bridges, or affixing them to bridge structures, with final method selection occurring during subsequent design phases.

Stormwater Management Actions During Construction

During construction, stormwater and erosion control practices would be implemented across the construction site to minimize sediment transport and protect adjacent drainage systems and waterways. Perimeter controls would include installing silt fence or mulch socks along all site fencing to prevent runoff from leaving the disturbed areas. Stormwater and any accumulated

groundwater would be managed through a sediment treatment tank prior to discharge into the existing sewer system.

To protect inlets within and adjacent to the work zone, storm drains would be fitted with inlet protection devices. At primary site access points, a stabilized construction entrance would be established, consisting of a concrete apron paired with a 20-foot track of stone to remove sediment from vehicle tires before they enter public roadways. These measures are designed to provide effective sediment control, limit off-site impacts, and maintain compliance with applicable stormwater requirements.

Long-term Stormwater Management

Since the project would create approximately 62,875 square feet of new impervious surface, on-site stormwater retention is required under District of Columbia regulations. Preliminary estimates indicate a retention volume of about 6,300 cubic feet, with final calculations to be developed during detailed design and included in the stormwater management plan.

To meet these requirements, the project would incorporate perimeter bioretention facilities within the landscaped zones around the monument and within the traffic circle. These features would capture and treat runoff stormwater, reduce reliance on underground structures, and be designed with appropriate pretreatment, overflow, and underdrain components to meet standards developed in compliance with District of Columbia stormwater management regulations.

Groundwater and Dewatering Approach

Geotechnical investigations indicate that groundwater is located roughly 15 feet below the existing surface. As a result, only minimal dewatering would be required during construction. Water management efforts would focus on collecting shallow stormwater and surface water that accumulates in excavations. Small sump pumps would direct this water to a sediment treatment tank before it is discharged into the existing storm sewer system. Construction wastewater, expected to be minimal, would be contained and transported off-site for proper disposal, rather than discharged on site.

Soil Excavation

The project would require the removal of approximately 1,400 truckloads of existing soils and the import of roughly 400 truckloads of engineered fill. All construction vehicles would be staged within the designated south project staging lot, with loading and unloading occurring inside the project fence to reduce congestion on adjacent roadways. Daily trucking activity is anticipated to involve between 20 and 30 trucks, transporting an estimated 80 to 100 loads per day. Excavated soils would be transported to approved disposal facilities in Maryland or Virginia, contingent upon the results of in situ characterization and contamination testing.

Construction Equipment and Work Hours

Construction would require several tower cranes, forklifts, skid steers, drill rigs, and concrete pumping systems. Work would occur year-round, with work occurring in two 10-hour shifts per day (20 hours per day, year-round) for the duration of the construction period.

Road Closures and Transportation Routes

The south side of Memorial Circle is anticipated to remain closed for the majority of construction and will represent the primary transportation access impact during this time. To maintain traffic operations, eastbound traffic from Memorial Avenue will be shifted to the north side of the circle.

During this configuration, certain lower-volume movements will be temporarily restricted. Eastbound traffic from Memorial Avenue will not be permitted to turn northbound onto Arlington Boulevard and will instead be directed onto Arlington Memorial Bridge. Northbound traffic from Washington Boulevard will also be restricted from entering the circle and will be required to turn right onto Arlington Memorial Bridge. Westbound traffic from Arlington Memorial Bridge will also be reduced to two travel lanes.

During this time, pedestrian and bicycle access will be maintained through a short detour. This detour will include one additional crossing of two travel lanes, with a rectangular rapid flashing beacon installed to improve crossing visibility and support safer pedestrian and bicycle movements through the construction area.

Additional short-term closures and detours will also be required at the beginning of the construction to establish the maintenance of traffic configuration, and again near the end of construction to complete final transportation-related elements.

Construction deliveries and haul-off activities would primarily access the project site via I395 using Route 27, which provides the most direct and operationally feasible connection to the south project staging area. As a secondary option, U.S. Route 50 (Arlington Boulevard) may be used when needed, as it offers acceptable access for construction vehicles.

Daily construction trucking would involve approximately 20–30 trucks transporting an estimated 80–100 loads per day. To limit congestion and avoid impacts to public roadways, trucks would be staged within the south project staging lot and all loading and unloading activities would occur inside the project fence line. This approach would maintain safe traffic flow and reduce conflict points between construction vehicles and the surrounding transportation network.

Proposed Visitor Access and Visitor Facilities at the Triumphal Arch

Visitor use would be managed through a timed entry system, similar to the system used at the Washington Monument, which may be administered online, on-site, or through a combination of both. Visitors would arrive at their designated entry time, enter a queue, proceed to the screening area on the first floor of the Arch, and undergo security screening before entering the public area of the Arch.

After screening, visitors would enter the public area of the Arch and proceed to the mezzanine level by either the stairs or the elevator. The internal circulation system would allow visitors to access the mezzanine, which houses all visitor service functions, including exhibit space, a café, a gift shop, and public restrooms. Visitors may experience guided time and free time within the public area of the Arch and would be expected to depart by the designated exit time to maintain capacity for entry of additional visitors.

1.2 Historic Summary of the Project Area

The immediate project area is located within the Memorial Avenue Corridor cultural landscape, a nationally significant historic designed landscape extending between the Lincoln Memorial in Washington, D.C., and Arlington National Cemetery in Arlington, Virginia (see Figure 1 in Appendix B). The corridor consists of the Watergate Steps, the Rock Creek and Potomac Parkway Entrance, Arlington Memorial Bridge, Memorial Circle, Memorial Avenue Bridge over Boundary Channel, Memorial Avenue, and the ceremonial entrance sequence into Arlington National Cemetery at the Arlington Hemicycle. Memorial Circle serves as the link between the Arlington Memorial Bridge and Memorial Avenue, providing a hub to secondary destinations and routes within a compressed urban geography. The circular travel pattern provides a scenic route for commuters to experience the Memorial Avenue Corridor. The entirety of the corridor forms a major component of the monumental core of Washington, D.C. and was conceived as both a ceremonial gateway to the nation's Capital and a symbolic landscape commemorating national unity and reconciliation following the Civil War.

The conceptual origins of the corridor date to the report of the 1901–1902 Senate Park Commission, commonly known as the McMillan Plan (U.S. Congress 1902), which proposed a monumental bridge and axial landscape composition linking the planned Lincoln Memorial with Arlington House, the former home of Robert E. Lee

The bridge alignment and associated ceremonial landscape were intended to physically and symbolically unite North and South through a coordinated monumental composition extending across the Potomac River. The corridor was designed principally by the architectural firm McKim, Mead & White under project architect William Mitchell Kendall and reflects the formal planning principles of the City Beautiful movement and Beaux-Arts monumental design.

Construction of the corridor occurred in phases between the 1920s and 1940s. Arlington Memorial Bridge was constructed between 1926 and 1932, while Memorial Avenue and associated bridge and landscape features were developed concurrently. The corridor was designed as a processional sequence integrating architecture, engineering, sculpture, transportation systems, vegetation, and expansive reciprocal views. Arlington Memorial Bridge established a new monumental crossing of the Potomac River and extended the east-west monumental axis of Washington westward toward Arlington National Cemetery and Arlington House. The corridor was conceived as an "Avenue of Heroes," with memorial niches and commemorative landscapes incorporated into the overall design framework.

Memorial Circle occupies a central and highly significant position within this composition. Located on Columbia Island, now Lady Bird Johnson Park, Memorial Circle forms the ceremonial hinge between Arlington Memorial Bridge, Memorial Avenue, the George Washington Memorial Parkway, and the Mount Vernon Memorial Highway. Early plans for the Columbia Island plaza envisioned a far more monumental treatment than the traffic rotary ultimately constructed. Designers centered a formal, cruciform plaza on the east-west axis of the avenue corridor and proposed two monumental columns offset in hemispherical transepts framing the corridor. The proposed column bases were 33.5 feet wide and tapered to fluted columns rising 166 feet in height topped with winged victory figures symbolizing the reunification of the North and South following the Civil War (see Figures 2 and 3 in Appendix B). Additional proposals included monumental pavilions, fountains, balustrades, Greek temples, and cross-axis roadway compositions before the design was gradually simplified through the 1930s into the existing traffic rotary configuration designed principally by landscape architect Gilmore D. Clarke.

Memorial Circle was ultimately constructed beginning in 1940 and was intended to function as a formal organizing landscape feature within the larger ceremonial composition extending between the Lincoln Memorial and Arlington National Cemetery. Four monumental pylons framing the entrances to Arlington Memorial Bridge and Memorial Avenue were among the principal architectural features implemented from the earlier McKim, Mead & White design concepts.

The landscape surrounding Memorial Circle evolved substantially during the mid-twentieth century. While early designs emphasized formal open spatial relationships around the rotary, the character of the surrounding landscape changed during implementation of the Beautification Program associated with First Lady Claudia “Lady Bird” Johnson during the 1960s. Landscape architect Edward Durell Stone, Jr. developed a planting plan for Columbia Island that introduced extensive plantings of flowering dogwoods, white pines, daffodils, and other vegetation around Memorial Circle and throughout Lady Bird Johnson Park. These plantings transformed the character of Memorial Circle from a largely open rotary into a more heavily framed and naturalistic landscape setting while maintaining the circle’s ceremonial and commemorative role within the larger corridor composition.

Today, the Memorial Avenue Corridor remains nationally significant for its architecture, landscape architecture, engineering, sculpture, and community planning associations, as well as for its symbolic role linking the Lincoln Memorial, Arlington National Cemetery, and Arlington House through a unified monumental landscape composition. Character-defining features include the axial organization of the corridor, ceremonial circulation systems, formal views and vistas, memorial landscapes, bridge and roadway structures, holly hedges and white oak plantings along Memorial Avenue, and the reciprocal visual relationships across the Potomac River between the monumental core of Washington and the Arlington landscape.

Consistent with these historical associations and design developments, the 2024 cultural landscape report (Frisbie et al. 2024) defines the period of significance for the Memorial Avenue Corridor as 1901–1979, and recognizes its significance at the national level under Criteria A (in the area of Politics/Government) and C (in the areas of Architecture, Engineering, Landscape Architecture, Art—Sculpture, and Community Planning and Development), and also Criteria Consideration F (Commemorative property) and G (property elements added within the last 50 years). This period of significance, and these areas of significance, encompass the initial conception and composition of the corridor as a commemorative and recreational landscape, the construction of the Arlington Memorial Bridge and other corridor features, and the fuller realization of the corridor's design through the installation of memorials and the landscape designs associated with landscape architect Edward Durell Stone, Jr.

2 Regulatory Framework

The National Historic Preservation Act (NHPA), enacted in 1966, is America's foundational historic preservation law. The overarching goal of this federal law is to preserve historic resources across the country by ensuring that federal agencies consider potential impacts to historic properties when planning, making decisions, funding, permitting, or conducting activities. While the NHPA does not mandate the preservation of historic properties, it acknowledges the importance of preserving our nation's diverse heritage and directs federal agencies to act as responsible stewards of historic properties. Two sections of the NHPA, Section 106 and Section 110, establish requirements for federal agency programs. For the purposes of this assessment, they will be used to evaluate the project's effects to historic properties.

Section 106 (discussed in Section 2.1) requires federal agencies to consider the effects of their actions, known as undertakings, on historic properties prior to the issuance of any license, permit, approval, or expenditure of federal funds. It also establishes that the Advisory Council on Historic Preservation (ACHP) must have a reasonable opportunity to comment on any federal agency undertaking. The goal of Section 106 is for federal agencies to integrate preservation values and public input into their planning and decision-making processes. Section 110 (discussed in Section 2.2) focuses on federal stewardship of historic properties. It sets out the broad federal historic preservation responsibilities and is intended to ensure that historic preservation is fully integrated into the ongoing federal agency programs. It also includes a specific provision for the protection of National Historic Landmarks (NHLs). Additionally, EO 14252 (discussed in Section 2.3) addresses the federal government's responsibilities to beautify and make safe and prosperous the District of Columbia.

2.1 Section 106

Section 106 of the NHPA (54 U.S.C. § 306108) requires federal agencies to take into account the effects of their actions on historic properties. The NHPA also created the ACHP and authorized the agency to issue regulations governing the implementation of Section 106. These regulations

are set forth in 36 CFR Part 800. The Section 106 process seeks to incorporate historic preservation principles into project planning through consultation between a federal agency and other parties with an interest in the effects of the federal agency's action on historic properties. Section 106 consultation includes four main steps: initiating consultation; identifying historic properties that could be affected by the undertaking; assessing the undertaking's effects on historic properties; and seeking ways to avoid, minimize, or mitigate any adverse effects on those properties.

Section 106 also includes special requirements for considering NHLs in the Section 106 process (36 CFR § 800.10). The regulations require the ACHP and the Secretary of the Interior to be invited to participate in Section 106 consultation whenever a project has an effect meeting the criteria of 36 CFR § 800.5(a)(1) on an NHL. Portions of the area of potential effect (APE) are within an NHL historic district, and Section 110(f) applies to this assessment of effects for the project (see Appendix D.)

2.2 Section 110(f)

Section 110(a)(2) of the NHPA (54 U.S.C. § 306102) requires agencies to establish preservation programs for the identification, evaluation, nomination, and protection of historic properties to the National Register of Historic Places (NRHP). The NPS maintains inventories for historic structures, archeological sites, and cultural landscapes that are listed, or eligible for listing, on the NRHP in the Cultural Resources Inventory System.

Section 110(f) of the NHPA (54 U.S.C. § 306107) also requires that federal agencies exercise a higher standard of care when considering undertakings that may directly and adversely affect one or more NHLs. It requires that agencies "to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the landmark."

2.3 Executive Orders

EO 14252, titled "Making the District of Columbia Safe and Beautiful," is a presidential directive aimed at improving Washington, D.C.'s public safety, appearance, and overall civic image through coordinated federal action. The order directs the Department of the Interior "to ensure Federal buildings or lands adequately uplift and beautify public spaces and generate in the citizenry pride in and respect for our Nation." Elements of the NPS's implementation of the EO include development and construction of beautification efforts such as restoring monuments, redesigning and rehabilitating public spaces, removing graffiti, upgrading parks and infrastructure, and enhancing the visual character of the nation's Capital. The EO emphasizes transformative improvements to D.C.'s landscape including creation of safer, greener, and more visually impressive public environments and monumental landscapes. The broader goal of the

EO is to position Washington as a Capital city that actively reflects national pride, historical significance, and a renewed investment in high-quality public spaces.

3 Area of Potential Effects

3.1 Guidance for Area of Potential Effect Development

The Section 106 regulations define an APE as "the geographic area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking" (36 CFR § 800.16[d]). The APE is defined to allow for the evaluation of potential effects to historic properties resulting from an undertaking.

According to the steps prescribed by the Section 106 regulations, the APE must be defined before the identification of historic properties and evaluation of potential effects occurs. Types of effects on historic properties may include the following:

- Direct (comes from the undertaking at the same time and place with no intervening cause; can be visual, physical, auditory, etc.)
- Indirect (caused by the undertaking that are later in time or farther removed in distance but still reasonably foreseeable)
- Temporary
- Future
- Cumulative

Adverse effects occur when an undertaking may directly or indirectly alter characteristics of a historic property that qualify it for inclusion in the NRHP. Examples of adverse effects are stated in 36 CFR § 800.5(a)(2). Adverse effects have the potential to occur both during the construction and operational periods of a project.

For each undertaking, the Section 106 regulations (36 CFR Part 800) require the lead federal agency to determine an APE boundary that considers multiple types of effects on historic properties, rather than multiple APEs that address various effects. However, non-contiguous APEs may be developed to include multiple alternative project areas or multiple areas where possible effects may be reasonably anticipated. The regulations also require the lead federal agency to seek information from consulting parties and others likely to have knowledge of, or concerns with, historic properties in the area, to identify issues relating to the undertaking's potential effects on historic properties.

The VDHR provides guidance on APE development, requiring the APE to include all locations where the project will cause ground disturbance, all locations from which the project may be

visible or audible, and all locations where the project may result in changes to land use, public access, traffic patterns, etc. The DC HPO does not offer comparable guidance.

3.2 Area of Potential Effect Development

To begin developing the APE for this project, the NPS referenced the APEs developed for other recent federal undertakings that involved major construction and physical prominence in the Potomac River basin, including the rehabilitation of the Arlington Memorial Bridge, the Rehabilitation of the Lincoln Memorial, the rehabilitation of the Tidal Basin and West Potomac Park seawalls, and the Long Bridge Project. Reviewing the APE development and consultation process for these prior projects informed the drafting of the initial APE for this project by identifying considerations and analysis raised in prior efforts that are germane to the current proposed undertaking. Additionally, it allowed the NPS to consider consulting party input on those prior APEs that may also be relevant to the APE of this project.

To establish preliminary boundaries for the APE, aerial imagery basemaps in ArcGIS Pro and Google Earth were used to identify the general extents of potential construction and visual impacts. To inform the outer boundaries of the preliminary APE and identify critical study areas within it, the NPS analyzed photographs of important viewsheds, as well as architectural landscape renderings developed by the project's designers that overlay the proposed undertaking on those viewsheds. This analysis of APE outer extents considered areas of higher elevation (from which views would be more likely); major urban infrastructure (particularly elevated structures that would have a greater potential to block views); and other urban conditions like building density, street patterns, tree coverage, and potential viewsheds.

The NPS then used existing cultural resources GIS tools to identify, map, and list cultural resources within the APE. The NPS consulted data from the Cultural Resources Inventory System (CRIS), the Virginia Cultural Resources Inventory System (VCRIS), and the National Register Information System including nomination documentation held at the National Archives. Once the APE was drafted, the impacted resources were gathered using a selection-by-location tool in ArcGIS Pro. This geoprocessing tool allows a user to select resources from one set of layers (in this case the data layers containing data for the National Register, National Historic Landmark, CRIS-CL, and CRIS-HS programs) using a defined spatial limit (in this case the preliminary boundary for the APE).

3.3 Description of Preliminary Area of Potential Effects

The APE for this project encompasses the area in which the NPS anticipates that direct and/or indirect effects to historic properties are possible. Within the overall APE, the NPS has identified an "area of direct effects." This area includes the immediate proposed construction footprint, directly adjacent areas, and the primary ceremonial axis linking the Washington D.C. monumental core with Arlington National Cemetery.

The area of direct effects extends from Arlington National Cemetery in the west, across the Memorial Avenue Corridor to the Lincoln Memorial, and then along the length of the National Mall to the United States Capitol. In addition to those axial landscapes, it also includes adjacent and cultural landscapes including, generally from west to east: Arlington House, the Robert E. Lee Memorial, the entirety of the Memorial Avenue Corridor, Lady Bird Johnson Park, portions of Mount Vernon Memorial Highway, portions of the George Washington Memorial Parkway, the southern entrance of Rock Creek and Potomac Parkway, the Washington Monument and grounds, and the United States Capitol and grounds.

Beyond the area of direct effects, the APE extends farther to include places that are not expected to be directly affected by the undertaking but are potentially subject to indirect effects (the area of indirect effects). The outer bounds of the APE encompass Joint Base Myer–Henderson Hall to the west and from there, the boundary extends to the east to surround Arlington National Cemetery and Arlington Ridge Park. The boundary turns north before it reaches the bank of the Potomac River and parallels the riverbank upriver to a point north of Rosslyn. The boundary then crosses the river and encompasses the Georgetown Waterfront, continuing to the east to include the southern entrance of the Rock Creek and Potomac Parkway and the Lincoln Memorial and grounds. From the Lincoln Memorial, the boundary generally follows the northern side of the National Mall—with a jog northward to include the Old Post Office Tower—to the U.S. Capitol and Grounds, which mark the eastern end of the APE. From this eastern terminus, the APE boundary generally follows the southern side of the National Mall, extending in a line to the west until 15th Street SW, where it turns to the south to include the bridges from the waterfront to Hains Point. The boundary then extends southwest across the Potomac to a point north of Ronald Reagan Washington National Airport and there turns westward to encompass the Pentagon and curve north to surround Arlington National Cemetery, up to Joint Base Myer–Henderson Hall.

Appendix C contains the maps showing the APE and the historic properties within the APE.

4 Historic Properties within the Area of Potential Effects

The APE contains numerous overlapping historic properties; many resources contribute to multiple properties and districts. Historic properties include cultural landscapes, architectural resources, and archeological resources.

The historic properties within the portion of the APE designated as the area of direct effects are those that have the highest potential to be most significantly affected by the proposed undertaking. They consist of the main axial and compositional resources whose significance is fundamentally tied to the Memorial Avenue Corridor and the ceremonial landscape relationship between Arlington National Cemetery, the Lincoln Memorial, and rest of the monumental core of Washington, D.C. These resources collectively form an intentionally designed monumental landscape developed primarily during implementation of the McMillan Plan and associated early twentieth-century City Beautiful planning efforts. The significance of these properties derives

not only from their individual architectural or commemorative importance, but also from their spatial, visual, symbolic, and ceremonial interrelationships. Contributing characteristics shared among these resources include axial alignment, reciprocal views, coordinated transportation systems, monumental scale, formal landscape organization, and carefully framed transitions between the civic landscapes of Washington and the commemorative landscapes of Arlington National Cemetery. The proposed undertaking would occur directly within this designed ceremonial framework at Memorial Circle, along the primary axes that serve as the principal organizing features of the cultural landscape layout.

Additional resources that may be affected are those from which this proposed undertaking would be visible. The potential effects relate to possible changes to setting, viewsheds, and the broader spatial organization of the Potomac basin landscape. In particular, the Arch would introduce a new vertical feature into a landscape system historically characterized by carefully managed horizontal monumental compositions, open river-oriented views, and coordinated scenic parkway experiences. As a result, these resources should be evaluated for indirect effects related to visual prominence, altered landscape relationships, and changes to the historic character of the monumental river corridor.

4.1 Preliminary Identification of Historic Properties

Table 1 in Appendix D details the historic properties within the area of direct effects and Table 2 in Appendix D details the historic properties within the area of indirect effects. These tables include a listing of historic districts, cultural landscapes, and archeological sites within the APE, as well as contributing features and elements within them. These tables also detail the designation of the properties.

4.2 Archeological Resources

The NPS performed a Phase IA archeological assessment for Memorial Circle and the construction laydown area of the proposed undertaking (Appendix E). The assessment report concludes that these areas have moderate to high archeological sensitivity for intact precolonial and historic archeological resources beneath the existing twentieth-century fill. The assessment found that Memorial Circle and the anticipated laydown area are situated on an artificial landform created through dredge and fill deposition between approximately 1915 and 1927, with roughly 10 to 14 feet of fill overlying an earlier buried landscape of sandy clay, alluvial deposits, sandbars, shallow tidal flats, and floodplain settings associated with the Potomac River. The report explains that similar buried landscapes elsewhere in Washington, D.C. have yielded important archeological information dating from the precolonial period through the colonial era, and it concludes that the buried former land surface beneath the fill may retain intact archeological deposits.

Background research documented a substantial archeological context in the surrounding area. Within 1 mile on the Virginia side of the Potomac River, the archeological assessment identified 13 archeological resources, including the Arlington House Site (44AR0017), two NRHP-eligible sites, and several additional unevaluated or previously determined ineligible sites. The report also notes that the APE lies within the War of 1812 study area and near the core area associated with that conflict. Based on documentary research, environmental reconstruction, pedestrian reconnaissance, and review of preliminary geotechnical borings, the assessment concludes that the area around Memorial Circle would have offered attractive resources during the precolonial and early colonial periods and that the Arlington House waterfront was an important component of the nineteenth-century landscape. These factors support the conclusion that intact archeological deposits may be present beneath the fill despite the creation of the modern island landscape.

The archeological assessment was predictive in nature and did not include subsurface archeological excavation. It also notes an important limitation: at the time the assessment report was prepared, archeological and historic architectural site file information requested from the DC HPO had not yet been provided and was expected to be incorporated later. Accordingly, the report recommends additional archeological investigation if the proposed undertaking would disturb soils more than 10 feet below existing ground surface. Specifically, the report states that a Phase IB subsurface archeological investigation, including geoarcheological analysis, could be performed as necessary. In addition, an archeological assessment of the utility corridors under consideration is needed to identify the presence or absence of archeological resources in those locations. At this time, only one archeological site has been identified within a potential utility corridor—44AX0028 (Alexandria Canal)—but other known or unknown resources may exist.

5 Identification of Effects

Effects assessments are based on the criteria of adverse effect as defined in the ACHP regulations (36 CFR § 800.5), which are as follows:

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative (36 CFR § 800.5(a)(1)).

Examples of adverse effects can include physical destruction or damage to all or part of a property; alterations, including restoration, rehabilitation, and repair that are inconsistent with the Secretary's Standards for the Treatment of Historic Properties and applicable guidelines; and

change of the character of the property's use or of physical features within the property's setting that contribute to its significance (36 CFR § 800.5(a)(2)).

To assess project effects, the NPS reviewed existing documentation on the history and significance of each property. With an understanding of each property's significance, characteristics, and integrity, the proposed alternatives were analyzed, and the criteria of adverse effects were applied. A finding of "no effect," "no adverse effect," or "adverse effect" is recommended for each historic property:

- No Effect: A finding of "no effect" signifies that the project would not affect the characteristics of the property that qualify it for NRHP listing.
- No Adverse Effect: A finding of "no adverse effect" per 36 CFR § 800.5(b) signifies that effect(s) would not alter a characteristic of a property that qualifies it for inclusion in the NRHP in a manner that would diminish the integrity of the property; it does not meet the criteria for adverse effect.
- Adverse Effect: A finding of "adverse effect" per 36 CFR § 800.5(a)(1) signifies that an effect(s) would alter a characteristic of a property that qualifies it for inclusion in the NRHP in a manner that would diminish the integrity of the property, according to the criteria for adverse effect.

Table 3 in Appendix D contains an assessment of effects of the proposed undertaking on NRHP-eligible or listed historic properties and is based upon the criteria of significance. Consistency with Section 110(f) is addressed in Table 3. A brief summary of the preliminary assessment of effects is provided below in Section 5.1.

5.1 Preliminary Assessment of Effect of Proposed Undertaking

The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1) within the Area of Potential Effects because it would alter, directly and indirectly, characteristics of those properties that qualify them for inclusion in the National Register of Historic Places. As reflected in the table, the undertaking would have effects meeting the criteria of 36 CFR § 800.5(a)(1) that change integrity of setting, design, feeling, association, and, in some instances, location by introducing visual, spatial, and physical changes that affect character-defining views, reciprocal vistas, circulation patterns, and designed landscape relationships.

The most substantial effects meeting the criteria of 36 CFR § 800.5(a)(1) would occur to the Memorial Avenue Corridor Cultural Landscape, Arlington Memorial Bridge, Lady Bird Johnson Park Cultural Landscape, Arlington National Cemetery Historic District, Arlington House Historic District, Arlington House (Robert E. Lee Memorial), Arlington House Cultural Landscape, Lincoln Memorial Cultural Landscape, the Lincoln Memorial, National Mall Site, National Mall Historic District, and The Mall Cultural Landscape, all of which derive

significance in part from their planned visual, commemorative, and spatial relationships across the Potomac River and through the monumental core.

Additional effects meeting the criteria of 36 CFR § 800.5(a)(1) would occur to the Washington Monument Structure, Washington Monument and Grounds Historic District, Washington Monument and Grounds Cultural Landscape, Rock Creek and Potomac Parkway Historic District, East and West Potomac Park Historic District, Arlington Ridge Park, Fort Myer Historic District and Quarters 1, George Mason Memorial, Thomas Jefferson Memorial Cultural Landscape, and potentially the Pentagon, where the undertaking would alter contributing views, settings, or designed relationships. In contrast, the table indicates that numerous other historic properties would not be adversely affected due to distance, topography, vegetation, orientation, or intervening development.

Accordingly, the undertaking meets the criteria of 36 CFR § 800.5(a)(1) because it would result in impacts to the integrity of historic properties through the alteration of character-defining visual and spatial relationships that contribute to their significance.

With regard to archeological resources, additional investigation may be needed to fully determine the effects of the undertaking. A subsurface investigation of Memorial Circle may be necessary to determine the presence or absence of deeply buried resources, and a survey of the potential utility corridor locations may be needed to identify resources within those areas. The results of these investigations, if necessary, will be used to determine whether the APE contains archeological resources that are eligible, or may be eligible, for listing in the NRHP, and whether the proposed undertaking will have adverse effects on these resources. A programmatic agreement will be developed for this project to define the continued consultation process for the identification and evaluation of resources, and the resolution of any adverse effects on NRHP-eligible archeological resources.

6 Avoidance, Minimization, and Mitigation Measures

During and prior to the design process, various smaller Arch heights were evaluated to avoid, minimize, or mitigate impacts on historic resources. The smaller Arch heights were ultimately dismissed because they would have had greater impacts on the cultural landscapes, specifically the views between the Lincoln Memorial and Arlington National Cemetery. The smaller designs fully obstructed this view, instead of framing it, and did not create any new viewing opportunities – by contrast to the proposed Arch, which would allow a less obstructed view through its central opening and provide new viewing opportunities. In addition, because the Arch is intended to celebrate 250 years of American independence, the smaller heights were not considered representative of this milestone, unlike the 250-foot Arch proposed in the undertaking.

To further avoid, minimize, and mitigate adverse effects on historic properties, several steps could be undertaken during the implementation of the project.

Once a consensus determination of adverse effect for the project has been reached, these steps would be agreed upon and negotiated during the development of a programmatic agreement (PA) with certain consulting parties.

Potential avoidance, minimization, and mitigation measures for the project's adverse effects under consideration in the draft PA include:

1. Viewshed and visual minimization: The NPS will continue to refine the design of the undertaking to minimize visual intrusion on historic properties within the APE.
2. Construction Management Control: The NPS will minimize temporary construction effects to historic properties from noise and vibration and visual effects using a variety of construction management techniques. Visual effects, noise, and vibration will be minimized to the extent practicable by providing appropriate screening between construction staging areas and cultural resources, limiting the size of construction staging areas, and/or locating them away from sensitive views and viewsheds.
3. Archeological Investigation: The NPS will continue identification and evaluation of archeological historic properties in accordance with 36 CFR § § 800.4 - 800.5 and following the findings and recommendations of the Phase IA Archaeological Assessment Report.
    a. Preconstruction Phase 1B Geoarcheological Investigations
    b. Archeological Monitoring and Documentation
4. Other measures related to documentation, interpretation, or other elements, to be determined in conjunction with the consulting parties as part of developing and finalizing the PA.

Literature Cited

Frisbie, Meg, Molly Lester, Chen Mao, Ruth Penberthy, Haoyi Shang, Zhijie Wang, and Ryan Drake. 2024. *Memorial Avenue Corridor, George Washington Memorial Parkway, Cultural Landscape Report*. Philadelphia: University of Pennsylvania - Weitzman School of Design, Urban Heritage Project.

U.S. Congress, Senate Committee on the District of Columbia, and District of Columbia Park Commission. 1902. *The Improvement of the Park System of the District of Columbia*. Washington, D.C.: Government Printing Office.

Outlook

Review - Triumphal Arch

From Stidham, Tammy <Tammy_Stidham@nps.gov>

Date Tue 7/28/2026 5:11 PM

Bcc Sullivan, Diane <diane.sullivan@ncpc.gov>; Webb, Lee <lee.webb@ncpc.gov>; tluebke@cfa.gov <tluebke@cfa.gov>; Beasley, Joy <Joy_Beasley@nps.gov>; Porsia, Sara C <sara.porsia@sol.doi.gov>; Madello, Jennifer <Jennifer_Madello@nps.gov>; Nersesian, Jen T <Jen_Nersesian@nps.gov>; Mendelson, Lisa <Lisa_Mendelson-Ielmini@nps.gov>; Hade, Adam C <adam.hade@sol.doi.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>; sbatcheler@cfa.gov <sbatcheler@cfa.gov>; Lorin Farris <lfarris@arlingtonva.us>; mdurak@arlingtonva.us <mdurak@arlingtonva.us>; caitlin.e.smith36.civ@army.mil <caitlin.e.smith36.civ@army.mil>; sarah.y.koeppel.ctr@mail.mil <sarah.y.koeppel.ctr@mail.mil>; mfloca@kennedy-center.org <mfloca@kennedy-center.org>; Smith, Kathryn G <Kathryn_Smith@nps.gov>; ExecSecretariat.FHWA@dot.gov <ExecSecretariat.FHWA@dot.gov>; kevin.rose@dot.gov <kevin.rose@dot.gov>; Imamura, Joseph <joseph.imamura@aoc.gov>

3 attachments (18 MB)

2026 07 28 Triumphal Arch - Historic Properties and preliminary assessment of effect tables.pdf; 2026 07 28 Triumphal Arch - Revised APE.pdf; 2026 07 28 Triumphal Arch - Viewshed Analysis.pdf;

NPS thanks you for your input during this consultation process regarding the proposed undertaking involving construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. This communication is to inform you that through consultation with all the requisite parties, a final APE and list of historic properties which may be affected by the proposed undertaking has been determined by NPS. Both determinations are attached to this email.

NPS is now applying the criteria of adverse effect to the historic properties within the APE in accordance with 36 CFR 800.5(a). NPS welcomes your thoughts on how it should do so.

Please note NPS made a preliminary finding of an adverse effect for this undertaking. A final finding of an adverse effect would require NPS to consult further to resolve the finding of an adverse effect pursuant to 36 CFR § 800.6. *See* 36 CFR § 800.5(d)(2). Consulting parties will have an opportunity to consult in the development and evaluation of alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties if an adverse effect determination is issued. *See* 36 CFR § 800.6(a). Accordingly, at this time, please focus your comments on applying the criteria of adverse effect on the listed properties as it will inform NPS in making the appropriate determination.

Please provide the requested input, in writing, by August 6, 2026. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Tammy

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service

1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

July 28, 2026

Mr. David Maloney
State Historic Preservation Officer
District of Columbia Historic Preservation Office
899 North Capitol Street, NE, Suite 7100
Washington, DC 20002
Dear DC HPO,

Dear Mr. Maloney:

Thank you for the District of Columbia Historic Preservation Officer's (DC HPO) letter dated July 24, 2026. DC HPO's provision of information about historic properties it believes to be within the preliminary Area of Potential Effects (APE) and beyond was of help to the National Park Service (NPS) in making the final determinations attached to this letter. Additionally, NPS incorporated suggestions from the Virginia Department of Historic Resources and other consulting parties when making such final determinations. Both final determinations are attached to this letter.

In addition to the expanded APE and list of identified historic properties which may be affected by the undertaking, NPS has attached information to this letter about the viewshed analysis conducted for this undertaking.

Regarding DC HPO's concerns of effects on identified historic properties, NPS will consult with DC HPO when applying the criteria of adverse effect on historic properties within the APE for this undertaking. Accordingly, NPS requests DC HPO provide its input regarding the application of criteria of adverse effect on the identified historic properties.

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative. 36 CFR § 800.5(a)(1).

Examples of adverse effects on historic properties include, but are not limited to:

(i) Physical destruction of or damage to all or part of the property;

(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines;

(iii) Removal of the property from its historic location;

(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

36 CFR § 800.5(a)(2).

NPS publicly provided a preliminary Assessment of Effects, which included a chart outlining NPS's thoughts as to the effects the undertaking may have on certain historic properties, on June 5, 2026. Through this Section 106 consultation, NPS has expanded the breadth of the APE and incorporated additional historic properties that were not considered by NPS in its preliminary APE. Now, since the complete list of historic properties that may be affected by this undertaking has been finalized by NPS, it is appropriate to consult with DC HPO regarding the effects on such historic properties. To aid DC HPO in its review, NPS has included the chart outlining NPS's thoughts as to the effects of the undertaking, supplemented by NPS's thoughts as to the effects of the undertaking on the recently included historic properties located within the expanded APE.

Please note NPS made a preliminary finding of an adverse effect for this undertaking. A final finding of an adverse effect would require NPS to consult further to resolve the finding of an adverse effect pursuant to 36 CFR § 800.6. *See* 36 CFR § 800.5(d)(2). Accordingly, NPS hereby requests that DC HPO and NPS negotiate the terms of a memorandum of agreement or programmatic agreement to resolve the finding of an adverse effect resulting from the undertaking since both parties agree a finding of no adverse effect is not appropriate for this undertaking. If this proposal is agreeable, NPS suggests an in-person or virtual meeting on August 6, 2026, to

begin resolution of the adverse effect under 36 CFR § 800.6. Please let NPS know if DC HPO can meet as soon as possible so NPS can fulfill its preparatory responsibilities.

In the alternative, NPS requests DC HPO submit comments regarding its assessment of effects on the identified historic properties by the same date, August 6, 2026. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Sincerely,

Jennifer T. Nersesian
Regional Director

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

July 28, 2026

Mr. Roger W. Kirchen
Director and State Historic Preservation Officer
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Dear Mr. Kirchen,

Thank you for the Virginia Department of Historic Resources's (VDHR) letter dated July 21, 2026. VDHR's provision of information about historic properties it believes to be within the preliminary Area of Potential Effects (APE) and beyond was of help to the National Park Service (NPS) in making the final determinations attached to this letter. Additionally, NPS incorporated suggestions from the District of Columbia State Historic Preservation Officer and other consulting parties when making such final determinations. Both final determinations are attached to this letter.

In addition to the expanded APE and list of identified historic properties which may be affected by the undertaking, NPS has attached information to this letter about the viewshed analysis conducted for this undertaking.

Regarding VDHR's concerns of effects on identified historic properties, NPS will consult with VDHR when applying the criteria of adverse effect on historic properties within the APE for this undertaking. Accordingly, NPS requests VDHR provide its input regarding the application of criteria of adverse effect on the identified historic properties.

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative. 36 CFR § 800.5(a)(1).

Examples of adverse effects on historic properties include, but are not limited to:

(i) Physical destruction of or damage to all or part of the property;

(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines;

(iii) Removal of the property from its historic location;

(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

36 CFR § 800.5(a)(2).

NPS publicly provided a preliminary Assessment of Effects, which included a chart outlining NPS's thoughts as to the effects the undertaking may have on certain historic properties, on June 5, 2026. Through this Section 106 consultation, NPS has expanded the breadth of the APE and incorporated additional historic properties that were not considered by NPS in its preliminary APE. Now, since the complete list of historic properties that may be affected by this undertaking has been finalized by NPS, it is appropriate to consult with VDHR regarding the effects on such historic properties. To aid VDHR in its review, NPS has included the chart outlining NPS's thoughts as to the effects of the undertaking, supplemented by NPS's thoughts as to the effects of the undertaking on the recently included historic properties located within the expanded APE.

Please note NPS made a preliminary finding of an adverse effect for this undertaking. A final finding of an adverse effect would require NPS to consult further to resolve the finding of an adverse effect pursuant to 36 CFR § 800.6. *See* 36 CFR § 800.5(d)(2). Accordingly, NPS hereby requests that VDHR and NPS negotiate the terms of a memorandum of agreement or programmatic agreement to resolve the finding of an adverse effect resulting from the undertaking since both parties agree a finding of no adverse effect is not appropriate for this undertaking. If this proposal is agreeable, NPS suggests an in-person or virtual meeting on August 6, 2026, to begin resolution

of the adverse effect under 36 CFR § 800.6. Please let NPS know if VDHR can meet as soon as possible so NPS can fulfill its preparatory responsibilities.

In the alternative, NPS requests VDHR submit comments regarding its assessment of effects on the identified historic properties by the same date, August 6, 2026. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Sincerely,

Jennifer T. Nersesian
Regional Director

July 30, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

Dear Ms. Stidham,

Thank you for the materials sent to consulting parties to the Section 106 review of the Triumphal Arch project on July 28, 2026. As The Cultural Landscape Foundation (TCLF) prepares another set of comments (which follow on those of June 15, 2026, and July 18, 2026), it would be helpful to understand how the National Park Service (NPS) will address the Section 106 requirement to "seek ways to avoid, minimize or mitigate any adverse effects on historic properties."

Thus far, there has been one consulting parties meeting (June 15, 2026), to which TCLF and five other organizations seeking "consulting party" status were not invited; the invitation was ultimately extended on Jul 10, 2026. The June 15 meeting followed the initiation of a Section 106 review on June 5, *after* the project had received final design review from the Commission of Fine Arts (which did not see a final design). This appears to directly contradict the language of Section 106, as noted in 36 CFR § 800.1(a) "Purposes of the section 106 process": "The section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, **commencing at the early stages of project planning**." [emphasis added]

This inverted approach to the Section 106 is very disconcerting, but so is the astonishing fact that there was no design competition for what would be the second largest monument in the Monumental Core after the Washington Monument.

Had this review commenced at the "early stages of project planning," it would likely have dealt with the most appropriate site for the arch. But the process began *after* a site had been selected.

The "Assessment of Effects" previously published by NPS does not address either a no-build option or an alternative location option. Consequently, would you please tell us if NPS is considering either a no-build option or an alternative location option, or if those options have been foreclosed?

In addition, the due date for consulting party comments is August 6, 2026. As noted in your email: "Consulting parties will have an opportunity to consult in the development and evaluation of alternatives or modifications to the undertaking that could avoid, minimize, or

mitigate adverse effects on historic properties **if an adverse effect determination is issued.**" [emphasis added]

When will consulting parties and the public be told of NPS' "determination"?

According to 36 CFR § 800.5(b) "Finding of no adverse effect" and (c) "Consulting party review," following a no adverse effect determination, the D.C. State Historic Preservation Office and other consulting parties would have 30 days to notify NPS in writing of any disagreements with the determination. Accordingly, NPS "shall either consult with the party to resolve the disagreement, or request the Council to review the finding." According to 36 CFR § 800.5(c)(3)(i) "If the Council does not respond within the applicable time period, [NPS'] responsibilities under section 106 are fulfilled."

Please explain ow NPS would decide to "either consult with the party to resolve the disagreement, **or** request the Council to review the finding." [emphasis added]

It seems that if NPS chooses not to work with consulting parties and instead forwards the issue to the Advisory Council on Historic Preservation (ACHP), that if ACHP takes no action, the Section 106 process would be concluded. Is that a correct reading of how Section 106 could be implemented by NPS in this matter?

Sincerely,



Charles A. Birnbaum, FASLA, FAAR
Founding President & CEO

August 3, 2026
From: Stephen E Hammond, spokesperson for the Family Circle of descendants at Arlington house

To: Tammy Stidham, National Park Service Associate Regional Director – Lands and Planning

The National Park Service (NPS) has invited The Family Circle of Descendants at Arlington House to comment as a consulting party in the review of a proposed undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800. NPS has ask specifically for comments regarding knowledge of, or concerns with, historic properties in the area near the potential undertaking, and our thoughts on issues related to the potential undertaking's effects on such historic properties proposed undertaking involves construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC.

The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1). The undertaking would introduce a new permanent structure, associated hardscape, lighting, security elements, utility infrastructure, stormwater facilities, and traffic and pedestrian circulation changes into the Memorial Circle setting and would thereby alter characteristics of historic properties that qualify for inclusion in the National Register of Historic Places. In particular, the undertaking has the potential to impact the Memorial Avenue Corridor Cultural Landscape, Arlington Memorial Bridge and related features, Arlington National Cemetery, Arlington House, and other related historic properties within the area of potential effects. The undertaking would also introduce new visual elements not presently found within Memorial Circle and change physical features within the setting that contributes to the significance of the historic district and cultural landscape.

The Family Circle of Descendants at Arlington House comments on the Assessment of Effects

I, Stephen Hammond, submit these comments as the spokesperson and Official Representative for the Family Circle of descendants at Arlington House, a consulting party.

Known today as 'Arlington House, the Robert E. Lee Memorial', the National Park Service (NPS) has been dedicated to its mission of preservation and interpretation of the site since 1933. We urge NPS to formalize its preliminary assessment highlighting the adverse impacts of the proposed Triumphal Arch and conclude that a 'no-build' option is the best course of action.

Arlington House, built between 1802-1818, is listed on the Virginia Landmarks Register and the National Register of Historic Places for its complex history, the viewshed across the Potomac

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River and for its relationship and proximity to other monuments, memorials and historic sites. The NPS has the responsibility to honor and protect those designations. However, in 2026, NPS appears to be taking actions that will negatively impact the very historic site they are committed to protecting. This memorial would be negatively and irreparably impacted by the construction of the proposed Triumphal Arch.

The enslaved people who were brought to the site from Mount Vernon leveled the hilltop, made the bricks and provided the labor that constructed the Arlington House. Our ancestors were forced to modify the landscape that is now part of the Arlington House Historic Preservation District. The plantation house overlooked a fledgling capital city. Ancestors of our Family Circle, enslaved and free, lived, worked and died on this site. Between 1802 and 1861 Arlington House was the focal point of an 1,100-acre plantation. **Today, descendants see the Arlington House as a site of reflection and education through interpretation of its complete and complex history. It is a site of healing from the horrors of slavery as well as a site of inspiration for descendants of the enslaved and their enslavers. Instead of being divided, we are setting an example for our nation on how we can have difficult conversations and be better as a Family Circle.** The viewshed is an integral piece of this space. Together, Arlington House, the Arlington Memorial Bridge and the Lincoln Memorial are part of a pivotal piece of United States history. The connections and continuity between these sites should not be diluted or encumbered by an Arch constructed on the Memorial Circle. The intention of the architect was to unite the North and the South following the Civil War, with a view from the Lincoln Memorial across the Memorial Bridge over the Potomac to the former home of General Robert E Lee. That intention cannot be mitigated with any structure located between the two existing sites.

Compounding that historic use of land is the inappropriate takeover of land once used by indigenous tribes in the area for thousands of years. The proposed Arch certainly does not serve as a memory of triumph to this group of individuals. Instead and Arch of the sort proposed is yet another example of colonialism overtaking spaces historically used by and shared others. The Family Circle of descendants at Arlington House acknowledges the use of these lands by others and seeks to discontinue adding insult to injury by constructing an Arch on this land.

Over the last 175 years, the landscape at Arlington has been transformed, modified, repurposed and renamed numerous times. Each time, the voices of ancestors and descendants of Arlington House have been left out. The voices of citizens near and far have also routinely been left out of the conversation. The same is occurring again with plans for the proposed Arch project. Yes, a process for seeking public input and comment exists. But, will NPS and the Federal government listen? Will the law be followed? As descendants of Arlington House plantation, we have a unique connection to this space and a standing that should impact decision making.

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The decision to construct an Arch on the Memorial Circle traffic roundabout on the Virginia side of Arlington Memorial Bridge between the entrances to Arlington National Cemetery and the Lincoln Memorial is not only flawed and ill conceived, the decision disregards the concerns and the will of the citizens of the United States and some of the people who are most closely related to the land.

The National Park Service seems to be approaching this project as a foregone conclusion that the Arch should be constructed. The Family Circle of descendants at Arlington House vehemently disagree with this view. On the contrary, the NPS should have a 'no build' option. The Triumphal Arch should not be constructed.

There are many reasons this project is a bad idea. In your own assessment of effect of the proposed project, the NPS has documented that the proposed construction of the Triumphal Arch at Memorial Circle would result in negative effects on Arlington House (Robert E. Lee Memorial), Arlington House Historic District, Arlington House Cultural Landscape, Arlington National Cemetery Historic District, among many other historic properties meeting the criteria found in 36 CFR § 800.5(a)(1). The project would alter, directly and indirectly, characteristics that qualify the sites for inclusion in the National Register of Historic Places. Construction of an Arch would change the integrity of setting, design, feeling and association of the sites with one another. The visual, spatial, and physical changes would negatively affect character-defining views, reciprocal vistas, circulation patterns, and designed landscape relationships. The decision here is rather easy. The Arch should not be constructed on the Memorial Circle or anywhere else for that matter.

Undertaking this Triumphal Arch project will cause irreparable harm to historic sites and the space around them. As an agency that is dedicated to the preservation and interpretation of historic sites, it is inconceivable that this project would be approved without its merits being debated openly in a public forum.

The Family Circle of descendants at Arlington House urges the NPS to formalize its preliminary assessment highlighting the adverse impacts of the proposed Triumphal Arch on local historic sites like the Arlington House, the Robert E. Lee Memorial and conclude that a 'no-build' option is the best course of action.

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The Family Circle of Descendants at Arlington House <u>comments on the Draft Programmatic Agreement</u>

I, Stephen Hammond, submit these comments as the spokesperson and Official Representative for the Family Circle of descendants at Arlington House, a consulting party.

ADD

WHEREAS, in email correspondence dated July 10, 2026, the NPS invited **The Family Circle of descendants at Arlington House** who have an interest in and a historic connection to the area affected by the undertaking, pursuant to 36 C.F.R. § 800.2(c)(2), about the project and invited them to be a Consulting Party.

ADD The Family Circle of descendants at Arlington House to the full list of Consulting Parties invited is provided in Appendix B, along with presentation materials from the consulting party meetings.

C. Viewshed and Visual Mitigation

1. The NPS shall continue to refine the design of the undertaking to minimize visual intrusion on historic properties within the APE to the maximum extent feasible. **[Note: maximum extent feasible needs to be agreed upon by consulting parties, up to and including a finding that any visual intrusion may be too much to proceed.]**
2. Measures to be considered shall include, as appropriate:
   [Note: the first item on this list should be the physical size and height of the proposed structure.]
   a. refinement of lighting intensity, direction, and shielding to reduce glare and spill;
   b. minimizing the visibility and visual dominance of security features and associated infrastructure;
   c. careful siting and design of utility enclosures, pump station features, and stormwater facilities;
   d. reduction or integration of signage, lighting, and site furnishings; and
   e. preservation or restoration of landscape features that support significant views and enhance the design landscape character.

ADD

5. Nineteenth Century Finds

Considering that land adjacent to the construction area was occupied by individuals enslaved on the Arlington House plantation in the 19th century, the NPS will notify The Family Circle of Descendants at Arlington House in the event that any resources are discovered and considered potentially eligible for the National Register of Historic Places. Notification will also be given should additional phases of archeological investigation pertaining to 19th century resources be necessary or identified in a Post Review Discovery.

DRAFT

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 shall consult with DC HPO, VA SHPO, and, if applicable, Native American Tribes **and The Family Circle of Descendants at Arlington House** that may attach religious and/or cultural significance to the affected property, and shall develop and implement avoidance, minimization, or mitigation measures with the concurrence of DC HPO, VA SHPO, and if applicable, Native American Tribes and **The Family Circle of Descendants at Arlington House.**

B. Treatment of remains …..

ADD between items 2 and 3

For actions involving African-American human remains or burials, the The Family Circle of Descendants at Arlington House, the VA SHPO, and the DC HPO will be consulted to determine a treatment plan for the avoidance, recovery, or reburial of the remains.

DRAFT

Outlook

RE: [External] Review - Triumphal Arch

From Flis, Matthew <matthew.flis@ncpc.gov>
Date Tue 8/4/2026 4:29 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Webb, Lee <lee.webb@ncpc.gov>; Herr, Jamie <jamie.herr@ncpc.gov>; Sullivan, Diane <diane.sullivan@ncpc.gov>

Good Afternoon Tammy,

Thank you for providing NCPC staff the revised final APE, the preliminary assessment of effect table, and the visual analysis study for the proposed Triumphal Arch for review. We have reviewed the materials, and they appear thorough and complete. We do not have additional comments to provide on the materials at this time. If there is an opportunity to share any comments provided by the other consulting parties, that would be helpful. We look forward to continued consultation to resolve the finding of an adverse effect, as indicated in your email.

Best,
Matt

National Capital Planning Commission

Matthew J. Flis, AICP-CUD
Deputy Director | Current Planning Division
Main: 202.482.7200 | Direct: 202.482.7236
401 9th Street, NW | Washington, DC 20004
matthew.flis@ncpc.gov | www.ncpc.gov

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Tuesday, July 28, 2026 5:11 PM
Subject: [External] Review - Triumphal Arch

NPS thanks you for your input during this consultation process regarding the proposed undertaking involving construction of a Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. This communication is to inform you that through consultation with all the requisite parties, a final APE and list of historic properties which may be affected by the proposed undertaking has been determined by NPS. Both determinations are attached to this email.

NPS is now applying the criteria of adverse effect to the historic properties within the APE in accordance with 36 CFR 800.5(a). NPS welcomes your thoughts on how it should do so.

Please note NPS made a preliminary finding of an adverse effect for this undertaking. A final finding of an adverse effect would require NPS to consult further to resolve the finding of an adverse effect pursuant to 36 CFR § 800.6. *See* 36 CFR § 800.5(d)(2). Consulting parties will have an opportunity to consult in the development and evaluation of alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties if an adverse effect determination is issued. *See* 36 CFR § 800.6(a). Accordingly, at this time,

please focus your comments on applying the criteria of adverse effect on the listed properties as it will inform NPS in making the appropriate determination.

Please provide the requested input, in writing, by August 6, 2026. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Tammy

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

Outlook

[EXTERNAL] RE: Review - Triumphal Arch

From Edward Stierli <estierli@npca.org>
Date Wed 8/5/2026 11:33 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Rachel Kenigsberg <rkenigsberg@npca.org>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>; Madello, Jennifer <Jennifer_Madello@nps.gov>

1 attachment (183 KB)
NPCA Triumphal Arch Section 106 Response 08052026.pdf;

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Tammy,

Attached are NPCA's comments on the materials.

A few asks in there are time-sensitive, so flagging them here: we're asking for a consulting party meeting before any finding is issued, written invitations to veterans organizations and the stewards of the affected properties, and confirmation that NPS won't seek final NCPC approval on September 3.

Happy to talk any of this through by phone and help provide contacts of veterans organizations if needed.

Thanks,

Ed

Edward Stierli
Vice President, Government Affairs
National Parks Conservation Association
C: 202-961-6123 | estierli@npca.org | **npca.org**

Preserving Our Past. Protecting Our Future.

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Tuesday, July 28, 2026 5:11 PM
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Tammy

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August 5, 2026

Tammy Stidham
Associate Regional Director, Lands and Planning
National Park Service, National Capital Region

Cc: Jordan Hoaglund, Priority Project Coordinator, National Park Service
Jennifer Madello, Superintendent, George Washington Memorial Parkway, National Park Service

RE: NPCA Comments on the Criteria of Adverse Effect, Proposed Triumphal Arch at Memorial Circle, George Washington Memorial Parkway

Dear Ms. Stidham:

On behalf of the National Parks Conservation Association (NPCA) and our more than 1.9 million members and supporters, we submit these comments regarding the revised Area of Potential Effects, the list of historic properties, the viewshed analysis, and the preliminary assessment of effects tables. NPS has asked consulting parties to focus on how it should apply the criteria of adverse effect, and these comments do that, while also renewing several requests we made in June that have not yet been answered.

We appreciate that NPS expanded the study area and ran a viewshed analysis after consulting parties and both State Historic Preservation Officers asked for one, and the resulting record is considerably more complete than what was circulated in June. It is also considerably more troubling, because NPS now maps 208 historic properties inside the Area of Potential Effects and finds that the Arch would adversely affect at least 37 of them, six of which are National Historic Landmarks, including the Pentagon, the Georgetown Historic District, and the United States Capitol. We do not agree that identification is finished or that the Area of Potential Effects is correctly drawn, and we stand by our objections to this project regarding congressional authorization and the environmental review.

I. The Record Now Shows Harm Across Nearly the Entire Monumental Landscape

The properties NPS has identified as adversely affected include the Memorial Avenue Corridor, Arlington Memorial Bridge, the Arlington National Cemetery Historic District, Arlington House and its landscape, Lady Bird Johnson Park, the Lincoln Memorial, the Washington Monument and its grounds, the National Mall Historic District, East and West Potomac Park, the Rock Creek and Potomac Parkway, the Jefferson Memorial, the George Washington Memorial Parkway, the United States Capitol, and the L'Enfant Plan of the City of Washington itself.

The tables state the central conclusion plainly, which is that the Arch would break the 160-foot height limit that has kept Washington a horizontal city and would displace the Lincoln Memorial as the western end of the National Mall. That is not damage to a single property but damage to the plan on which the city was built, and we agree with these findings and urge NPS to carry them into its final determination without watering them down. We would note as well that nighttime lighting is cited as a basis for adverse effect at more than two dozen properties even though no lighting plan and no nighttime rendering has been shared with consulting parties, which leaves NPS in the position of proposing to minimize an effect it has not yet described.

II. The Viewshed Analysis Understates the Harm

Running the analysis was the right call, and our concerns go to how its results are being used rather than to the decision to conduct it.

The study area stops too soon. NPS drew the line at 3.5 miles, citing highway guidance that treats 3 to 5 miles as the distant zone in which detail fades, but detail is not what matters here. A 250-foot lit structure in a city capped at 160 feet reads as a shape on the skyline, and shapes on the skyline carry a long way. The maps show the visible area running south along the Potomac right up to the study boundary, where it stops because the boundary stops rather than because the view does, and places outside that circle known for their views of the monumental core were never examined at all. Those include Frederick Douglass National Historic Site at Cedar Hill, a National Historic Landmark and a unit of the National Park System roughly four miles away, and the Alexandria Historic District, also a Landmark, downriver along the same corridor.

Part of the elevation data is missing. The viewshed summary explains that inside the Secret Service redaction zone, building and tree data were stripped out of the Washington elevation model, which is precisely the area around the White House, President's Park, and Lafayette Square, all of which came back with no adverse effect. NPS should disclose how large that gap is, identify which findings depend on data inside it, and verify those views in the field.

The trees were counted with their leaves on. Tree canopy data was used to erase portions of the visible area, but for roughly half the year those trees carry no leaves, and NPS applied that reasoning to exactly one property, the George Mason Memorial, while clearing both the DC War Memorial and Theodore Roosevelt Island on the basis of tree cover with no mention of season at all. The analysis should be rerun for winter conditions and the affected findings revisited.

The phrase "visible only from the rooftop level" is carrying too much weight. Dozens of no adverse effect findings rest on that single recurring sentence, yet the viewshed summary itself cautions that the model measured visibility from the top surface of each building, which may include terraces and observation decks, and that anyone relying on it should verify whether real vantage points exist there or whether upper floors have the view. No such verification appears anywhere in the materials, and several of the buildings dismissed this way have towers, terraces, and upper-floor views that are central to what they are and to why they were listed. NPS should not use a model to rule out effects when the people who built the model said it needed checking first.

Finally, there are no pictures. The tables make hundreds of judgments about what will and will not be visible without a single simulation from a defined vantage point, and consulting parties cannot give NPS useful advice about the criteria of adverse effect without them. We ask for simulations, in summer and winter and in daylight and darkness, from at least Memorial Circle, the Lincoln Memorial and the Watergate Steps, the portico at Arlington House, Sections 43 and 60 at Arlington National Cemetery, the Memorial Amphitheater and the Tomb of the Unknown Soldier, the Marine Corps War Memorial and the Netherlands Carillon, the World War II Memorial, the Martin Luther King, Jr. Memorial, the north steps of the Jefferson Memorial, the Pentagon's River Entrance Terrace, and Key Bridge. We also ask for the underlying data and for the name of the firm that prepared the analysis, or confirmation that it was completed by NPS staff.

III. Several Findings of No Adverse Effect Do Not Hold Up

World War II Memorial: NPS concluded that there would be no adverse effect because of distance and intervening vegetation and buildings, but there are no intervening buildings along this line. The memorial sits at the east end of the Reflecting Pool on the Mall's central axis, and its view west through the Lincoln Memorial toward Memorial Bridge and Memorial Circle was left open by design and is protected as a contributing view. Because the Arch would stand squarely on that line, this finding should be reexamined and potentially reversed.

Martin Luther King, Jr. Memorial: NPS reasons that the memorial's primary views run southeast to the Jefferson Memorial, which is true as far as it goes, but they also run northwest to the Lincoln Memorial, where a speech this memorial in part commemorates was delivered. The assessment evaluates one half of a sightline and dismisses the effect on that basis.

Franklin Delano Roosevelt Memorial: NPS finds that the Arch would not be visible from this memorial, while in the same set of tables finding an adverse effect to East and West Potomac Park on the express ground that the West Potomac Park riverfront would have direct views of it. Since the FDR Memorial sits on that riverfront, both findings cannot be correct.

DC War Memorial: This memorial was cleared on the ground that mature trees block long views to the west, with no mention of winter conditions, even though its listed contributing view looks north across the Reflecting Pool toward the axis on which the Arch would be built.

Theodore Roosevelt Island: The island was cleared because of heavy vegetation and the intervening Roosevelt Bridge, again with no seasonal analysis, notwithstanding that it lies directly across and slightly upriver from the project site.

Nearly every standalone memorial evaluated in the tables came back with no adverse effect, which is a striking pattern given that memorials are the property type whose meaning depends most heavily on where they face and what they look at. That result reads as a methodological assumption rather than a property-by-property judgment, and it should be revisited.

IV. Whole Categories of Harm Are Missing from the Assessment

Construction damage receives almost no attention, even though the maps show a construction staging area and utility corridors running across Memorial Avenue and Memorial Circle, through Lady Bird Johnson Park, over Memorial Bridge, into the Lincoln Memorial grounds, and east toward the Washington Monument and the Tidal Basin. Physical damage to a historic property is an adverse effect under the regulations, yet nothing in the tables analyzes what staging and trenching would do to the historic granite paving along Memorial Avenue and the granite islands at Memorial Circle, to the white pines at the four pylons, to the seawalls, or to the Boundary Channel. The tables observe in passing that some of these features should be retained without ever saying whether the design as proposed would retain them.

Archeology is absent entirely. Table 1 lists archeological sites inside the National Mall Historic District, but no survey, identification effort, or effect analysis appears anywhere in the materials, notwithstanding that a 250-foot structure requires deep foundations and the utility corridors would cross filled ground.

Effects that accumulate are also unexamined. The regulations require NPS to consider cumulative effects, and several federal projects are moving forward at once in this same landscape, including the National Garden of American Heroes in West Potomac Park, the East Potomac Golf Course conversion, changes to

the Lincoln Memorial Reflecting Pool, and construction at the White House. Each is being reviewed on its own terms, and no review anywhere accounts for the total.

How the place is used goes unaddressed as well. Nothing in the assessment considers what the Arch would do to Memorial Avenue's role as the route funeral processions take into Arlington, to traffic and circulation at Memorial Circle, to crowds and visitor use, or to the security perimeter a structure of this profile would require. Nor does anything address what floodlighting does to the character of a national cemetery after dark, even though lighting appears as a basis for adverse effect throughout the tables.

The cemetery analysis is also incomplete, since NPS examined Sections 43, 60, and 66 and no others. NPS should explain the basis for choosing those three and extend the analysis across the cemetery, with particular attention to Section 60, the Memorial Amphitheater, and the Tomb of the Unknown Soldier.

V. Veterans Organizations and Landmark Stewards Still Have Not Been Invited

We have raised this consistently, and it remains true today that no veterans service organization and no organization representing the families of those buried at Arlington is a consulting party in this review. NPS has concluded that the Arch would adversely affect the Arlington National Cemetery Historic District, Arlington House, the Memorial Avenue corridor along which the nation escorts its dead, Arlington Ridge Park and the Marine Corps War Memorial within it, Fort Myer, the Pentagon, and the National War College, and there is no remaining explanation for their absence from the table.

The regulations direct NPS to identify and invite groups with a demonstrated interest arising from their concern for a project's effects on historic properties, and no one fits that description better than the organizations representing the men and women commemorated in this landscape and the families who visit them. The same gap extends to the institutions that built, own, or care for the properties NPS now says would be harmed, several of which are private organizations that have never been told a federal project has been found to harm their property. We ask NPS to send written invitations to consult, and to document those invitations to the consulting parties, to organizations such as:

- Veterans service organizations, including The American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, Paralyzed Veterans of America, Vietnam Veterans of America, Iraq and Afghanistan Veterans of America, and the Military Order of the Purple Heart;
- Organizations representing the families of the fallen and of those buried at Arlington, including Gold Star Wives of America, American Gold Star Mothers, the Tragedy Assistance Program for Survivors, and the Society of the Honor Guard, Tomb of the Unknown Soldier;
- The organizations that built and steward the affected memorials, including the Military Women's Memorial at the Arlington Hemicycle, the Vietnam Veterans Memorial Fund, the Korean War Veterans Memorial Foundation, Friends of the National World War II Memorial, and the Marine Corps Heritage Foundation;
- The owners and stewards of the Landmarks and other properties NPS says would be harmed, including the Protestant Episcopal Cathedral Foundation, Georgetown University, the George Washington University, the National Society Daughters of the American Revolution, the National Academy of Sciences, Tudor Place, Dumbarton House, the Washington Canoe Club, and the Embassy of the Kingdom of the Netherlands as steward of the Netherlands Carillon;
- Preservation and civic organizations, including the Arlington County Historical Affairs and Landmark Review Board, the Alexandria Board of Architectural Review, and the affected Georgetown, Foggy Bottom, and Arlington Ridge citizens associations; and

- Federally recognized Tribes, on a government to government basis, with that consultation documented to the consulting parties.

Please provide a roster of the current consulting parties and convene consulting party meetings.

VI. The Review Schedule and the Choice of a Programmatic Agreement Do Not Fit This Project

NPS transmitted the revised Area of Potential Effects, the property list, the viewshed analysis, and the effects tables at the end of the day on July 28 and asked for written comment by August 6, which is seven business days. That follows the ten days consulting parties were given in June to review the original assessment of effects and the draft agreement, a window to which both State Historic Preservation Officers objected at the time. Consulting parties are now being asked to advise on the application of the criteria of adverse effect to 208 historic properties, without a single consulting party meeting having been convened at any point in this review, without visual simulations, and without any written response to the comments and objections already filed. We ask NPS to extend the deadline by at least 60 days, to convene a consulting party meeting before any finding is issued, and to circulate a written response to the comments received to date.

We also question the decision to resolve this undertaking through a programmatic agreement. The regulations reserve that instrument for situations in which effects cannot be fully determined before approval, in which effects are similar and repetitive, in which multiple or complex undertakings are involved, or in which routine management activities are being covered. None of those descriptions fits a single structure in a single location whose effects NPS has just spent two months documenting in considerable detail. A memorandum of agreement is the appropriate instrument here, and the practical consequence of using a programmatic agreement instead is to defer the specifics of avoidance, minimization, and mitigation to a later stage that consulting parties may have little ability to shape.

We would also appreciate written confirmation that NPS does not intend to seek final approval from the National Capital Planning Commission at its September 3 meeting. Section 106 consultation plainly cannot be complete by that date, and final Commission action taken while consultation remains unfinished would prejudge the outcome the process is meant to protect.

VII. The Environmental Review Should Be Reopened

When NPS issued its Finding of No Significant Impact on June 18, it had not completed the identification of historic properties, had not drawn the Area of Potential Effects it now describes as final, and had not conducted the viewshed analysis that produced most of the adverse effect findings now before consulting parties. The finding also carried no mitigation. It is difficult to reconcile a conclusion of no significant impact with an administrative record that, six weeks later, documents adverse effects to 37 historic properties, six of them National Historic Landmarks, and with adverse effect determinations that NPS acknowledges it is still in the process of revising.

Because the environmental analysis and the Section 106 record have now diverged this far, we ask NPS to reopen the environmental review, incorporate the identification and effects work completed since June, and provide the public a further opportunity to comment on the analysis as revised. Our position remains that an environmental impact statement is warranted for a project of this scale and effect, but at a minimum NPS should withdraw the Finding of No Significant Impact and issue a revised environmental assessment that reflects what its own consultants have since found.

VIII. Alternatives Belong on the Table Now

NPS has taken the position that alternatives come later, during the resolution phase, but in practice that sequencing means avoidance never receives a serious look. The National Capital Planning Commission granted preliminary approval on July 9, design continues to advance, and consultation has been confined to describing damage, so that by the time the resolution phase begins, mitigation will be the only subject left to discuss.

Alternatives also bear directly on the finding NPS is preparing to make, since that finding depends on where the Arch would go. The District of Columbia State Historic Preservation Officer has identified other locations, including the vicinity of the Frederick Douglass Memorial Bridge, that would not produce these effects, and additional candidate sites are already listed in the Commission's Memorials and Museums Master Plan. An agency cannot reasonably determine whether harm is capable of being avoided while declining to examine the options that would avoid it.

We therefore ask NPS to develop and share with consulting parties, before it issues a finding, an alternatives analysis that includes the locations the District of Columbia State Historic Preservation Officer identified, the sites in the Memorials and Museums Master Plan, substantially smaller designs at the current site, other ways to mark the 250th anniversary that would not require a permanent monument in this landscape, and a no action alternative treated as a genuine choice.

For the reasons above, we urge NPS to:

- Carry the adverse effect findings for all 37 properties into the final determination, and reverse the findings of no adverse effect for the World War II Memorial, the Martin Luther King, Jr. Memorial, the Franklin Delano Roosevelt Memorial, the DC War Memorial, and Theodore Roosevelt Island;
- Extend the viewshed study area, rerun the analysis for winter conditions, disclose and correct for the missing elevation data, and verify in the field every finding that rests on rooftop-only visibility;
- Provide visual simulations from the vantage points listed above, a lighting analysis covering nighttime effects, and the underlying viewshed data;
- Analyze construction and utility damage, complete an archeological survey, and account for the effects that accumulate across the other federal projects now proposed in this landscape;
- Invite veterans service organizations, Gold Star and survivor groups, the stewards of the affected memorials and Landmarks, and preservation and civic organizations to consult, and complete government to government consultation with federally recognized Tribes;
- Extend the comment deadline by at least 60 days, convene a consulting party meeting before any finding is issued, and circulate a written response to the comments received to date;
- Resolve this undertaking through a memorandum of agreement rather than a programmatic agreement, and confirm that final National Capital Planning Commission approval will not be sought on September 3;
- Reopen the environmental review, withdraw the Finding of No Significant Impact, and provide a further public comment opportunity on a revised analysis, or prepare an environmental impact statement; and
- Develop and share a genuine range of alternatives, including the locations the District of Columbia State Historic Preservation Officer identified, before issuing a finding, and identify in writing the statutory authority NPS believes permits this project.

NPCA remains ready to be an engaged and constructive consulting party. The record NPS transmitted on July 28 is an improvement in transparency, and it documents a project whose effects reach nearly every place that gives this capital its character, including the ground where the nation buries its fallen. That record should shape the decision rather than follow it. Thank you for your consideration.

Sincerely,



Edward Stierli
Vice President of Government Affairs
National Parks Conservation Association
EStierli@npca.org
777 6th Street NW, Suite 700
Washington, DC 20001

Outlook

Re: Review - Triumphal Arch

From Smith, Kathryn G <Kathryn_Smith@nps.gov>
Date Wed 8/5/2026 3:27 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Campbell, Patrick <J_Patrick_Campbell@nps.gov>

Tammy,

Thank you for the providing the updated documents and viewshed analysis for the Triumphal Arch proposed for Memorial Circle in the George Washington Memorial Parkway. Below are the NHL Program's comments on the material provided.

1. Generally, I agree with the findings of effect. Here are a few modifications I recommend:
    a. Reassess - Healy Hall, Georgetown University – the arch may be visible from the tower: See historic photo: georgetown-view-1908-1200.jpg (1200×909)
    b. Revise - National War College NHL – I think the views here would be too distant and likely filtered through mature trees on Hains Point/East Potomac Park, thus I recommend no adverse effect.
    c. Reassess - The Pan American Union Building has a large upper-level balcony facing west. It's just under the rooftop level, so it's possible there would be visibility from there to the Arch.

2. It would be useful to include the map numbers for each property addressed in the evaluation of effects table.

3. The following corrections are needed in the Tables:
    a. Table correction: #83 – Davidson Building – is not an NHL
    b. Table correction: Remove entry #99 – Founders Library at Howard U isn't a stand-alone NHL – it's part of the Andrew Rankin Memorial Chapel, Frederick Douglass Memorial Hall, and Founders Library district listed under #52.

4. Viewshed Analysis:
    a. "In the Washington D.C. DSM, all data returns were removed from the dataset within the United States Secret Service redaction boundary except for ground points and water points." Does this mean visibility from this area is not depicted on the map? How did NPS come to conclusions about visibility of historic properties in this area?

Thank you for the opportunity to provide input.

Best,
Kathryn

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Tuesday, July 28, 2026 5:11 PM
Subject: Review - Triumphal Arch

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Please provide the requested input, in writing, by August 6, 2026. Please direct any questions or comments to Tammy Stidham, Associate Regional Director – Lands and Planning, at 202-619-7474 or tammy_stidham@nps.gov.

Tammy

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DEPARTMENT OF COMMUNITY PLANNING, HOUSING & DEVELOPMENT
Neighborhood Services Division – Historic Preservation Program
2100 Clarendon Boulevard, Suite 700, Arlington, VA 22201
TEL 703.228.3830 www.arlingtonva.us

Memorandum

To: Tammy Stidham, Associate Regional Director, National Park Service (NPS)

Date: August 6, 2026

From: Mical Durak, Historic Preservation Program (HPP), CPHD

Subject: HPP Feedback on Expanded APE and Viewshed Study and Applying Criteria of Adverse Effects

Thank you for reaching out to seek input on the datasets provided as well as how National Park Service (NPS) should apply the criteria of adverse effect to the historic resources that will be impacted by this proposed undertaking. Please see below for Arlington County's Historic Preservation Program's (HPP) comments:

Feedback on the Updated Area of Potential Effects, Identified Historic Resources, and Viewshed Study:

- HPP staff appreciate the expansion of the Area of Potential Effects (APE) to include a 3.5-mile radius around the project area given the significant height of the proposed arch. We also appreciate the additional consideration taken regarding the viewshed and the potential visual impact of this project on historic resources in both Arlington County and Washington, D.C.
    - However, it was unclear if this viewshed analysis accounted for different times of the year, and therefore, varying levels of vegetation. For example, was the estimated viewshed impact evaluated during the summer, when there is more vegetation, and the winter, when there is less? If this was considered, HPP staff suggest addressing the full methodology in the "Viewshed Analysis Summary" provided.
    - Additionally, the maps shared with the HPP note the APE inconsistently. On one, it is noted as the Study Area, whereas on others it is noted as the APE. Please clarify.
- We request that locally significant historic resources that are eligible for the National Register of Historic Places (NRHP), located within the APE, be included in the datasets presented and analyzed for impact. That information can be accessed through Arlington County's GIS mapping systems, and we are happy to provide greater information and coordination with information gathering concerning these resources upon request.
- Furthermore, HPP notes that an analysis of impact on archaeological resources located in the expanded APE must be completed. This data was not included in the information most recently shared. We look forward to reviewing that data in the future and note that it

is necessary for the provision of comprehensive comment and assessment of the impact of this proposed project.

- HPP staff found the datasets presented lacking in some clarity. For example, it was unclear if "Table 1: Historic Properties within the Area of Potential Effect, Adjacent and Overlapping the Project Area" corresponded only with the resources that were included in the viewshed of the project or all historic resources located within the APE. This should be addressed more clearly; if it is the latter, then it appears that data is missing from the table. Furthermore, the corresponding map for that table set should be noted as it was unclear which map HPP staff should review while reviewing the data presented in the table.
    - HPP staff also strongly suggest that these tables include a column for the address of each historic resource or that the table be split between resources located within Arlington County, Virginia and Washington, D.C.
- In "Table 2: Historic Properties within the Area of Potential Effect," HPP staff request a detailed explanation of this dataset, and which map corresponds with it. Furthermore, there were several resources for which a "Contributing Views/Vistas" was "Not identified." For example, this was the case for the Arlington Heights Historic District and the Penrose Historic District, both of which are in Arlington County. What does "not identified" mean? HPP staff request this be addressed in future iterations of the table.
- HPP staff suggest that NPS outline exactly the parameters they are utilizing for determining adverse effect, particularly for those resources that will experience an adverse visual effect. Providing clearly defined terms and insight into the methodology behind these determinations will be helpful to the public and to consulting parties when reviewing those determinations. For example, in "Table 3: Assessment of Adverse Effects," several of the resources have a note that "the proposed undertaking would only be visible from the rooftop level, and therefore, views to and from the resources would not be adversely affected by the proposed undertaking" which resulted in a determination that "no adverse effect [would be] anticipated." How was this standard applied to properties with other potential views impacted by the project? When determining viewshed with human scale in mind, is NPS considering only the facades of historic resources or secondary elevations too? Is it considering the public right-of-way only? Providing meaningful comment on this undertaking requires clearer guidance, defined terms, and an understanding of the proposed methodology.
- Finally, HPP staff reserve our final opinion about whether we concur with the suggested effects findings for the historic resources located within the APE for when that finalized data is presented to all consulting parties.

Feedback on How to Apply Criteria for Adverse Effect:

- Since making the determination of adverse effect for historic resources located within an APE is the responsibility of the federal agency managing the Section 106 process for a proposed undertaking, HPP staff, as a consulting party, did not apply the criteria of adverse effect on the 200+ listed properties as requested by NPS. We look forward to reviewing NPS's determinations of effect when that final data is presented. We do concur with NPS's preliminary finding of an adverse effect and welcome participating in future

conversations about how to mitigate or minimize that adverse effect to the historic resources in the APE.

- However, as requested by NPS, HPP staff does have guidance for NPS on how to apply the criteria of adverse effect to the listed historic properties in the APE:
    - Considering both the direct and indirect impact of an undertaking on historic resources is essential to determining adverse effect. For several resources in the APE, this proposed undertaking would have a direct and permanent physical and visual impact whereas others would experience a more indirect visual or atmospheric impact. Other aspects to consider include the potential for the proposed undertaking to physically destroy or partially damage historic properties, for the proposed undertaking to introduce alterations to a historic district that do not match the Secretary of the Interior's Standards for Rehabilitation, and for it to introduce a change to the property's physical setting or environment.
    - As NPS is aware, considering the seven aspects of integrity is also critical. For many resources located directly in the project area, their setting, design, feeling, and association could all be altered by this proposed undertaking and therefore, would impact that historic resource's ability to convey its historic significance.
    - Finally, NPS needs to consider the atmospheric and noise effects of this proposed undertaking. By NPS's estimation, the construction of the triumphal arch could last for two to three years. The noise and atmospheric effects from the construction of the arch would impact the historic resources in the APE for the duration of construction as well as the tenure of the structure itself. Those impacts will spread to areas outside of the immediate project area. Transportation modes and traffic around Memorial Circle will be significantly impacted by this proposed construction project. This will result in an increase in traffic to other parts of Arlington County and Washington, D.C. – as such, those areas will likely experience an increase in traffic noise, pollution, and other effects from increased vehicle traffic and roadway usage.

In conclusion, HPP staff would like to reiterate that the requested deadline for comments on this specific topic does not follow standard protocols and has impacted our ability to provide a comprehensive response. As with the past two engagements with consulting parties, it does not follow the standard Section 106 process. Requesting that consulting parties "apply the criteria of adverse effects on the listed properties" also strays from the standard Section 106 process. This attempts to shift the responsibility of the federal agency managing the Section 106 process for a proposed undertaking; therefore, we require further clarity as to exactly what NPS is requesting of Arlington County as a consulting party.

We welcome future opportunities to meaningfully engage in the Section 106 process for this undertaking in the future.



Mical Durak
Historic Preservation Principal Planner

COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

David L. Bulova
Secretary of Natural and Historic Resources

Roger W. Kirchen
Director

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August 6, 2026

Ms. Jennifer T. Nersesian
Regional Director, National Capital Region
National Park Service
5300 Wellington Branch Drive, Suite 100
Gainesville, Virginia 20155

Re: Triumphal Arch at Memorial Circle
Arlington, Virginia
DHR File No. 2026-4065

Dear Ms. Nersesian:

The Department of Historic Resources (DHR) has received from the National Park Service (NPS) a request for comments regarding their revised Area of Potential Effects (APE), viewshed analysis, and assessment of effects for the proposed undertaking. At this time, it is DHR's opinion that NPS has not met the requirements under 36 CFR § 800.4 to identify historic properties. NPS has not addressed a majority of DHR's prior comments in our letters dated June 15, July 2, and July 21 or any comments received from consulting parties and the public. While DHR continues to agree that the undertaking, as proposed, will adversely affect numerous historic properties, it remains DHR's opinion that finalizing a determination of effect in accordance with 36 CFR § 800.5 is premature.

Alternatives

NPS has not addressed DHR's comments from June 15 and July 2 regarding the consideration of alternatives to avoid and/or minimize adverse effects to historic properties. DHR reminds the NPS of the expectation in 36 CFR Part 800 that the review of an undertaking will evaluate a broad range of alternatives in the consideration of potential effects to historic properties. The National Historic Preservation Act (the Act) in 54 US Code § 306107 also obligates the NPS to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to National Historic Landmarks (NHLs). Has the NPS considered alternate locations and/or designs for this project to avoid or minimize effects? Has NPS considered a no-build alternative to avoid adverse effects to historic properties? Has NPS addressed the comments from DC Historic Preservation Office (DCHPO) regarding alternate locations to avoid effects to the nationally significant properties, including adversely affected NHLs, within the current APE for this undertaking?

The NPS is obligated, per the Act 54 USC § 306102 (b), to ensure that:

> *"historic propert[ies] under the jurisdiction or control of the agency [are] managed and maintained in a way that considers the preservation of their historic, archeological, architectural, and cultural values in compliance with section 306108 of this title and gives special consideration to the preservation of those values in the case of property designated as having national significance;"*

NPS has jurisdiction and control over both this undertaking and many of the adversely affected historic properties in the APE. Absent a meaningful consideration of alternatives, **is authorizing this undertaking as proposed consistent with the Federal Agency's expectation for the management of historic properties under their jurisdiction and for giving special consideration to the preservation of the values that make these properties nationally significant?** These adverse effects can be avoided while still achieving the goal of commemorating our Nation's 250th anniversary of Independence.

APE and Identification Efforts

While NPS has failed to provide an explicit response to the issue of alternatives, the intent of the Federal Agency to proceed with the undertaking as proposed is clear. As such, DHR will provide the following additional comments regarding the undertaking as currently proposed. DHR has received the additional information provided regarding the basis for the, now expanded, APE for the undertaking. DHR acknowledges that NPS has added an additional seven (7) properties in Virginia to their assessment of effects. The additional information fails to address DHR's comments in our July 21 letter regarding reasonably foreseeable effects from long term changes in the use of the areas, including air, vehicular, and pedestrian traffic changes resulting from the construction of the proposed arch. NPS has only addressed additional viewshed impacts in this revised submission not other potential effects.

As DHR has stated in our June 15, July 2, and July 21 letters, the NPS has **still failed** to meet the expectations in 36 CFR § 800.4 (b) (1) to make a reasonable and good faith effort to carry out identification of historic properties, defined in 54 US Code § 300308 and 36 CFR § 800.16 (l) to include not just properties listed in the National Register of Historic Places (NRHP) but also those properties that are eligible for inclusion in the NRHP. NPS has not identified any properties beyond those listed in the NRHP, including the numerous properties already recorded in DHR's V-CRIS database as eligible for listing, in their identification and evaluation and as such **their identification efforts are incomplete. Any assessment of effects prepared by NPS fails to meet the expectation of Section 106 of the Act to consider effects to historic properties, again not just NRHP listed properties, and is likewise incomplete.**

Consulting Parties and Public Comments

While NPS has invited additional consulting parties and provided them with this most recent assessment of effects from July 28, the newly invited parties have not been provided all of the information shared with SHPOs and they have been asked to restrict their comments to the assessment of effects. The input of consulting parties has not been sought regarding the definition of the Area of Potential Effects and the identification efforts nor have they been afforded the opportunity to comment broadly on the undertaking as a whole. The consulting parties were offered a similarly constrained time frame to review the 70 pages of information provided on July 28. This does not meet the purpose and intent of consultation to under 36 CFR Part 800 to seek, discuss, and consider the views of consulting parties in the Section 106 review process.

DHR reiterates our requests from our August 4 email. DHR requests that the NPS provide information to DHR and DCHPO about their efforts to engage in consulting parties. DHR requests that consulting parties be provided sufficient time to review the hundreds of pages of documents prepared thus far for this undertaking. DHR would also like to review the public notice comments NPS has received regarding this undertaking so that we, as Virginia SHPO, can understand the comments expressed by citizens of the Commonwealth of Virginia regarding this project.

Please contact me at samantha.henderson@dhr.virginia.gov or (804) 482-6088 to continue consultation on this undertaking.

Sincerely,



Samantha Henderson, Director
Review and Compliance Division

August 6, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

RE: Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement

Dear Ms. Stidham,

Thank you for the opportunity to comment on the proposed Triumphal Arch that would be built at the western terminus of Memorial Bridge. These comments complement those filed by The Cultural Landscape Foundation (TCLF) on June 15, 2026, and July 18, 2026, and register the foundation's **very strong opposition** to siting a Triumphal Arch in Memorial Circle for the reasons cited below.

The process for the selection and siting of the Triumphal Arch has been horrifically flawed from the outset. Remarkably, there was no design competition, which is a dangerous and radical decision for what would be the second largest monument in the Monumental Core after the Washington Monument. It also flies in the face of decades of established and respected precedent. Instead, a concept that has been shopped around for more than 25 years and is the basis for a similar though smaller arch in Atlanta, according to *The Washington Post*, was simply put forth.

In addition, the Section 106 review was not initiated until June 5, 2026, *after* the project had already received final design approval from the U.S. Commission of Fine Arts (CFA) on May 21, 2026. For context, the Section 106 review generally is initiated before a project goes to the CFA for design review so that the early planning phase of Section 106 to identify historic properties and assess potential visual or physical effects can inform the conceptual designs that are later presented to the CFA (equally troubling is the fact that the CFA's approval was given *without* the commissioners seeing final designs). Had the process begun early, informed deliberations over the appropriate site could have been had; instead, both the design and the site were announced with great finality. Again, this is radical departure from a well-established series of processes that have made the Monumental Core a global paragon of civic art, landscape architecture, architecture, and planning.

To date there has been only one "consulting parties" meeting, on June 15, 2026, to which TCLF and five other organizations were not invited to participate until weeks after the meeting, on July 10, 2026. And no other meetings are scheduled. TCLF does wish to highlight this part of an email of July 28, 2026, from NPS, concerning at least one condition for a future meeting: "Please note NPS made a preliminary finding of an adverse effect for this undertaking. A final finding of an adverse effect would require NPS to consult further to resolve the finding of an adverse effect pursuant to 36 CFR § 800.6. *See* 36 CFR § 800.5(d)(2). Consulting parties will have an opportunity to consult in the development and evaluation of alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties **if an adverse effect determination is issued**. *See* 36 CFR § 800.6(a)." [emphasis added]. The word "if" suggests there is uncertainty about whether an "adverse effect determination" would be made. Given the extensive documentation of adverse effects in the preliminary finding, the suggestion that any uncertainty exists about the final determination is both confounding and alarming.

The same email also directs consulting parties to focus comments "on applying the criteria of adverse effect on the listed properties as it will inform NPS in making the appropriate determination." For the record, TCLF concurs with extensive body of adverse effects that have been listed in the National Park Service (NPS) document 2026 07 28 Triumphal Arch - Historic Properties and preliminary assessment of effect tables.

TCLF also wishes to note NPS' failure to respond to the foundation's letter of July 30, 2026, concerning whether the agency, as it addresses the Section 106 requirement to "avoid, minimize or mitigate any adverse effects on historic properties," is considering either a no-build option or an alternative location option, or if those options have been foreclosed.

At 250-feet-tall, the arch would be a significant addition to the Monumental Core, which stretches from the U.S. Capitol Grounds to Arlington National Cemetery, and includes the White House Grounds and the National Mall. The proposed arch interrupts and severs key visual and spatial relationships that are integral to the Monumental Core's design intent and its inherent symbolism, discussed below, and which have been stewarded by NPS for more than a century. This is acknowledged in the Assessment of Effects (AOE): "the undertaking meets the criteria of 36 CFR § 800.5(a)(1) because it would result in impacts to the integrity of historic properties through the alteration of character-defining visual and spatial relationships that contribute to their significance."

The AOE also states: "The NPS has determined that the proposed construction of the Triumphal Arch at Memorial Circle would result in effects on historic properties meeting the criteria found in 36 CFR § 800.5(a)(1) within the Area of Potential Effects because it would alter, directly and indirectly, characteristics of those properties that qualify them for inclusion in the National Register of Historic Places. As reflected in the table, the undertaking would have effects meeting the criteria of 36 CFR § 800.5(a)(1) that change integrity of setting, design, feeling, association, and, in some instances, location by introducing visual, spatial, and physical changes that affect character-defining views, reciprocal vistas, circulation patterns, and designed landscape relationships."

Shockingly, in response to this overwhelming list of adverse effects, there is no credible attempt at avoidance. The construction of an arch at this scale and in this specific location is treated as *a fait accompli.* Moreover, the proposed minimization and mitigation efforts barely register as token gestures as their collective impact will do little to deter the extraordinary adverse effects that would result from this undertaking and undermine the spirit of the Section 106 consultation process.

The *Guidelines for the Treatment of Cultural Landscapes,* for which I was the primary author during my fifteen-year tenure (1992-2007) as Coordinator of the Historic Landscape Initiative at the National Park Service, includes a section on "Spatial Organization and Land Patterns" that is clear about what is and is not recommended:

- **Recommended:** "Identifying, retaining and preserving the existing spatial organization and land patterns of the landscape as they have over time."
- ***Not* recommended:** "Allowing spatial organization and land patterns to be altered through incompatible development or neglect."

A 250-foot-tall arch in Memorial Circle sited between the Lincoln Memorial and Arlington National Cemetery and Arlington House and in the Monumental Core is *undeniably incompatible development*. Moreover, the draft Programmatic Agreement states in Stipulations 1.B.1.: "The Undertaking will be

consistent with … the *Secretary of the Interior's Standards and Guidelines for the Treatment of Cultural Landscapes …"* The Arch as proposed *will not* be consistent with the *Guidelines* and any certification otherwise would not only be factually baseless (in short, a lie), but declaring so would be unprofessional, fraudulent, and, perhaps, illegal.

We concur with the remarks of June 15, 2026, from District of Columbia State Historic Preservation Officer David Maloney:

> "Avoidance efforts in typical Section 106 reviews of new memorials usually begin with the evaluation of a range of possible locations. Since a memorial honoring our country's 250th anniversary appears to have no relationship to Memorial Circle and would be inconsistent with Memorial Avenue's symbolic view corridor, the arch could conceivably be constructed at other locations. However, the AOE suggests no consideration was given to any other sites, including the two ceremonial gateways suggested by the U.S. Commission on Fine Arts (CFA) for additional memorials, specifically Pennsylvania Avenue, SE near the Sousa Bridge and South Capitol Street near the Douglass Bridge, or any of the sites identified in the National Capital Planning Commission's Memorials and Museums Master Plan. While a large memorial on these sites could result in adverse effects, all adverse effects are not equal. The "most substantial" adverse effects of the proposed site could be avoided if the arch were constructed in a location that did not significantly diminish the important reciprocal views that symbolize the reunification of the country after the Civil War or visually compete with the Lincoln Memorial."

Also of great concern is the lack of Congressional authorization to ensure compliance with the Commemorative Works Act (40 U.S.C. §§ 8901–8909), and the Height of Buildings Act (Pub. L. 61-196, 36 Stat. 452 (1910), as amended, Pub. L. 113-103, 128 Stat. 1152 (May 16, 2014)) and 40 U.S.C. § 8106.

The introduction of a monumental arch in Memorial Circle—and its impact on historic visual and spatial relationships—would create a terrible precedent and would radically alter more than a century of a carefully orchestrated and stewarded legacy of the internationally recognized landscape architecture, architecture, civic art, and planning that contribute to the significance of the capital city's Monumental Core. There are two critical benchmarks in Washington, D.C.'s landscape legacy—Pierre L'Enfant's plan of 1791 and the McMillan Plan of 1902. The latter was devised by a distinguished group that included the landscape architect Frederick Law Olmsted, Jr.

Olmsted, Jr.'s impact on the development of the capital city is exceptional. Along with the McMillan Commission, he was a member of the first CFA in 1910, and served until 1918; he was the principal author of the Organic Act that created NPS (which manages much of the city's Monumental Core), a member of the first National Capital Park Commission (1924-26) and National Capital Parks and Planning Commission (1926-32), both predecessors to the current National Capital Planning Commission, and the principal designer of the White House Grounds plan of 1935, which has guided work on those grounds for more than 90 years. The CFA's website notes: "Olmsted Jr.'s work of many decades on the National Mall created a unified spatial composition from a sequence of disconnected landscapes."

According to NPS' Cultural Landscape Report (CLR) of 1999 for the Lincoln Memorial and West Potomac Park, "Olmsted exercised a unique influence over the development of the Lincoln Memorial grounds, serving as arbiter of design decisions regarding all aspects of the treatment of the

landscape." In addition, "Layout, spatial relationships, planting, and site features were often conceived, shaped, and reviewed by the landscape architect member of the commission prior to approval by the full commission."

Visually connecting the Lincoln Memorial to Arlington National Cemetery is Memorial Bridge described in the National Register of Historic Places nomination (1980) as "Washington's most beautiful bridge"; it was designed by William Mitchell Kendall, a partner at the architectural firm McKim, Mead & White. Earlier bridge designs include one from 1886 by Paul Pelz that "featured Renaissance Revival Towers and articulated steel arches crossing the Potomac River," and competition winning design from 1899 by Edward Pearce Casey that included "Triumphal Arches on piers [that] emphasized an imperial architectural image" as noted in *Civic Art: A Centennial History of the U.S. Commission of Fine Arts* (p. 107).

Indeed, as part of the current campaign to get the proposed Triumphal Arch built, its proponents have circulated images of those aforementioned Memorial Bridge designs and others from the late nineteenth and early twentieth century that include arches and other tall vertical elements.

All those proposals were ultimately rejected; to argue that they prove an arch was predestined is fallacious, at best, and deliberately misleading. Similarly, the suggestion that L'Enfant called for the construction of one or more arches in the city is based on a curious and inventive interpretation of a letter between L'Enfant and Thomas Jefferson in 1791. L'Enfant said no such thing.

According to NPS, the present Memorial Bridge was "Symbolically … designed to show the strength of a united nation by joining a memorial on the north side of the Potomac River (the Lincoln Memorial) with one on the south (Arlington House, the Robert E. Lee Memorial)." The architect envisioned an elaborate sculptural program … including seated figures of the first four American presidents on the D.C. side and reclining statues of oceans and river gods on Columbia Island. The bridge itself was to have forty allegorical statues." That entire sculptural program was eliminated by the CFA, as some statuary and pylons were seen as too tall in relation to the memorial.

The Lincoln Memorial is a hinge point (on a bent axis) visually connecting the Washington Monument and the Reflecting Pool to the east, and Arlington House. The Historic American Engineering Record report of 1988 about Arlington Memorial Bridge by historian Elizabeth Nolin noted: "As the final link in the chain of monuments which start at the Capitol building, the Arlington Memorial Bridge connects the Mall in Washington, D.C. with Arlington National Cemetery in Virginia. Designed to connect, both physically and symbolically, the North and the South, this bridge, as designed in the Neoclassical style, complements the other monumental buildings in Washington such as the White House, the Lincoln Memorial, and the Jefferson Memorial."

The arch would permanently interrupt the intentional visual and symbolically significant connection between the Lincoln Memorial and Arlington House, along with that between the Eternal Flame and gravesite of John F. Kennedy and the Lincoln Memorial. It would also mean that during solemn memorial services (interment and inurnment ceremonies held dozens of times each day) that visitors would be visible frolicking on the Arch's roof top observation deck.

Some 110 years ago, Olmsted, Jr. wrote a letter to Secretary of War Newton D. Baker concerning the proposed Memorial Bridge design; his sage observations are apt today: **"The existing bridge design**

was the result of a competition held about 1899, before the Lincoln Memorial was even dreamed of… [emphasis added]

"The bridge plans were carefully studied by members of the so-called Park Commission of 1900, of which I am the sole survivor. As a result of that study certain recommendations about them were made an essential part of our general plan. Among other things we said:

"Such modifications would call for the removal of the central ornamental towers, which would conflict with the proposed Lincoln Memorial."

"**These towers are the most conspicuous feature of the design and are so large and elaborate as to compete with the Lincoln Memorial** not only in an artistic sense but in point of cost. To eliminate them from the design would involve its complete restudy as an artistic problem. **Not to eliminate them would be like a slap in the face to the Lincoln Memorial and to the [McMillan] plan of which it forms a part."** [emphasis added]

Washington, D.C. derives its significance from an unrivaled built legacy that has stood the test of time, thanks in large measure to the authenticity of the review processes of various commissions and governmental agencies that engage the public and subject experts as "consulting parties" offering a seat at the table in the Section 106 process. As the 2012 exhibition *Unbuilt Washington* at the National Building Museum noted, "The physical character of Washington, D.C., that we take for granted today is the unique result of countless decisions, debates, successes, failures, reconsiderations, missed opportunities, and lucky breaks."

Historically, the arch was never built and the cultural landscape in which it is being forced upon derives its significance from the high degree of integrity associated with its inherent visual and spatial relationships, which are a hallmark of its historic design that has been stewarded for multiple generations. *The Secretary of the Interior's Standards for Restoration* lists ten standards including number ten: "Designs that were never executed historically will not be constructed." Shouldn't that foundational *Standard* be the starting point for any Section 106 conversation?

TCLF strongly objects to siting the Triumphal Arch in Memorial Circle and urges NPS and the monument's supporters to either find an alternative site that does not create the extensive catalogue of adverse effects associated with its siting in Memorial Circle or abandon the project.

Feel free to contact me with any questions and thank you for your consideration.

Sincerely,



Charles A. Birnbaum, FASLA, FAAR
Founding President & CEO

Cc:
David Maloney, State Historic Preservation Officer, District of Columbia

August 6, 20206

Tammy Stidham, Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
tammy_stidham@nps.gov

Dear Tammy:

I am writing to express the DC Preservation League's (DCPL) comments on the most recent Assessment of Effects (AOE) issued by the National Park Service for comment. The AOE correctly identifies that this structure will inflict severe, irreversible adverse effects on more than 200 historic properties and cultural resources across the nation's capital. Furthermore, the project directly flouts federal statutory height restrictions.

The Adverse Impacts to Historic Sites include irreparable losses to the viewshed and permanent damage to the sacred visual axis connecting the Lincoln Memorial, Arlington Memorial Bridge, Arlington House, and Arlington National Cemetery. In addition, over 200 historic sites—stretching as far as the Washington National Cathedral—suffer compromised integrity of setting and feeling from this out-of-scale insertion. DCPL believes that there is no Programmatic Agreement or mitigation measure that can adequately minimize this structure, which violates the very nature of the National Park Service's mission, and will violate the Height of Buildings Act of 1910.

The Height of Buildings Act of 1910 is a comprehensive, standalone statute enacted by Congress on June 1, 1910. It is an independent regulatory framework, not a mere procedural tweak or amendment dependent on the narrower 1899 statute cited by applicants attempting to bypass caps. The 1910 Act explicitly limits all buildings and structures in the District of Columbia. At 250 feet, the proposed arch nearly doubles the legal ceiling authorized by Congress.

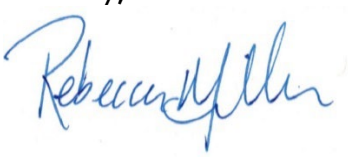
The Executive Branch, the National Capital Planning Commission, or the National Park Service cannot unilaterally waive or reinterpret a century-old statutory height limit enacted by Congress to reshape the DC skyline.

The National Park Service is violating its core mandate to conserve park scenery, natural and historic objects, and wildlife, while ensuring public enjoyment in a way that preserves resources for future generations. Sacrificing the integrity of more than 200 historic resources for a single project is not in the best interest of the NPS or the public. NPS is also attempting to amend, for its own purposes, a federal law enacted in 1910 that has shaped the very character of Washington, DC. This change will precipitate the unraveling of more than 120 years of careful planning and design, intended to ensure that our Nation's Capital retains its identity as a city defined by landmarks, neighborhoods, and a celebrated skyline unlike any other in the world. It's not too late to change direction, and we urge you to do so.

1328 Florida Avenue NW| Washington, DC 20009 | T: 202.783.5144 | dcpreservation.org
Fay Armstrong, *President* | Greta Fuller, Vice *President* | Howard S. Berger, *Treasurer* | Melissa Cohen, AIA, LEED AP, *Secretary* | John DeFerrari, *At Large*
Jill S. Cavanaugh, FAIA, AICP | Scott DeMartino, Esq. | Katie Irwin, AIA, IIDA, LEED AP | Constance Lai, FAIA, NCARB, LEED AP BD+C | Rob McClennan, AIA
D. Peter Sefton | James W. Shepherd, AIA, LEED | Joseph E. Taylor, AIA | Benjamin L. Williams, Esq., LEED AP | Juliet Zucker

Finally, let's stop calling this a proper Section 106 process. The Consulting Parties, who were denied initial party status, know what the general public may not; there is nothing normal about how this consultation is taking place – no avoidance, no minimization, no mitigation – just adverse impacts on the whole of our federal city. Trying to convince anyone otherwise is just insulting to those of us who have participated in these undertakings in good faith for decades.

Sincerely,



Rebecca Miller
Executive Director

Outlook

[EXTERNAL] National Mall Coalition comments on Triumphal Arch

From Judy Feldman <jsfeldman86@comcast.net>
Date Thu 8/6/2026 3:34 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Madello, Jennifer <Jennifer_Madello@nps.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>; david.maloney <david.maloney@dc.gov>; rnelson@achp.gov <rnelson@achp.gov>

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August 6, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, D.C. 20242

Via email: tammy_stidham@nps.gov

Dear Ms. Stidham:

I write on behalf of the National Mall Coalition ("Coalition").

The Coalition strongly supports consideration of alternative sites for the Triumphal Arch currently proposed at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. As the recent National Park Service analysis concludes, the Arch as now proposed could "Adversely Affect" 37 nearby historic sites. These sites are more meaningful than ever, and deserving serious discussion in the Section 106 public review process, in this year we celebrate the 250th anniversary of the United States.

One alternative site is on South Capitol Street, as suggested recently by DC Historic Preservation Officer David Maloney. Another site is Barney Circle, a location identified in 2000 for a millennium arch by Rodney Mims Cook, Jr., now Chair of the US Commission of Fine Arts.

Another alternative worthy of consideration is to construct a temporary arch. The Arc de Triomphe in Paris began as a temporary wooden mock-up. The Washington Arch in New York City also began as a temporary plaster and wood structure; when it proved a success, only then was the permanent stone arch constructed.

A temporary structure alternative could be erected before the end of 2026 while also providing the needed time for thoughtful and lawful analysis for the best site, size, and form for a permanent monument to honor our country's founding that enhances the beauty and meaning of our capital and the National Mall.

Sincerely,

Judy

Judy Scott Feldman, PhD
Chair, National Mall Coalition
jfeldman@nationalmallcoalition.org

Ms. Jennifer Madello, NPS - jennifer_madello@nps.gov
Mr. Jordan Hoagland, NPS - jordan_hoaglund@nps.gov
Mr. David Maloney, DC SHPO - david.maloney@dc.gov
Mr. Reid Nelson, Executive Director, Advisory Council on Historic Preservation - rnelson@achp.gov

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Judy Scott Feldman
judyfeldman86@pm.me

Outlook

[EXTERNAL] National Mall Coalition comments on Triumphal Arch

From Judy Feldman <jsfeldman86@comcast.net>
Date Thu 8/6/2026 3:34 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Madello, Jennifer <Jennifer_Madello@nps.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>; david.maloney <david.maloney@dc.gov>; rnelson@achp.gov <rnelson@achp.gov>

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August 6, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, D.C. 20242

Via email: tammy_stidham@nps.gov

Dear Ms. Stidham:

I write on behalf of the National Mall Coalition ("Coalition").

The Coalition strongly supports consideration of alternative sites for the Triumphal Arch currently proposed at Memorial Circle within the George Washington Memorial Parkway in Washington, DC. As the recent National Park Service analysis concludes, the Arch as now proposed could "Adversely Affect" 37 nearby historic sites. These sites are more meaningful than ever, and deserving serious discussion in the Section 106 public review process, in this year we celebrate the 250th anniversary of the United States.

One alternative site is on South Capitol Street, as suggested recently by DC Historic Preservation Officer David Maloney. Another site is Barney Circle, a location identified in 2000 for a millennium arch by Rodney Mims Cook, Jr., now Chair of the US Commission of Fine Arts.

Another alternative worthy of consideration is to construct a temporary arch. The Arc de Triomphe in Paris began as a temporary wooden mock-up. The Washington Arch in New York City also began as a temporary plaster and wood structure; when it proved a success, only then was the permanent stone arch constructed.

A temporary structure alternative could be erected before the end of 2026 while also providing the needed time for thoughtful and lawful analysis for the best site, size, and form for a permanent monument to honor our country's founding that enhances the beauty and meaning of our capital and the National Mall.

Sincerely,

Judy

Judy Scott Feldman, PhD
Chair, National Mall Coalition
jfeldman@nationalmallcoalition.org

Ms. Jennifer Madello, NPS - jennifer_madello@nps.gov
Mr. Jordan Hoagland, NPS - jordan_hoaglund@nps.gov
Mr. David Maloney, DC SHPO - david.maloney@dc.gov
Mr. Reid Nelson, Executive Director, Advisory Council on Historic Preservation - rnelson@achp.gov

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August 6, 2026

Ms. Tammy Stidham
Associate Regional Director – Lands & Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

Via email: tammy_stidham@nps.gov

RE: Comments on Section 106 Area of Potential Effect for Triumphal Arch at Memorial Circle

Dear Ms. Stidham:

The Washington Chapter of the American Institute of Architects (AIA|DC) serves as both the state and local AIA chapter for the District of Columbia. Since its founding in 1887 and continuing to the present, AIA|DC and its members have played a central role in the planning, design, and development of the Nation's Capital.

We thank you for the opportunity to participate in the Section 106 consultation for the proposed Triumphal Arch at Memorial Circle, and for the opportunity to comment on its Area of Potential Effect. We look forward to engaging constructively in this process and to working with NPS and other consulting parties to ensure that any undertaking respects and preserves the historic character and significance of this nationally important and concentrated landscape of cultural resources.

Conceived to house the three branches of the federal government in a comprehensive urban plan that embodies their purpose and spirit, Washington, DC is unique among American cities. At the turn of the 20th century, AIA|DC members led by Glenn Brown agitated for the revival of this distinctive character first established by Peter Charles L'Enfant but degraded by a century of haphazard and arbitrary alterations. The fruit of their activism was the McMillan Plan, which enriched the baroque network of vistas into a modern system of functional, aesthetic, and symbolic relationships. What they understood, and has been central to the enduring power of the Monumental Core, was the interconnectedness of these spaces and structures. **A change to one element alters the rest. The space between focal commemorative sites is as important as the**

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monuments themselves. Since 1902, AIA|DC has sought to uphold this holistic approach, and this project deserves to be held to this same foundational principle of Washington, DC's greatness.

Consequently, AIA|DC objects to the proposed monumental arch in concurrence with the impacts to all of the long list of historic sites and cultural landscapes recently identified by the National Park Service in their Section 106 Assessment of Effect and Programmatic Agreement for the proposed Triumphal Arch. However, our organization feels a particular responsibility to object to the proposal on the basis of the irreversible damage the proposal will specifically inflict on the link between the Lincoln Memorial and Arlington House. Executed with solemn grandeur in the 1920s and 30s, this visually beautiful bond carries one of the weightiest points of symbolism within the System of Parks—which will be aesthetically and symbolically destroyed with this inappropriate and over-scaled proposal.

The importance of the Lincoln Memorial-Arlington House axis can be found in its absence on earlier plans. There could, of course, be no such axis before the McMillan Plan located the Lincoln Memorial on its current site. Nor could it have existed before Robert E. Lee's one-time home became the heart of Arlington National Cemetery. Only after the Civil War did the first serious efforts to span the river emerge. These did not initially mention an alignment with Arlington House.[1] An 1898 study by the Army's Chief of Engineers surveyed two slightly different routes across the Potomac from the former site of the Naval Observatory. Both terminated near Arlington National Cemetery's northeastern corner, with neither making a connection to Arlington House.[2] Those early plans differed from the eventual bridge in other ways as well. Most included substantial above-deck features, such as towers, arches, or suspension cables. The Commission of Fine Arts later summed up the various pre-1901 designs as proposing "a long, high, elaborate, ornate, and even grandiose structure."[3] They were, in summary,

[1] An 1886 Senate resolution, for example, described a bridge to begin "at or near the foot of New York or New Hampshire avenue" that would cross the Potomac River and Analostan (now Roosevelt) Island "to a point on the United States National Cemetery grounds at Arlington"; see *Congressional Record*, 49th Cong., 1st sess. (May 24, 1886), 4826. An 1897 law appropriated $2,500 for a survey and design of a bridge "from the most convenient point of the Naval Observatory grounds, or adjacent thereto, across the Potomac River to the most convenient point of the Arlington estate property"; see *An Act Making Appropriations for Sundry Civil Expenses..., U.S. Statutes at Large*, 30 (1897-99), 51.

[2] U.S. Congress, House, *Memorial Bridge across the Potomac River*, March 30, 1898, 55th Cong., 2d sess., 1898, H. Doc. 388, serial 3691.

[3] National Commission of Fine Arts, *Ninth Report, July 1, 1919-June 30, 1921* (Government Printing Office, 1921), 23. Some of the pre-1901 proposals are discussed in the report of the 1901 Senate Park Commission; see U.S. Congress, Senate, *The Improvement of the Park System of the District of Columbia*, Jan. 15, 1902, 57th Cong., 1st sess., 1902, S. Rep. 166, serial 4258, 57. For a more recent timeline and discussion of bridge proposals, see Meg Frisbie, et al., *Cultural Landscape Report: Memorial Avenue Corridor, George Washington Memorial Parkway* (National Park Service, 2024), 72ff.

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not considered as part of a holistic system of function, aesthetic effect, and symbolic meaning.

It was the 1901 Senate Park Commission that established these three relationships through the Lincoln Memorial-Arlington House axis and the emphasis on low, horizontal features that deferred to the two foci, similar to the purpose the Reflecting Pool serves between the Lincoln Memorial and the Washington Monument. The commission proposed a new Lincoln Memorial on the reclaimed Potomac Flats and suggested it serve as the "starting point" for a bridge that would have as its "main objective point—the mansion house at Arlington."[4] The connection between the United States President and a Confederate general therefore expressed the reconciliationist memory of the American Civil War, which emphasized sectional unity between North and South, an attitude that was ascendant among white Americans at the time.[5] The Lincoln Memorial was dedicated in 1922. Later that year, the Arlington Memorial Bridge Commission (AMBC) endorsed the Lincoln Memorial-Arlington House axis, which it called "the symbol of the binding together of the North and South in one indivisible Union, knowing no sectional lines."[6] The firm McKim, Mead & White designed the bridge and the new memorial corridor leading to Arlington National Cemetery. The AMBC emphasized the design's sightlines, explaining that "[i]n order not to interfere with the view of the Lincoln Memorial as seen from Columbia Island the bridge has been kept as low as possible."[7] The original design also included two slender 166-foot columns on Columbia Island specifically symbolizing the North and South. The AMBC described them as specifically "framing in but not interfering with the view of the Lincoln Memorial from the direction of the Lee Mansion."[8] (The columns were later omitted from the project out of fears that they might imperil aircraft, and the plaza where they would have stood was articulated as Memorial Circle during the development of the George Washington Memorial Parkway.)

Since the opening of Memorial Bridge in 1932, observers have repeatedly affirmed the importance and symbolism of the Lincoln Memorial-Arlington House axis. In August 1941, for example, the Commission of Fine Arts denounced a proposed location of the Pentagon near the cemetery's

[4] *Improvement of the Park System of the District of Columbia*, 56.
[5] On the reconciliationist memory of the Civil War, see David Blight, *Race and Reunion: The Civil War in American Memory* (Harvard University Press, 2001); for its expression at Arlington National Cemetery specifically, see Micki McElya, *The Politics of Mourning: Death and Honor in Arlington National Cemetery* (Harvard University Press, 2016).
[6] U.S. Congress, Senate, *Report of the Arlington Memorial Bridge Commission*, April 21 (Calendar Day, April 23), 1924, 68th Cong., 1st sess., 1924, S. Doc. 95, serial 8240, 5.
[7] *Report of the Arlington Memorial Bridge Commission*, 7.
[8] *Report of the Arlington Memorial Bridge Commission*, 41.

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entrance as "a blot upon the landscape" that would intrude on views both from Arlington House and the Lincoln Memorial. A local newspaper called it "an act of vandalism." Within weeks, that plan was abandoned for the Pentagon's current site.[9] Four decades later, when Arlington Memorial Bridge was listed on the National Register of Historic Places, the National Park Service described it as "symbolically link[ing] North and South in its alignment between the Lincoln Memorial and Arlington House."[10]

In memorializing the refoundation of the United States through this poignant, uninterrupted, and aesthetically coordinated connection, the McMillan Commission placed the axis on par with the relationships between the White House and the Capitol or the through-line of the National Mall itself. Altering this bond, as the applicant proposes to do, is the most radical change proposed to the Monumental Core since its substantial completion in the 1930s. Its excessive size and location directly on the axis occludes and transforms vistas from both the Lincoln Memorial and Arlington House. The size and location likewise overwhelm the experience of moving along the corridor, whether for routine trips or to a funeral for the end of a worthy life. Most importantly, this arch divides the most potent symbol of national unity in the country, all for a vague and evasive purpose. If the Arch really does celebrate the Semiquincentennial of American Independence, then its placement in a space of solemn memorialization clashes in both subject and tone. If it has no purpose subject to the Commemorative Works Act, then it is a frivolous desecration of a site that has offered closure to the Civil War and thousands of personal sacrifices. No great section of the public has asked for any of this, nor were they asked.

The Arch, in its size, location, and design degrades both Arlington House and the Lincoln Memorial individually. It likewise destroys the greater whole of which these two sacred sites are inseparable parts. Thirty-two administrations have respected this exceptional, historically significant, and beloved landscape. As earnest stewards of two centuries of architectural heritage in the Nation's Capital, the District of Columbia Chapter of the American Institute of Architects opposes the erection of this proposed Triumphal Arch.

[9] War Building Plan 'Outrage,' Art Group Says," *Washington Evening Star*, August 3, 1941, A-1; "From Arlington House," *Washington Evening Star*, August 6, 1941, A-8. On construction of the Pentagon, see Steve Vogel, *The Pentagon: A History* (Random House, 2007).
[10] "National Register of Historic Places Inventory - Nomination Form: Arlington Memorial Bridge," April 4, 1980, National Register of Historic Places and National Historic Landmarks Program Records, Records of the National Park Service, Record Group 79, National Archives, College Park, MD - NAID: 117691943.

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Outlook

REVIEW - Determination of Effect – Triumphal Arch

From Stidham, Tammy <Tammy_Stidham@nps.gov>

Date Fri 8/28/2026 1:53 PM

Bcc Porsia, Sara C <sara.porsia@sol.doi.gov>; Nersesian, Jen T <Jen_Nersesian@nps.gov>; Mendelson, Lisa <Lisa_Mendelson-Ielmini@nps.gov>; Madello, Jennifer <Jennifer_Madello@nps.gov>; Levine, Haninah <haninah.levine@sol.doi.gov>; Beasley, Joy <Joy_Beasley@nps.gov>; david.maloney <david.maloney@dc.gov>; andrew.lewis <andrew.lewis@dc.gov>; Trocolli, Ruth (OP) <ruth.trocolli@dc.gov>; Kirchen, Roger (DHR) <roger.kirchen@dhr.virginia.gov>; Henderson, Samantha (DHR) <samantha.henderson@dhr.virginia.gov>; rnelson@achp.gov <rnelson@achp.gov>; jloichinger@achp.gov <jloichinger@achp.gov>; Sullivan, Diane <diane.sullivan@ncpc.gov>; Webb, Lee <lee.webb@ncpc.gov>; tluebke@cfa.gov <tluebke@cfa.gov>; sbatcheler@cfa.gov <sbatcheler@cfa.gov>; Lorin Farris <lfarris@arlingtonva.us>; mdurak@arlingtonva.us <mdurak@arlingtonva.us>; caitlin.e.smith36.civ@army.mil <caitlin.e.smith36.civ@army.mil>

Dear Consulting Parties:

The National Park Service (NPS) is submitting the enclosed Assessment of Effects for the proposed Triumphal Arch for review by the consulting parties pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations at 36 CFR Part 800.

The Assessment of Effects documents the NPS's evaluation of the proposed undertaking's potential to affect historic properties within the Area of Potential Effects, which has been informed significantly by feedback previously received from consulting parties. The assessment identifies the properties' significance, evaluates effects upon them, and provides the NPS's findings regarding effects to identified historic properties. The NPS has found this undertaking will have an adverse effect on one or more historic properties. This finding is documented in the Assessment of Effects.

The NPS requests that consulting parties review the enclosed Assessment of Effects and provide any written comments to the NPS by September 4, 2026.

The NPS also requests a consultation meeting with the SHPOs and consulting parties on September 9, 2026, to discuss the Assessment of Effects and to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6. The NPS will provide meeting details, including time, location or virtual meeting information, and an agenda under separate cover.

Thank you for your continued participation in consultation for this undertaking. Please contact Tammy Stidham at 202-619-7474 or tammy_stidham@nps.gov with any questions, submit comments, or to coordinate the September 9 meeting.

Revised Assessment of Effect is available at this link- ParkPlanning- Triumphal Arch Assessment of Effect (Revised)- August 28, 2026

Sincerely-
Tammy Stidham

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

Outlook

REVIEW - Determination of Effect – Triumphal Arch

From Stidham, Tammy <Tammy_Stidham@nps.gov>
Date Fri 8/28/2026 1:52 PM
To david.maloney <david.maloney@dc.gov>
Cc Trocolli, Ruth (OP) <ruth.trocolli@dc.gov>; andrew.lewis <andrew.lewis@dc.gov>; jloichinger@achp.gov <jloichinger@achp.gov>; Ames, Christine (OP) <christine.ames@dc.gov>
Bcc Porsia, Sara C <sara.porsia@sol.doi.gov>; Nersesian, Jen T <Jen_Nersesian@nps.gov>; Mendelson, Lisa <Lisa_Mendelson-Ielmini@nps.gov>; Madello, Jennifer <Jennifer_Madello@nps.gov>; Levine, Haninah <haninah.levine@sol.doi.gov>; Beasley, Joy <Joy_Beasley@nps.gov>

Dear Mr. Maloney:

The National Park Service (NPS) is submitting the enclosed Assessment of Effects for the proposed Triumphal Arch for review by the consulting parties pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations at 36 CFR Part 800.

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Revised Assessment of Effect is available at this link- ParkPlanning- Triumphal Arch Assessment of Effect (Revised)- August 28, 2026

Sincerely-
Tammy Stidham

Tammy Stidham
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Outlook

REVIEW - Determination of Effect – Triumphal Arch

From Stidham, Tammy <Tammy_Stidham@nps.gov>
Date Fri 8/28/2026 1:52 PM
To Kirchen, Roger (DHR) <roger.kirchen@dhr.virginia.gov>
Cc Henderson, Samantha (DHR) <samantha.henderson@dhr.virginia.gov>; jloichinger@achp.gov <jloichinger@achp.gov>
Bcc Porsia, Sara C <sara.porsia@sol.doi.gov>; Nersesian, Jen T <Jen_Nersesian@nps.gov>; Mendelson, Lisa <Lisa_Mendelson-Ielmini@nps.gov>; Madello, Jennifer <Jennifer_Madello@nps.gov>; Levine, Haninah <haninah.levine@sol.doi.gov>; Beasley, Joy <Joy_Beasley@nps.gov>

Dear Mr. Kirchen:

The National Park Service (NPS) is submitting the enclosed Assessment of Effects for the proposed Triumphal Arch for review by the consulting parties pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations at 36 CFR Part 800.

The Assessment of Effects documents the NPS's evaluation of the proposed undertaking's potential to affect historic properties within the Area of Potential Effects, which has been informed significantly by feedback previously received from consulting parties. The assessment identifies the properties' significance, evaluates effects upon them, and provides the NPS's findings regarding effects to identified historic properties. The NPS has found this undertaking will have an adverse effect on one or more historic properties. This finding is documented in the Assessment of Effects.

The NPS requests that consulting parties review the enclosed Assessment of Effects and provide any written comments to the NPS by September 4, 2026.

The NPS also requests a consultation meeting with the SHPOs and consulting parties on September 9, 2026, to discuss the Assessment of Effects and to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6. The NPS will provide meeting details, including time, location or virtual meeting information, and an agenda under separate cover.

Thank you for your continued participation in consultation for this undertaking. Please contact Tammy Stidham at 202-619-7474 or tammy_stidham@nps.gov with any questions, submit comments, or to coordinate the September 9 meeting.

Revised Assessment of Effect is available at this link- ParkPlanning- Triumphal Arch Assessment of Effect (Revised)- August 28, 2026

Sincerely-
Tammy Stidham

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service

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David B. Woolner, Ph.D. – Senior Fellow and Resident Historian, Roosevelt Institute; Professor, History, Marist College

September 1, 2026

VIA EMAIL
Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
Washington, DC

Tammy:

I am in receipt of the *Triumphal Arch Assessment of Effect (Revised)* dated August 28, 2026, which was received in our capacity as a consulting party to the project. I appreciate the opportunity to review the assessment and have one comment. As our consulting party status was confirmed by you on August 6, 2026, I ask that our organization's name be included in the list of consulting parties on pages 69–70. Please note our name change – FDR Memorial Foundation.

I look forward to receiving information regarding the September 9, 2026 consulting party meeting.

Sincerely,

Mary E. Dolan

Mary E. Dolan
Co-Founder & Executive Director

ANC 2F
WASHINGTON, D.C.

ADVISORY NEIGHBORHOOD COMMISSION
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Government of the District of Columbia

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2F07 Kevin Cataldo, *Chair*
2F08 Brett Beasley, Secretary

Stuart West, Commission Admi*nistrator*

September 2 ,2026

WHEREAS, the National Park Service (NPS) describes the proposal as "The proposed United States Triumphal Arch (the Arch) would serve as a signature monumental structure honoring the nation's 250th anniversary and contributing to Washington, D.C.s tradition of honoring national principles"; and WHEREAS, the proposal is for a "250-foot "Triumphal Arch" near Arlington National Cemetery" and "The monument will be built at Memorial Circle on Columbus Island between the Lincoln Memorial and Arlington National Cemetery"; and WHEREAS, Memorial Circle is within Ward 2 of the District of Columbia, and WHEREAS, 2F is an ANC within Ward 2, and WHEREAS, the location is defined as "A proposed triumphal arch celebrating the United States Semiquincentennial would be located on Columbia Island in Washington, D.C. The site is a traffic circle on Memorial Drive between the end of the Arlington Memorial Bridge and Arlington National Cemetery named Memorial Circle. It is directly across the Potomac River from the Lincoln Memorial at the west end of the National Mall"; and

WHEREAS, the NPS further states "The proposed United States Triumphal Arch would be located at…the ceremonial gateway between Washington, D.C. and Arlington National Cemetery"; and
WHEREAS, the NPS Assessment of Effects finds the project "would have adverse effects on more than a dozen of the nation's most significant historic properties, including the Lincoln Memorial, Arlington National Cemetery, Arlington House, the National Mall, the Washington Monument, and Arlington Memorial Bridge"; and

WHEREAS, the NPS assessment "identified 37 sites that the proposed arch would negatively impact, mostly by obstructing their views"; and WHEREAS, D.C. Historic Preservation Officer David Maloney warned the Memorial Circle plan would "severely damage an exceptional cultural landscape and one of the most important symbolic places in the nation"; and WHEREAS, Maloney stated the administration should pick an "alternative site", specifically "an empty traffic oval located on South Capitol Street between Nationals Park and Audi Field"; and WHEREAS, that alternative location "would create an energizing focal point for a still-emerging neighborhood, suitable for a celebratory crowd" and "would enhance the historic L'Enfant Plan and the city's monumental landscape rather than detracting from it";

THEREFORE, BE IT RESOLVED that ANC 2F opposes construction of the Triumphal Arch at Memorial Circle as currently proposed.

BE IT FURTHER RESOLVED that ANC 2F urges the National Park Service and the National Capital Planning Commission to reject the Memorial Circle site.

This resolution was adopted by a vote of [8-0-0) on August 13, 2026, by Advisory Neighborhood Commission 2F at a duly called and properly noticed public meeting with a quorum present.

ON BEHALF OF THE COMMISSION,

Kevin Cataldo

Commissioner Kevin Cataldo, Chair, ANC 2F

DEPARTMENT OF COMMUNITY PLANNING, HOUSING & DEVELOPMENT
Neighborhood Services Division – Historic Preservation Program
2100 Clarendon Boulevard, Suite 700, Arlington, VA 22201
TEL 703.228.3830 www.arlingtonva.us

Memorandum

To: Tammy Stidham, Associate Regional Director, National Park Service (NPS)

Date: September 4, 2026

From: Mical Durak, Historic Preservation Program (HPP), CPHD

Subject: HPP Feedback on Assessment of Effects Report – August/September 2026

Thank you for reaching out to seek input on the final Assessment of Effects (AoE) Report. Please see below for Arlington County's Historic Preservation Program's (HPP) comments:

Feedback on the Assessment of Effects (AoE) Report:

Proposed Undertaking:

- National Park Service (NPS) staff note in the "Proposed Undertaking" section of the report that the plans presented for the arch "may not reflect the final design" and that "dimensions will be finalized during future design efforts." (pg. 8). HPP staff understand that certain changes occur in the field to construction projects; however, we are uncomfortable that what is presented is an approximation of what could be constructed. We request that NPS clarify in the AoE any design features they anticipate may require adjustment in the future and provide an outline of how and when NPS will engage with consulting parties if that design (including its dimensions) is altered.
- HPP Staff request that NPS staff elaborate on how the arch would be utilized by the public. HPP staff are aware that the proposed arch would have an observation deck, but NPS also notes "the gallery level would contain exhibit space…with the possibility of including a café and gift shop" (pg. 9). On A-2.20 of Appendix F, HPP staff also see two rooms dedicated to "program space." What would be on display or exhibited inside the arch? Would it be a permanent exhibit or a rotating one? Could it be connected to any of the mitigation measures outlined by NPS in the AoE? Or would it focus solely on the commemoration of the 250th anniversary which is NPS' stated main purpose for this project? It is unclear to HPP staff how this proposed arch would be a new destination for learning and contemplation as noted by NPS on pg. 11.

Project Alternatives:

- NPS staff note in the "Project Alternatives" section that they did not evaluate other alternative locations for the proposed arch outside of Memorial Circle since the arch design is "grounded in the historic design intent of the Arlington Memorial Bridge and Memorial Avenue corridor" (pg. 10). Further, NPS notes that the design intent for this portion of the corridor was intended to include further construction/development.

  - While it appears that the original 1924 Report of the Arlington Memorial Bridge Commission called for the construction of vertical monumental elements at Columbia Island, the originally proposed columns framed the corridor and measured 33.5 feet wide and 166 feet tall. In short, the original proposal called for something significantly smaller and more to scale with the surrounding landscape in comparison to what is currently being proposed by NPS. The construction of a commemorative feature of that original scale in this area would comply with the original plans, but HPP staff believe that the scale and massing of the proposed 250-foot-tall triumphal arch fall outside of the original scope of that plan and do not comply with its intended spirit, undermining any reliance on the initial intentions.
- NPS staff also note that placing the arch in the George Washington Memorial Parkway (GWMP) is "consistent with the park's purpose as a scenic roadway…protecting the cultural and natural resources that frame the Potomac River corridor" (pg. 11).
  - HPP staff disagree with this assessment. The placement of the proposed triumphal arch within the parkway would have a direct adverse effect on the historic resource, would impact the viewshed of the parkway, and would not protect the natural resources of the Potomac River corridor. Per the National Register of Historic Places (NRHP) nomination form (1995) for the GWMP, it has "significance as an instrument of conservation and protection of scenic and recreational resources. By its very existence, it prevents development along the river corridor and removes development potentially detrimental to the natural resources." Development along and within the GWMP has historically been limited to ensure that the iconic vistas and views of the parkway are visible to those utilizing it. Furthermore, part of the stated significance of the GWMP is in its ability to limit development, such as the kind being proposed by NPS.
- Given these factors, HPP staff strongly recommend that alternative locations for the proposed triumphal arch should be explored by NPS and do not agree with the assessment that its placement is directly grounded in connection to either the original plans for the Memorial Corridor and the GWMP.

Identification of Historic Properties:

- As noted in 36 CFR § 800.16(1), a historic property means any prehistoric or historic district, site, building, structure, or object listed or *eligible for* listing in the NRHP. Per Appendix J: List of Historic Properties within the Project Area and Appendix K: List of Historic Properties within the APE, NPS has only identified historic properties listed on the NRHP or listed as eligible/potentially eligible by the Virginia Department of Historic Resources (DHR) staff, but has not identified all historic properties that are eligible for listing in the NRHP, such as properties that have not been previously identified but meet the age requirements for eligibility. A full architectural survey should be completed to assess eligibility and effect on eligible resources. Therefore, this assessment does not comply with 36 CFR § 800.16(1) and standard requirements for an AoE. For assistance with this assessment as it pertains to Arlington County historic resources, we are happy to provide greater information and coordination with information gathering concerning these resources upon request within a reasonable timeframe of 15 days or more.

- HPP staff appreciate the additional information shared in Appendix H: Landscape Renderings including the new viewpoints and views of the arch at night. As shown in the rendering from the "Lee House Portico – After," the view of the Lincoln Memorial is completely obscured by the proposed triumphal arch. If the stated purpose of the original Memorial Corridor plan was to connect the north (embodied by the Lincoln Memorial) and the south (embodied by Arlington House), the construction of the proposed triumphal arch does not achieve and maintain that stated purpose and instead, by NPS' own assessment, obscures that view.
- It is still unclear to HPP staff if the viewshed analysis completed by NPS accounted for different times of the year, and therefore, varying levels of vegetation. This was not addressed in the "Viewshed Analysis" section of the AoE.

Identification of Effects:

- HPP staff agree that Memorial Circle, Arlington Memorial Bridge, Memorial Avenue, Arlington National Cemetery, Arlington House, and the Lincoln Memorial corridor would have a substantial adverse effect from this undertaking. We also agree that the Lincoln Memorial Cultural Landscape, Lincoln Memorial, National Mall Site and National Mall Historic District, The Mall Cultural Landscape, Washington Monument, Washington Monument and Grounds Historic District, Washington Monument and Grounds Cultural Landscape, the East and West Potomac Park Historic District, L'Enfant Plan of the City of Washington, Arlington Ridge Park, Pentagon, Fort Myer NHL District, George Mason Memorial, Thomas Jefferson Memorial, Thomas Jefferson Memorial Cultural Landscape, United States Capitol, Georgetown Historic District, Old Naval Observatory, Observatory Hill Historic District, Key Bridge, National Cathedral, and National War College, to name a few, would all be adversely effected by this project due to the visual impact and alterations to their setting, context, and nighttime visual character.
    - However, until all historic properties eligible for listing in the NRHP are outlined in NPS' analysis (Appendix L: Assessment of Adverse Effects), HPP staff cannot provide our full assessment of this data.
- HPP staff continue to suggest that NPS outline exactly the parameters they are utilizing for determining adverse effects, particularly for those resources that will experience an adverse visual effect or indirect effect. For example, how did NPS determine viewshed impact from certain resources? When determining viewshed with human scale in mind, is NPS considering only the facades of historic resources or secondary elevations too? Is it considering the public right-of-way only? Providing clearly defined terms and insight into the methodology behind these determinations will be helpful to the public and necessary for consulting parties when reviewing those determinations.
- HPP staff appreciate the commitment by NPS to conduct a Phase IB subsurface archaeological investigation prior to the start of any construction activities as noted in the "Identification of Historic Resources" section. However, we question whether excluding this information from the AoE complies with standard Section 106 procedures. NPS notes that a "programmatic agreement will be developed for this project to define the continued consultation process for the identification and evaluation of resources, and the resolution of any adverse effects on NRHP-eligible archaeological resources" (pgs. 33 – 34). Not having this data presented in the AoE leaves it incomplete and therefore, makes

it challenging for consulting parties to provide a full assessment of the data. HPP staff request that data be included in the AoE and note that it is necessary for the provision of comprehensive comment and assessment of the impact of this proposed project.

Avoidance, Minimization, and Mitigation Measures:

- NPS notes that a smaller arch was "ultimately dismissed" given that it would have had a "greater impact on the cultural landscapes" due to obstructing the views between the Lincoln Memorial and the Arlington National Cemetery (pg. 35). Furthermore, a smaller design was also dismissed because the arch is intended to celebrate the 250th anniversary of America by measuring 250 feet tall.
    - While HPP staff can understand the desire for the symbolic connection between the 250-foot-tall arch and the nation's 250th anniversary, we do not find this relationship sufficient to justify the arch's substantial scale and massing. It is still unclear to HPP staff how this arch celebrates and reflects the 250th anniversary of America through its design.
    - Furthermore, HPP staff request that any study completed of a smaller arch design be shared with consulting parties for their review. NPS notes that smaller designs obstruct the views between the Lincoln Memorial and Arlington National Cemetery; however, the current design also obstructs those views. A smaller designed arch or commemorative feature in this circle would be more appropriate and would have less of an impact on the existing historic and cultural landscape.
- NPS staff state that "avoidance through eliminating the proposed vertical commemorative feature was also not consistent with the undertaking's purpose" (pg. 36) and was ultimately not considered given that it would fail to meet the undertaking's purpose and need.
    - HPP staff understand that a no-build option would not meet the undertaking's purpose and need to commemorate the 250th anniversary. However, as reiterated above, full consideration of a smaller feature was not completed by NPS or at least shared as an alternative with consulting parties. NPS notes that several concepts for commemorative features in Memorial Circle were reviewed over the years and that "later design revisions reduced the scale of those earlier concepts and ultimately replaced the proposed monumental columns with smaller sculptural pavilions…" (pg. 36). There is precedent, from a design conception point of view, for smaller, to scale commemorative features in this circle rather than what is being proposed today. Scaling the massing and height of the proposed arch or exploring other more appropriately designed commemorative features for the circle would still allow NPS to "accomplish the undertaking's core purpose of completing the historically contemplated civic and commemorative role of Memorial Circle." (pg. 36).
- HPP staff appreciate the proposed mitigation and minimization measures outlined on pgs. 37 – 45 of the AoE that could be considered during the development of a Memorandum of Agreement (MOA). HPP staff would support the implementation of all or most of these measures to mitigate the large impact of this undertaking on surrounding historic and cultural resources.
    - Construction management control is essential, especially given the impact the construction of this proposed undertaking would have on the daily operations of

the Arlington National Cemetery (ANC). HPP staff have concerns about the potential noise impact of this project on the cemetery during solemn events. Furthermore, NPS notes that they would coordinate with ANC to "avoid disruptive construction activities during funerals" (pg. 37). ANC has 24 to 27 funerals a day and had over 5,200 funerals in fiscal year 2025 alone. HPP staff strongly urge NPS staff to consider how this project will impact these operations to honor and remember those who have served and how it is a virtual certainty this project will have construction activities impact active funerals at ANC given their frequency.

- Under "Archaeological Investigation," HPP staff seek clarification on the archaeological monitoring proposed. NPS notes that archaeological monitoring would occur during "excavation, foundation work, and utility installation" on pg. 38, but on pg. 39 notes that monitoring would occur during "deep excavation." Given the potential for archaeological resources, as noted by NPS, monitoring during any excavation would be warranted – not just during "deep excavation."
- Under "Documentation," NPS offers oral histories as a mitigation measure; however, it notes that "transcripts and recordings would be archived and, where appropriate, made available for interpretation, research, and public education" (pg. 41). Could NPS explain why only certain transcripts would be made available? How would this be a true mitigation measure if this information was not available to the larger public for research and study?
- HPP staff want to reiterate that the terms of mitigation should apply to all adversely effected properties such as, but not exclusive to, Memorial Circle, Arlington Memorial Bridge, Memorial Avenue, ANC, Arlington House, and the Lincoln Memorial corridor. Furthermore, for the mitigation efforts proposed that would not have placement on or near the site, the final products should be accessible to the public either through a repository such as the Library of Congress or a website. HPP staff would like to be notified where those items are located in the future so we can request access to them.
- Outside of what was proposed in the AoE for mitigation and minimization, NPS should also consider further measures to support American troops and veterans utilizing these areas (both the ANC and the Military Women's Memorial) given the impact this proposed project would have on that landscape and those spaces. NPS should also consider the use of easements or placement of other limitations on future redevelopment for these historic areas and cultural landscapes.

In conclusion, HPP staff have concerns that NPS has not considered avoidance or alternative options to what is being proposed enough as part of this effort. It is unclear what the ultimate purpose of the proposed triumphal arch would be and how it would benefit the American public. Furthermore, HPP staff have significant concerns that the full impact of this undertaking on all historic and archaeological resources has not been fully considered by NPS and presented to consulting parties. Finally, we would like to reiterate that the requested deadline for comments on the AoE does not follow standard protocols and has impacted our ability to provide a comprehensive response. As with the past three engagements with consulting parties, it does not follow the standard Section 106 process.

We welcome future opportunities to meaningfully engage in the Section 106 process for this undertaking in the future.

Mical Durak
Historic Preservation Principal Planner

Outlook

[EXTERNAL] Triumphal Arch - Section 106 Consultation

From Paul Edmondson <paul@preservationlaw.com>
Date Fri 9/4/2026 6:51 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Judy Chesser <chair@committeeof100.net>; david.maloney <david.maloney@dc.gov>

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Ms. Stidham, I'm sending this on behalf of Judy Chesser, who is having computer issues this afternoon. Thanks.

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Dear Ms Stidham:

Thank you for the opportunity to review and comment on the Final Assessment of Effects for the Triumphal Arch.

Like other Consulting Parties, we look forward to the opportunity to meet on September 9th to hear first-hand from NPS regarding the Revised Assessment of Effects Report, and to have a chance for dialogue regarding its conclusions. We believe it would be most beneficial to have that discussion before we submit additional formal comments, but will plan to do so following that meeting.

In preparation for that meeting:

1. We would appreciate an explanation of Secretary Burgum's statement on X that "[w]e are pleased to announce that after a very long wait (over 125 years!), we are preparing to start, over the next two-week period, the excavation work necessary for the Great Triumphal Arch and Military Observation Deck, at Memorial Circle on Columbia Island between the Lincoln Memorial and Arlington National Cemetery." Does NPS plan to initiate construction before the completion of the Section 106 review process?

2. Secretary Burgum's reference to a "Military Observation Deck" is one we have not seen previously. (Previous plans have simply referred to a "public" observation deck.) Please explain if this is meant to suggest any change of design or intended use.

3. The Committee of 100 would like to gain a better understanding of NPS's decision not to consider alternative locations, based on the stated premise that the proposed arch "completes a century-old civic design concept." Our understanding of the 1924 design concept is that it was very different from the

current proposal. Is Secretary Burgum's reference to waiting "over 125 years" referring to an even earlier design?

Thank you.

Judy Chesser
Chair
Committee of 100 on the Federal City

Cc: David Maloney

Outlook

Re: REVIEW - Determination of Effect – Triumphal Arch

From Smith, Kathryn G <Kathryn_Smith@nps.gov>
Date Fri 9/4/2026 2:17 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc Campbell, Patrick <J_Patrick_Campbell@nps.gov>

Tammy,

Below are my comments related to the adverse effects on National Historic Landmarks (NHLs).

1. It appears that the corrections and reassessments that I suggested in my last set of comments were not addressed.
2. It appears that NPS did not “to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to" the NHLs as required under Section 110(f) of the National Historic Preservation Act (54 U.S.C. § 306107)(NHPA). Minimization to the maximum extent would require redesigning the arch in some other form that has lesser adverse effects on the NHLs. I saw no attempt to design a feature or landscape at the site that would avoid or minimize adverse effects to the surrounding NHLs. The report states NPS's intention to "complete th[e] historically contemplated idea at Memorial Circle," but no other designs were contemplated beyond monumental arches of different heights. Why was the approved design for two offset vertical columns not considered if the intent was to "complete" a historically contemplated design? Why did the designers not develop alternative designs that respect the intention of the designers of the Memorial Bridge-Memorial Avenue and the Congressionally appointed commission that approved it? It's clear that less substantial vertical elements would have less adverse effects on the surrounding NHLs and would preserve the critical viewshed. Without the consideration of alternative designs that minimize the visual effects on the NHLs, I don't believe NPS has fulfilled its statutory obligations under Section 110(f) of the NHPA.
3. I don't see any mitigation measures that address the adverse effects on the NHLs. All mitigation is focused on NPS managed property, but adverse effects extend beyond NPS lands. The NPS should develop, in consultation with the owners of the NHLs, mitigation that addresses visual effects on the six affected NHLs.

Thank you for the opportunity to comment. Please reach out if you have questions and I look forward to the consultation meeting on September 9th.

Best,
Kathryn

Kathryn G. Smith
National Historic Landmarks Coordinator
Community Preservation Assistance Program Manager
National Park Service
National Capital Region
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NCR Website https://www.nps.gov/RESSNCR

NHL Website http://www.nps.gov/nhl
Facebook National Historic Landmark Program - NPS
Instagram NationalHistoricLandmarkNPS #NationalHistoricLandmark #FindYourPark

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From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Thursday, September 3, 2026 3:19 PM
To: Stidham, Tammy <Tammy_Stidham@nps.gov>
Subject: Re: REVIEW - Determination of Effect – Triumphal Arch

Good Afternoon-

A meeting invite has been sent for September 9th at 1:00 for a virtual consulting parties meeting. Please let me know if you did not receive it. In addition, I am writing to notify you that the comment period for the Assessment of Effect has been extended to September 16th.

As always, please let me know if you have any question or need additional information-

Tammy

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

From: Stidham, Tammy <Tammy_Stidham@nps.gov>
Sent: Friday, August 28, 2026 1:53 PM
Subject: REVIEW - Determination of Effect – Triumphal Arch

COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

David L. Bulova
Secretary of Natural and Historic Resources

Roger W. Kirchen
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

September 9, 2026

Ms. Jennifer T. Nersesian
Regional Director, National Capital Region
National Park Service
5300 Wellington Branch Drive, Suite 100
Gainesville, Virginia 20155

Re: Triumphal Arch at Memorial Circle—Final Assessment of Effects
Arlington, Virginia
DHR File No. 2026-4065

Dear Ms. Nersesian:

The Department of Historic Resources (DHR) has received from the National Park Service (NPS) a request for comments regarding their final assessment of effects for the proposed undertaking. The NPS provided these documents to DHR and consulting parties on August 28. While NPS originally requested written comments by September 4, they have extended the requested review period to September 16. NPS has also requested a consulting party meeting on September 9. DHR looks forward to the opportunity to participate in the consulting parties meeting and hearing from NPS regarding the determinations contained within this new submission. We also look forward to the opportunity to hear from consulting parties regarding the undertaking and their perspectives regarding the assessment of effects.

The NPS has requested a response to their revised identification of historic properties; additional information regarding alternatives; avoidance and minimization measures; assessments of effects for over 250 historic properties; and potential mitigation measures. The revised assessment of effects is substantively changed from the original document submitted on June 5 and contains new information not previously included in any prior submission. DHR reminds NPS that we did not concur with their request to expedite the review of this undertaking pursuant to 36 CFR § 800.3 (g). While DHR appreciates that NPS extended their requested timeline for response, in accordance with 36 CFR Part 800, DHR is not obligated to provide our comments within the arbitrary and inappropriately short time frame requested.

While NPS has determined overall that the undertaking will adversely affect numerous historic properties, NPS has also determined that numerous historic properties within the Area of Potential Effects (APE) will not be adversely affected. Per 36 CFR § 800.5 (c) SHPO has 30 days from the receipt of this finding to review the finding and object if necessary. DHR will utilize the review time that the regulations afford us. While DHR will work to provide our comments as close to the requested September 16, per the regulations,

our lack of full comments within the time frame set by NPS should not be construed as failure to comment or agreement with/lack of objection to NPS' findings.

Consulting Parties and Public Comments

The revised final assessment of effects includes tables outlining consulting parties' comments and a summary of public comments compiled by AI. DHR reiterates our request to review the public notice comments not an AI generated summary regarding this undertaking so that we, as Virginia SHPO, can understand the comments expressed by citizens of the Commonwealth of Virginia regarding this project. DHR would also like to be afforded the opportunity to review the actual comments prepared by consulting parties, not NPS' summary. Based on the summary, many of the consulting parties' comments remain unaddressed. Please advise when NPS will directly address the comments provided by consulting parties.

Initiation of Construction Prior to Completion of Section 106 Review

On September 3, Secretary of the Interior Doug Burgum posted on X that "we are preparing to start, over the next two-week period, the excavation work necessary for the Great Triumphal Arch and Military Observation Deck, at Memorial Circle on Columbia Island between the Lincoln Memorial and Arlington National Cemetery."

Excavation work at Memorial Circle required to construct the arch and conduct the archaeological investigations proposed beyond the presumed fill on Columbia Island, as described in submissions prepared by the NPS, will be extensive and will adversely affect historic properties. It is DHR's opinion that initiation of any construction with the potential to cause adverse effects to historic properties prior to the conclusion of the Section 106 review and the resolution of adverse effects to historic properties constitutes a failure to comply with the National Historic Preservation Act and 36 CFR Part 800. It is DHR's opinion that the proposed start of construction constitutes a foreclosure of the Advisory Council on Historic Preservation's opportunity to comment in accordance with 36 CFR § 800.9. DHR requests that NPS address this at the consulting parties meeting and in writing.

Please contact me at samantha.henderson@dhr.virginia.gov or (804) 482-6088 to continue consultation on this undertaking.

Sincerely,

Samantha Henderson, Director
Review and Compliance Division

September 14, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

RE: Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement

Dear Ms. Stidham,

Thank you for the opportunity to comment on the proposed Triumphal Arch that would be built at the western terminus of Arlington Memorial Bridge in Memorial Circle. These comments about the September 9, 2026, consulting parties meeting complement those filed by The Cultural Landscape Foundation (TCLF) on June 15, 2026, July 18, 2026, and August 6, 2026, and again register the foundation's **very strong opposition** to siting a Triumphal Arch in Memorial Circle for the reasons cited below.

The National Park Service issued an extensive Assessment of Effects report on August 28, 2026, which identified dozens and dozens of "adverse effects" the 250-foot-tall Arch would permanently create. Chief among them, the Arch would forever disrupt the visual and symbolically important viewsheds between the Lincoln Memorial and Arlington House, Arlington National Cemetery, and the Kennedy Gravesite and Eternal Flame. The memorial expression from the Lincoln Memorial across Arlington Memorial Bridge and up to Arlington National Cemetery represents the healing of the nation following the Civil War and ranks among the country's most important cultural landscapes.

A primary function of the agency in a Section 106 review is to identify ways to "avoid, minimize, or mitigate" the adverse effects. NPS not only maintains that the site selection and design are unalterable and non-negotiable, but it also refuses to even consider alternate sites and designs. Startlingly, the NPS representative who presented the proposal refused to say who specifically at the Department of the Interior was responsible for the decision not to consider alternatives. Andrew Lewis, with the D.C. State Historic Preservation Office, said of NPS' inaction: "The Park Service has failed to meet the most basic requirement of Section 106."

The foundation for NPS' obstinance is legally dubious and intellectually contorted. The agency maintains that they "did not evaluate alternative locations outside Memorial Circle because the proposed undertaking is grounded in the historic design intent for the Arlington Memorial Bridge and Memorial Avenue corridor."

The alleged "historic design intent," according to NPS, is included in a 1924 report of the Arlington Memorial Bridge Commission, which called for erecting two 166-foot-tall "columns [that] were intended to frame, mark, and give architectural emphasis to the transition between Arlington Memorial Bridge, Memorial Circle, Memorial Avenue, and the entrance sequence to Arlington National Cemetery." NPS claims, "the current undertaking," that is, the 250-foot tall Monumental Arch, "is intended to respond to and complete that historically contemplated idea at Memorial Circle."

There are several problems with this scenario and, as video of the September 9 Section 106 consulting parties meeting demonstrates, NPS cannot provide straight answers. The 1924 Commission report specifically says on page nine: "two stately columns are proposed to be erected … framing in **but not interfering with the view of the Lincoln Memorial from the direction of [what is now known as Arlington House]**." [emphasis added] If that is the "historic design intent," then the Monumental Arch, which would permanently interfere with those views and not frame them, does not represent that 1924 commission's conclusions. When confronted with this, an NPS official deflected.

For the record, the framing columns were never built. So, while they may have been proposed, the final approved design—which reflects the realized historic intent of the designers—removed them.

In addition, the draft Programmatic Agreement that would memorialize the conditions of the completed Section 106 process states: "The Undertaking will be consistent with *Secretary of the Interior's Standards for the Treatment of Historic Properties …*" Here's the problem for the administration: these *Standards* are explicit that **"Designs that were never executed historically will not be constructed."** [emphasis added] When asked about this discrepancy an NPS representative said: "I'm not sure I have a great answer to that question."

U.S. Commission of Fine Arts Secretary Thomas Luebke noted a striking contradiction. The purpose of the Arch, according to the NPS representative, is to "celebrate the [nation's] 250th anniversary." He asked if celebrating the 250th was part of the purpose of the 1924 Commission report. The NPS representative responded, "I do not believe so." In effect, NPS is citing a century old action with a different purpose as the intellectual and legal basis for an Arch in 2026.

The NPS representative said one intent of the meeting was to get consulting parties' feedback about mitigation and minimization options. But she also stated: "**In this undertaking we are unable to avoid the [negative] effects based on the purpose and need of the project … the project is location dependent and the design is set.**" [emphasis added]

At this point TCLF wishes to cite and align itself with Mr. Lewis' remarks at the first consulting parties meeting on June 15, 2026 (to which TCLF and several other organizations were not invited):

> [T]he Park Service failed to initiate early consultation in accordance with the regulations so that a broad range of alternatives may be considered. And … they have thus far failed to conduct consultation in a manner appropriate to the scale or nature of the undertaking, taking [into account] its likely effects on historic properties or the scope of federal involvement. All of those, as you well know, are direct quotes from the regulation. And, for these reasons, and perhaps of most concern, the Park Service has not yet developed or evaluated alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties in any meaningful way.

Mr. Lewis also provided a broader and more sobering context with which to consider this current undertaking:

> [W]e're not only dealing with the integrity of a few historic properties here. This is not just about whether the integrity of location, design, setting, materials, workmanship, feeling, and

association of these extraordinarily and significant properties have been diminished. Instead, the integrity of the Section 106 process itself may be at stake here, especially as it applies to the review of future memorials in D.C. Typically, those reviews take years, not just as a result of Section 106, but also due to reviews conducted in a normal circumstance by CFA, NCPC, and those that are conducted in accordance with other laws such as NEPA. That much time is usually required not because of bureaucratic red tape but because these monuments become permanent features in the core of our nation's capital. They have lasting effects on the fabric of the city and because they warrant the level of scrutiny necessary to insure that they accurately represent the ideals they are intended to convey in an inspiring way that is also compatible with the historic setting.

But as we all know Section 106 doesn't just apply to memorials it's also supposed to apply equally to all historic properties that are affected by federal undertakings. So, again, the integrity of the Section 106 process itself may be one of the most important considerations we need to be taking into account in the review of this Arch. If we fail to protect that integrity we stand to diminish not only one of the most important designed features of the historic plan of the city of Washington, but also the legal process we all rely on to protect what's important to us at the city, state, and national level.

What happens next is up to the National Park Service, which could either observe and respect the Section 106 process, as it has for decades, or continue to pervert it citing the flimsiest of justifications, as it has with the Arch. TCLF urges the agency to pursue the former and uphold the integrity of the process and seek alternatives to citing an Arch in Memorial Circle.

Sincerely,



Charles A. Birnbaum, FASLA, FAAR
Founding

Dear Consulting Parties:

The National Park Service (NPS) is submitting the enclosed Assessment of Effects for the proposed Triumphal Arch for review by the consulting parties pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations at 36 CFR Part 800.

The Assessment of Effects documents the NPS's evaluation of the proposed undertaking's potential to affect historic properties within the Area of Potential Effects, which has been informed significantly by feedback previously received from consulting parties. The assessment identifies the properties' significance, evaluates effects upon them, and provides the NPS's findings regarding effects to identified historic properties. The NPS has found this undertaking will have an adverse effect on one or more historic properties. This finding is documented in the Assessment of Effects.

The NPS requests that consulting parties review the enclosed Assessment of Effects and provide any written comments to the NPS by September 4, 2026.

The NPS also requests a consultation meeting with the SHPOs and consulting parties on September 9, 2026, to discuss the Assessment of Effects and to consult further to resolve the adverse effect pursuant to 36 CFR § 800.6. The NPS will provide meeting details, including time, location or virtual meeting information, and an agenda under separate cover.

Thank you for your continued participation in consultation for this undertaking. Please contact Tammy Stidham at 202-619-7474 or tammy_stidham@nps.gov with any questions, submit comments, or to coordinate the September 9 meeting.

Revised Assessment of Effect is available at this link- ParkPlanning- Triumphal Arch Assessment of Effect (Revised)- August 28, 2026

Sincerely-
Tammy Stidham

Tammy Stidham
Associate Regional Director- Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

Outlook

REVIEW - Triumphal Arch MOA

From Stidham, Tammy <Tammy_Stidham@nps.gov>

Date Tue 9/15/2026 5:43 PM

To david.maloney <david.maloney@dc.gov>; Lewis, Andrew (OP) <andrew.lewis@dc.gov>; Trocolli, Ruth (OP) <ruth.trocolli@dc.gov>; Roger.Kirchen <Roger.Kirchen@dhr.virginia.gov>; Henderson, Samantha (DHR) <samantha.henderson@dhr.virginia.gov>; rnelson@achp.gov <rnelson@achp.gov>; jloichinger@achp.gov <jloichinger@achp.gov>; Sullivan, Diane <diane.sullivan@ncpc.gov>; Webb, Lee <lee.webb@ncpc.gov>; tluebke@cfa.gov <tluebke@cfa.gov>; sbatcheler@cfa.gov <sbatcheler@cfa.gov>; Lorin Farris <lfarris@arlingtonva.us>; mdurak@arlingtonva.us <mdurak@arlingtonva.us>; caitlin.e.smith36.civ@army.mil <caitlin.e.smith36.civ@army.mil>; sarah.y.koeppel.ctr@mail.mil <sarah.y.koeppel.ctr@mail.mil>; mfloca@kennedy-center.org <mfloca@kennedy-center.org>; Smith, Kathryn G <Kathryn_Smith@nps.gov>; ExecSecretariat.FHWA@dot.gov <ExecSecretariat.FHWA@dot.gov>; kevin.rose@dot.gov <kevin.rose@dot.gov>; Imamura, Joseph <joseph.imamura@aoc.gov>

Cc TVoyles@achp.gov <TVoyles@achp.gov>; rnelson@achp.gov <rnelson@achp.gov>

Bcc Porsia, Sara C <sara.porsia@sol.doi.gov>; Beasley, Joy <Joy_Beasley@nps.gov>; Nersesian, Jen T <Jen_Nersesian@nps.gov>; Mendelson, Lisa <Lisa_Mendelson-Ielmini@nps.gov>; Madello, Jennifer <Jennifer_Madello@nps.gov>; Levine, Haninah <haninah.levine@sol.doi.gov>; Hoaglund, Jordan W <jordan_hoaglund@nps.gov>

1 attachment (58 KB)

09152026_Arch MOA.docx;

Dear Colleagues,

Thank you for participating in the Section 106 consultation process for the proposed Triumphal Arch at Memorial Circle (the “Arch”).

On September 9, 2026, the National Park Service (“NPS”) held a Consulting Party meeting to discuss potential ways to avoid, minimize, or mitigate adverse effects on historic properties posed by the Arch. Much of the conversation focused on matters outside the scope of the Section 106 consultation process. To refocus the consultation process on mitigation, attached please find a Memorandum of Agreement (“MOA”) detailing mitigation measures NPS proposes to take in connection with the Arch.

NPS would like all consulting parties to provide any feedback/comments on the proposed mitigation measures outlined in the MOA by 12:00 noon EST on Monday, September 21, 2026. If you agree with the proposed mitigation measures, please sign and return the MOA by the Monday deadline.

Again, to refocus the consultation on avoidance, minimization, and mitigation measures beneficial to the identified historic properties adversely affected by the Arch, please provide NPS with any feedback on the proposed MOA by Monday, September 21, 2026, at 12:00 noon EDT.

Tammy Stidham

Associate Regional Director- Lands and Planning

National Park Service
1100 Ohio Drive SW
Washington, DC 20242
voice- (202)619-7474
mobile- (202)438-0028
tammy_stidham@nps.gov

Outlook

[EXTERNAL] Re: REVIEW - Triumphal Arch MOA

From Rebecca Miller <rebecca@dcpreservation.org>
Date Tue 9/15/2026 10:21 PM
To Stidham, Tammy <Tammy_Stidham@nps.gov>
Cc david.maloney <david.maloney@dc.gov>; Lewis, Andrew (OP) <andrew.lewis@dc.gov>; Trocolli, Ruth (OP) <ruth.trocolli@dc.gov>; Roger.Kirchen <Roger.Kirchen@dhr.virginia.gov>; Henderson, Samantha (DHR) <samantha.henderson@dhr.virginia.gov>; rnelson@achp.gov <rnelson@achp.gov>; jloichinger@achp.gov <jloichinger@achp.gov>; Sullivan, Diane <diane.sullivan@ncpc.gov>; Webb, Lee <lee.webb@ncpc.gov>; tluebke@cfa.gov <tluebke@cfa.gov>; sbatcheler@cfa.gov <sbatcheler@cfa.gov>; Lorin Farris <lfarris@arlingtonva.us>; mdurak@arlingtonva.us <mdurak@arlingtonva.us>; caitlin.e.smith36.civ@army.mil <caitlin.e.smith36.civ@army.mil>; sarah.y.koeppel.ctr@mail.mil <sarah.y.koeppel.ctr@mail.mil>; mfloca@kennedy-center.org <mfloca@kennedy-center.org>; Smith, Kathryn G <Kathryn_Smith@nps.gov>; ExecSecretariat.FHWA@dot.gov <ExecSecretariat.FHWA@dot.gov>; kevin.rose@dot.gov <kevin.rose@dot.gov>; Imamura, Joseph <joseph.imamura@aoc.gov>

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Hi Tammy,

While the DC Preservation League appreciates the NPS drafting a mitigation document, we object to the direction of this Section 106 process. Under 36 CFR § 800.6, the primary requirement of the Section 106 consultation process is to consult to **avoid**, **minimize**, or **mitigate** adverse effects—in that specific order of priority.
As of our last meeting — the first that DCPL was invited to participate in—the NPS jumped straight to proposing mitigation measures without a well-defined purpose and need, or making any meaningful attempt to explore alternatives that would avoid adverse effects on multiple historic properties and National Historic Landmarks altogether. Skipping directly to an MOA forecloses discussion on project modifications, scale adjustments, or design alternatives that would eliminate the harm before it occurs. This is not consistent with NPS practice, NPS regulations, or the intent of the National Historic Preservation Act.

Nothing, in my recollection, discussed at the September 9th meeting focused on "matters outside the scope of the Section 106 consultation process."

Before the consulting parties review proposed mitigation measures in an MOA, DCPL requested, and other consulting parties also requested, that the NPS schedule a targeted consultation meeting to

evaluate alternatives that avoid adverse effects caused by the Arch on surrounding historic sites, viewsheds, and landscapes.

A simple statement that no alternatives exist or will be considered is not acceptable from a process perspective.

The DC Preservation League looks forward to continued and substantive consultation that meets, at the very least, the spirit of the National Historic Preservation Act.

Rebecca

On Tue, Sep 15, 2026 at 5:43 PM Stidham, Tammy <Tammy_Stidham@nps.gov> wrote:

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>
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>
> Tammy Stidham
> Associate Regional Director- Lands and Planning
> National Park Service
> 1100 Ohio Drive SW
> Washington, DC 20242
> voice- (202)619-7474
> mobile- (202)438-0028
> tammy_stidham@nps.gov

--

Rebecca Miller
Executive Director

DC Preservation League
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Washington, DC 20009
T- 202.783.5144

Join today to help protect Washington, DC's irreplaceable historic places and spaces!
www.dcpreservation.org

The Committee of 100
on the Federal City

945 G Street, N.W., Washington, D.C. 20001 ◆ www.committeeof100.net ◆ info@committeeof100.net

September 16, 2026 By email: tammy_stidham@nps.gov

Ms. Tammy Stidham, Associate Regional Director
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

RE: Section 106 Consultation, Triumphal Arch – Assessment of Effects and Failure to Consider Alternative Locations: Comments of the Committee of 100 on the Federal City

Dear Ms. Stidham:

On behalf of the Committee of 100 on the Federal City ("Committee of 100"), we write in response to your request to the Consulting Parties to provide written comments on the Revised Assessment of Effects Report ("Revised AOE Report") on the proposed Triumphal Arch (the "Project"). The views stated below also reflect discussions at the Consulting Party meeting of September 9, 2026, in which representatives of the Committee of 100 participated.

A number of the participants in the September 9th meeting raised specific points regarding the properties affected by the Proposed Arch and the evaluation of impacts, which we support, but the undisputable conclusion remains the same: The Project as proposed would have significant adverse effects on historic properties within the Area of Potential Effects, and those impacts would seriously damage the cultural landscapes that help to define the character of the Nation's Capital. The record on this point is abundantly clear.

It is also abundantly clear that those impacts could be greatly minimized and mitigated by relocating the project to an alternative site. Yet, you made clear in the September 9, 2026, meeting that the National Park Service considers the design and location of the Arch Proposal to be final. You stated: "For this project, we're not considering alternative locations or changes in design."

As we have stated previously, the NPS's refusal to consider either (1) a no-build alternative, or (2) other locations with less damaging impacts forecloses the consideration of less harmful alternatives and violates the agency's obligations under 36 CFR § 800.6(a) to "develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties." In our view, that refusal is based on a deeply flawed understanding of the authorities and the historic record cited as justification (in the NPS's Revised AOE Report, and as confirmed by you during the September 9, 2026, meeting).

The NPS Rationale for Refusing to Consider Alternatives

According to the Revised AOE Report (p. 11), the NPS's refusal to consider alternative locations is based on the premise that the proposed arch "completes a century-old civic design concept." The Revised AOE Report states:

> "The NPS did not evaluate alternative locations outside Memorial Circle because the proposed undertaking is grounded in the historic design intent for the Arlington Memorial Bridge and Memorial Avenue corridor. The location is not being treated as an interchangeable site for a new commemorative feature; rather, it is the specific location

identified in the historic planning framework for the bridge, Memorial Avenue, and Columbia Island/Memorial Circle. The 1924 Report of the Arlington Memorial Bridge Commission described a design concept that included monumental vertical elements at Columbia Island in connection with the bridge's western terminus and the ceremonial approach to Arlington National Cemetery. Those proposed columns were intended to frame, mark, and give architectural emphasis to the transition between Arlington Memorial Bridge, Memorial Circle, Memorial Avenue, and the entrance sequence to Arlington National Cemetery.

"Because *the current undertaking is intended to respond to and complete that historically contemplated idea at Memorial Circle*, the NPS focused its review on whether the proposed Arch, in this location, would affect historic properties and how those effects could be addressed. Locations elsewhere in Washington, D.C. or Virginia would represent a materially different undertaking because they would not implement or reference the 1924 Arlington Memorial." Revised AEO Report at 10-11 (emphasis added); see also Revised AOE Report at 35.

Similarly, during the September 9th Consulting Party meeting, you made clear that the NPS has made a final decision to implement the Arch Proposal as currently designed and at the current proposed location, and that NPS would not consider design changes or alternative locations. You explained the NPS's rationale for this decision as follows:

"The basis for the location of this particular arch is due to what is enacted in the 1925 Arlington Memorial Bridge Act, which specifies the specific location along with vertical elements to which a different location would not fulfill the same purpose as the act requirement for the arch. We looked at design changes, and over the years, elliptical plazas, cross-axis monumental pavilions, and two columns had been presented over many years that were never realized. It was determined that the current design best meets the project purpose and need and fulfills the intentions of the Arlington Memorial Bridge Commission Report from 1924 and the Act of 1925. The determination was made that no reasonable avoidance alternative exists."
https://www.nps.gov/media/video/view.htm?id=D72EFC1E-63E0-4D5E-9DDC-4CC28B53ED2B

In response to questions by the Consulting Parties as to how a massive arch could be seen as "completing" a proposal for two slender columns, you replied, "In our view, we are performing what was originally intended."

As discussed further below, it is our view that the NPS's assertion that the proposed arch is intended to "complete a historically contemplated commemorative feature at Memorial Circle" is not supported by the record.

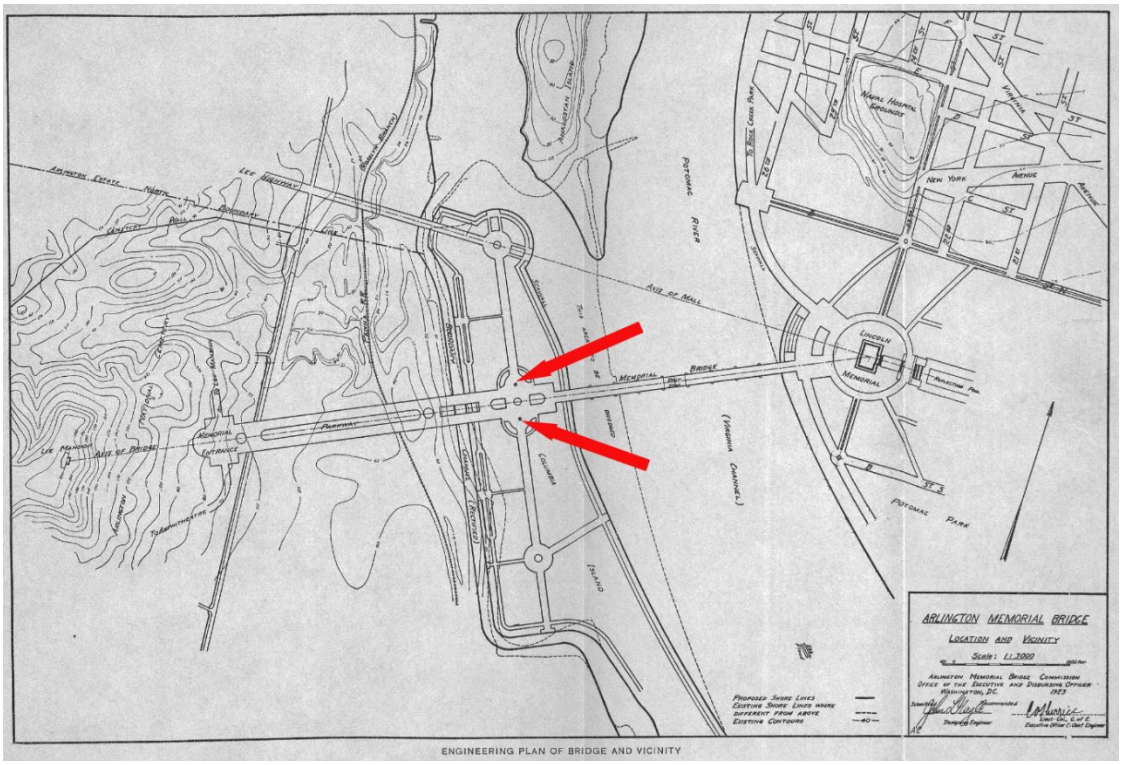
The Historical Record: What the Bridge Commission Actually Proposed in 1924

The *entire* discussion of the design concept for Columbia Island in the Report of the Arlington Memorial Bridge Commission (Senate Doc. No. 95, 68th Cong., 1st Sess., 1924) ("1924 Commission Report") is as follows:

"Even before the reclamation of Columbia Island by the dredging operations of the Corps of Engineers had advanced materially it was always considered as a suitable site for formal

park treatment, a fitting end for the Memorial Bridge, as well as an important feature in itself. Being so intimately related to the bridge, it was thought proper that the plans for the ultimate development of Columbia Island as a park should be included as part of the project for the Memorial Bridge. Accordingly, the lines of the shore of the island have been somewhat rectified to permit a cross axis almost perpendicular to the main axis of the bridge and extending the full length of the island. The intersection of these two axes has suggested a plaza with fitting architectural adornment *in a measure supplemental to the Lincoln Memorial across the river, and for this purpose two stately columns are proposed to be erected here, framing in but not interfering with the view of the Lincoln Memorial from the direction of the Lee Mansion*. These columns symbolize the one the North and the other the South. They are surmounted by statues of Victory, the stylobates whence they rise offering surfaces suitable for decorations, bas-relief, and inscriptions. The columns are 166 feet high, or practically of the same height as the Calonne de Juillet in Paris." 1924 Commission Report, at 9, 40-41 (emphasis added).

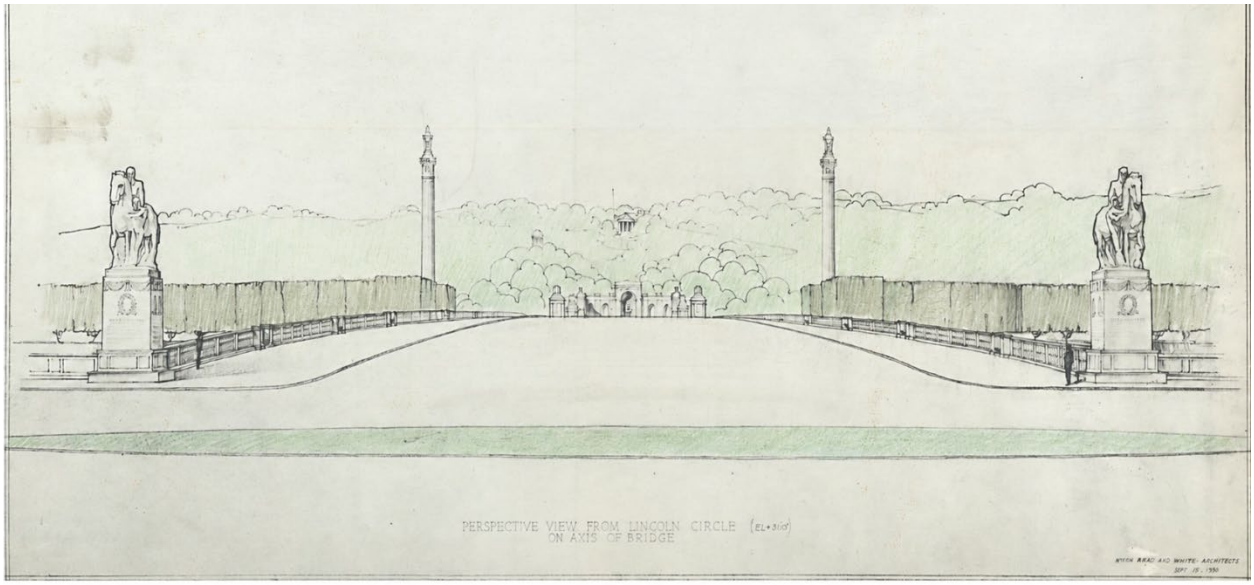
Scaled drawings accompanying the text (in plates in the 1924 report) place the two columns at approximately 300 feet apart, with diameters of less than 15 feet above the column base:



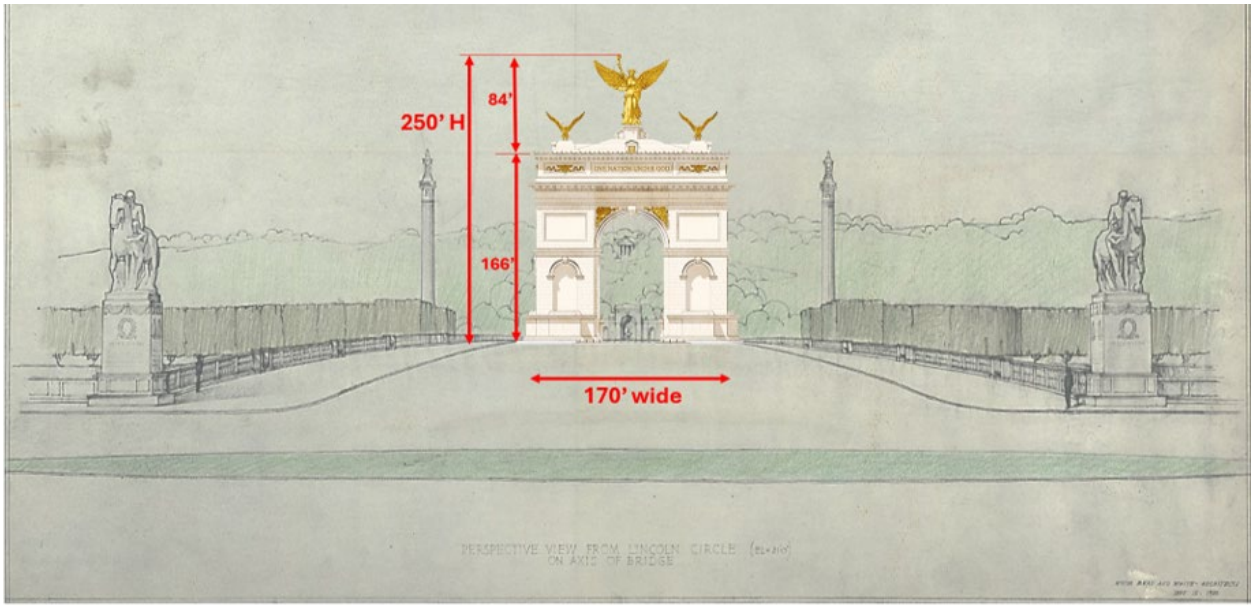
Source: 1924 Bridge Commission Report, p. 52, columns indicated with red arrows.

The distance between the columns, and their slender design, were intentional: The specific language of the 1924 Commission report makes clear that the additional architectural elements contemplated for the center of Columbia Island, i.e. the two columns, were to be (1) "supplemental" to the Lincoln Memorial, and (2) "not interfering" with the view of the Lincoln Memorial from Lee Mansion, at the heart of Arlington Memorial Cemetery. Two narrow columns 300 feet apart would have met these key 1924 design criteria; a massive triumphal arch would not.

A nearly contemporaneous rendering of a view across the proposed Memorial Bridge showing the two columns, by McKim, Mead and White, shows how open the viewshed would remain towards Arlington Memorial Cemetery.



The same view with the proposed Triumphal Arch superimposed makes clear that the proposal not only would not "complete" the 1924 design, but it is also plainly incompatible with it:



(Illustrations: *McKim, Mead & White, Architectural Records, PR42*, Department of Prints, Photographs, and Architectural Collections, New York Historical Society; Annotations by David Scott Parker, David Scott Parker Architects.)

It is impossible to reconcile these illustrations with the NPS's determination that a massive triumphal arch—more than twice the height of the Lincoln Memorial and significantly blocking views between that memorial and the Arlington Memorial Cemetery—would somehow "complete a

historically contemplated commemorative feature at Memorial Circle." In terms of size, scale, massing, and design, the proposed arch is not in any way comparable to the unbuilt columns contemplated in the 1924 design proposal; moreover, it would blatantly violate the two 1924 design criteria fundamental to the intended design of that unbuilt commemorative feature. [1]

It is the view of the Committee of 100 that the NPS's assertion that it is "completing" the earlier design concept—with a different design that violates the key stated criteria on which the original concept was based—is neither a factual nor a reasonable basis to refuse to consider less harmful alternatives as required by 36 CFR § 800.6(a).

The Historical Record (Cont'd): What Congress Actually Approved in 1925

The NPS's position appears to be that, because the 1924 design proposal by the Arlington Memorial Bridge Commission was approved by Congress in legislation in 1925, and because commemorative additions were part of that design (notwithstanding the obvious differences between two narrow columns and a massive triumphal arch), the NPS proposal is simply implementing the stated intention of the Congress. A closer review of the 1925 statute reveals that Congress's approval was more open-ended than NPS suggests, and deferred to the Commission to approve the final design of the bridge and its environs. The Commission's final design did not include either the two columns, or a massive arch.

The 1924 Commission Report included draft legislation that expressly assumed that the design concepts included in the report were not intended to be final. Specifically, the recommended legislation would have authorized the construction of the bridge "in accordance with the design, surveys, and estimates of cost" recommended in the 1924 Commission Report, except that the Commission would be expressly authorized to "make such changes in design and location of said bridge without increasing the cost of the project as in its discretion may be found to be necessary or advisable." (1924 Commission Report, at 16.) This language was, in fact, included in the final legislation approving the project. Pub. L. No. 68-463 § 1, 43 Stat. 974 (1925). This makes clear that the final design of the project was not actually set by Congress, but left to the discretion of the Commission.

And indeed, the Commission made numerous changes to the design of the bridge project — including the Columbia Island portion—before the project was eventually constructed. A number of individuals and organizations expressed concern about the columns, both because of their height and proximity to the nearby Hoover Airport but also from a design standpoint.[2]

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[1] It is also worth noting that the 1924 design principles echoed the earlier history of planning for the memorial bridge project. Earlier designs including large arches and ornamental towers were expressly rejected. See The Cultural Landscape Foundation, *A Slap in the Face of the Lincoln Memorial*, May 17, 2026, quoting Frederick Law Olmsted, Jr.: "These towers are the most conspicuous feature of the design and are so large and elaborate as to compete with the Lincoln Memorial not only in an artistic sense but in point of cost. To eliminate them from the design would involve its complete restudy as an artistic problem. Not to eliminate them would be like a slap in the face to the Lincoln Memorial and to the [McMillan] plan of which it forms a part."

[2] For example, Adolph A. Weinman, a member of the Commission of Fine Arts, "came to the conclusion that it might be better not to erect the columns, that they will be too massive, and as to height, might seem like two smokestacks standing there, and furthermore would be in conflict with the view of the pylons of the

Consequently, in December 1931, the Arlington Bridge Commission disapproved the proposed columns and they were eliminated from the design. Sue Kohler, *The Commission of Fine Arts: A Brief History, 1910-1995* at 26 (Commission of Fine Arts 1996).

The Commission's decision, supported by the Commission of Fine Arts, to eliminate the columns and other commemorative structures on Columbia Island cannot be seen as somehow failing to implement a design intended by Congress (or, as NPS suggests, to "complete" a Congressionally approved design); under the authority delegated by Congress, the Commission's decision to eliminate the columns superseded the 1924 design. NPS's proposal to change the commemorative landscape of Columbia Island more than a century later, with a new design that violates the key stated design criteria for the 1924 proposal, and which ignores the fact that the 1924 design was ultimately changed by the Commission under authority delegated by Congress, flies in the face of the original 1924 concept, the plain language of the statute, and the history of the Commission's actions. While the National Park Service clearly is entitled to propose a new design, it is not entitled to implement that design without complying with the various statutes mandating express Congressional approval, including the Commemorative Works Act, 40 U.S.C. §§ 8901–8909, the Height of Buildings Act, Pub. L. No. 61–196, 36 Stat. 452, and 40 U.S.C. §8106.

* * * * *

For the reasons stated above, it is the view of the Committee of 100 on the Federal City that the NPS's refusal to consider alternative locations or a no-build alternative under this unsupported rationale is inconsistent with the requirements of the agency's obligations under 36 CFR § 800.6(a). We again urge NPS to halt further consideration of the Arch Proposal unless and until the project is expressly authorized by Congress, or unless the project is redesigned at a location and configuration that is consistent with the authority granted to the National Park Service.

Sincerely,

Judy Chesser

Judy Chesser
Chair

Paul Edmondson

Paul W. Edmondson
Member, Historic Preservation Subcommittee

cc:

Ms. Jennifer Madello, NPS - jennifer_madello@nps.gov
Mr. Jordan Hoagland, NPS - jordan_hoaglund@nps.gov
Mr. David Maloney, DC SHPO - david.maloney@dc.gov
Mr. Reid Nelson, Executive Director, Advisory Council on Historic Preservation - rnelson@achp.gov
Consulting Parties

Arlington Memorial Bridge, the Lincoln Memorial, and. the Washington Monument." Minutes of the Commission of Fine Arts, July 1, 1931, at 4.

September 16, 2026

Ms. Tammy Stidham
Associate Regional Director – Lands and Planning
National Park Service
National Capital Region
1100 Ohio Drive, SW
Washington, DC 20242

RE: DC SHPO Comments on the Assessment of Effects Report for the Triumphal Arch Project

Dear Ms. Stidham:

Thank you for providing the District of Columbia State Historic Preservation Officer (DC SHPO) with a revised Assessment of Effects (AOE) Report and related documents for the proposed Triumphal Arch Project and for hosting a second consulting parties meeting on September 9, 2026. We also appreciated receiving electronic copies of the more than 100,000 public comments we had requested from the National Park Service (NPS) on several prior occasions. Based upon our review of this additional information and our participation in the recent meeting, we are writing to provide additional comments regarding the effects of the Triumphal Arch on historic properties in accordance with Section 106 of the National Historic Preservation Act.

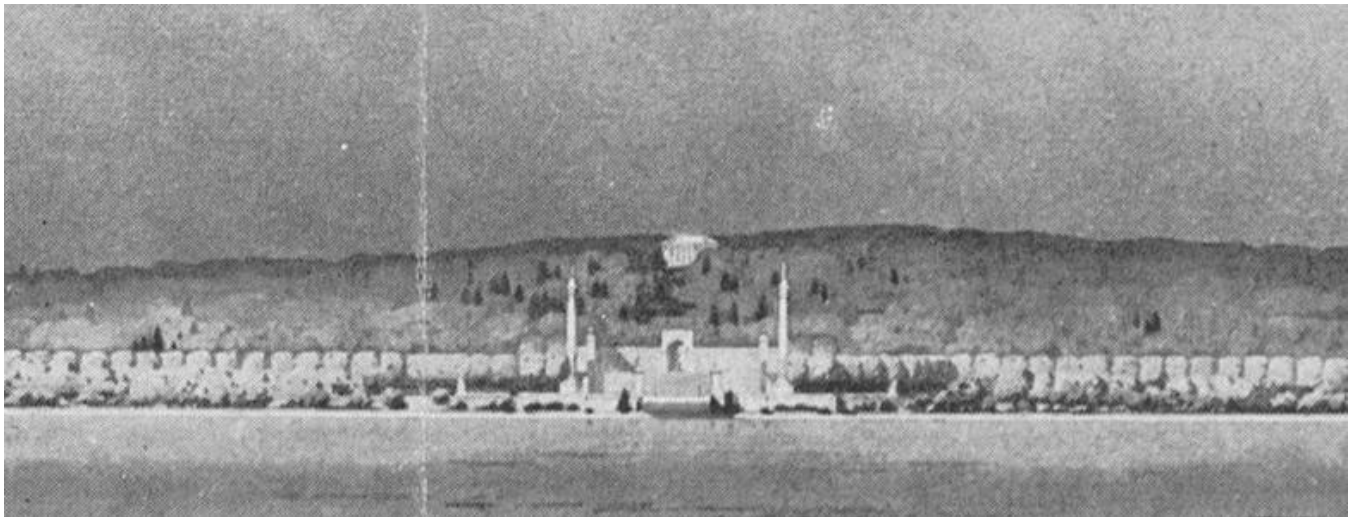
The DC SHPO concurs with the expanded Area of Potential Effect (APE) and NPS's determination that even more historic properties than originally anticipated will be adversely affected by the undertaking. According to the NPS summary tables (see attached), these include at least six National Historic Landmarks, eight historic districts, eight cultural landscapes and twenty individual properties.

However, we do not agree with every proposed finding of "no adverse effect." Theodore Roosevelt Island, for example, would also be adversely affected since its boundaries extend south of the bridge that the AOE suggests will block views of the arch. The use of 320' tower cranes for approximately one full year of construction would also cause adverse visual effects. Archaeological resources may also be adversely affected (see additional comments that follow).

In more general terms, we find that the language used to describe the nature of the adverse effects significantly underestimates the degree to which the integrity of the affected historic properties would be diminished. For example, the arch would not merely be "prominently visible." Instead, it would visually overwhelm the surrounding historic context. Likewise, the balanced architectural relationship of the Arlington Memorial Bridge complex would not merely be "altered." Instead, it would be irreparably compromised. Both these concerns are particularly relevant to the Lincoln Memorial since the proposed 250' arch would be more than twice as tall as the 99' memorial.

Foremost among our concerns with the revised AOE are the counterintuitive arguments the Purpose and Need section suggests as justification for the adverse effects. The NPS has cited the 1924 Report of the Arlington Memorial Bridge Commission and the corresponding 1925 Act of Congress authorizing construction of the bridge and related features as the legal basis for building an arch in Memorial Circle. Other sections of the AOE make similar references to suggest the arch is "inherently location dependent" and that it will somehow "complete" the McKim Mead & White design contemplated in the 1924 Report. The DC SHPO does not agree.

Obviously, neither the 1925 Act of Congress nor the design of Memorial Circle contemplated the 250th anniversary of our nation since both were completed over a century before the event. Moreover, McKim Mead & White's design envisioned two slender columns carefully situated to frame the view between the Lincoln Memorial and Arlington House and to more directly signify reunification by using one column to symbolize the North and the other, the South (see rendering below).



In stark contrast, the proposed Triumphal Arch would effectively replace much of the important view with a frame – a massive frame that would significantly narrow and restrict, if not completely obstruct portions of the view corridor. And since the proposed arch does not symbolize reunification in any way, it would be more accurate to describe the current proposal as antithetical to McKim Mead & White's design and the 1925 Act than to suggest it will fulfill or complete them in any way.

A triumphal arch would also run counter to the fervent opposition expressed by a significant majority of the more than 100,000 public comments the NPS solicited but does not appear to be heeding. We are still analyzing the massive electronic files, but our efforts thus far demonstrate that a majority of comments in opposition to the arch were submitted from all fifty states and most, if not all, U.S. territories. Matching, or possibly exceeding the national trend, approximately 93% of the roughly 11,000 comments submitted from within the District of Columbia expressed very strong opposition to the proposal.

Given the overwhelming public objections and related consulting party concerns, one would expect the AOE to offer some sort of generalized responses or at least justifications for why the comments are being disregarded. However, the only acknowledgment appears to be a public comment summary which downplays the volume of opposition by consistently using the ambiguous qualifier "some" to describe the number of objections. The consulting party comment summary merely lists the comments and provides no response of any sort. For these reasons, the DC SHPO requests the NPS to develop responses that, at a minimum, respond to the various headings under which the public comments were categorized (e.g. individual cultural resources, visitor experience, etc.).

In addition to a lack of credible support for an arch in historic designs, past acts of Congress or current public opinion, what the AOE underscores more than anything is that the NPS has still failed to meaningfully identify and evaluate alternative designs or locations that could avoid or minimize the project's multiple adverse effects. Consideration of smaller arches and the dismissal of the South Capitol Street alternative site we previously suggested fail to constitute adequate consideration of alternatives, especially in light of the number and nature of the adverse effects.

Since NPS seems convinced that Memorial Circle is the most fitting site for a commemorative monument, we request meaningful consideration of an alternative that more accurately reflects the spirit and intent of the 1924 McKim Mead & White design and the 1925 Act of Congress. Specifically, we request the NPS to evaluate design concepts consisting of two columns that truly frame, rather than limit the historic view corridor. We maintain that the development and meaningful consideration of some such alternative designs and/or alternative locations is essential for the NPS to comply with the most fundamental requirements of Section 106 for this undertaking.

With regard to archaeology, the NPS determined that Phase I archaeological identification survey was warranted but the draft Phase IB workplan received by the DC SHPO on August 24, 2026, was not approved. Following consultation with NPS on September 9, 2026, the archaeological consulting team is revising the draft archaeological workplan to include geoarchaeological coring and analysis by a qualified geoarchaeologist. The need for and locations of subsequent Phase IB mechanical trenching will be determined during consultation when the results of the geoarchaeological investigations are available. Until the identification survey is complete and identified resources are evaluated, the DC SHPO will be unable to assess the effects of this undertaking on archaeological resources.

If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, we look forward to receiving the information requested in this letter at your earliest convenience and to consulting further with all parties to continue the Section 106 review of this undertaking.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
District of Columbia State Historic Preservation Office

TRIUMPHAL ARCH ADVERSE EFFECT SUMMARY TABLES

Historic Properties

	Total Assessed	Adverse Effect	No Adverse Effect
National Historic Landmarks	**31**	**6**	25
Historic Districts	**53**	**8**	45
Cultural Landscapes	**10**	**8**	2
Individual / Other Historic Properties	**167**	**20**	147
TOTAL	**261**	**42**	**219**

Historic Properties – Adverse Effect

National Historic Landmarks — 6
- Fort Myer NHL District
- Georgetown Historic District
- National War College
- Old Naval Observatory
- Pentagon
- United States Capitol

Historic Districts — 8
- Arlington National Cemetery Historic District
- Arlington House Historic District
- Mount Vernon Memorial Highway Historic District
- National Mall Site and National Mall Historic District
- Washington Monument and Grounds Historic District
- Rock Creek and Potomac Parkway Historic District
- East and West Potomac Park Historic District
- Observatory Hill Historic District

Cultural Landscapes — 8
- Memorial Avenue Corridor Cultural Landscape
- Lady Bird Johnson Park Cultural Landscape
- Arlington House Cultural Landscape
- Lincoln Memorial Cultural Landscape
- The Mall Cultural Landscape
- Washington Monument and Grounds Cultural Landscape
- Thomas Jefferson Memorial Cultural Landscape
- Mount Vernon Memorial Highway North Cultural Landscape Inventory

Individual / Other Historic Properties — 20
- Arlington Memorial Bridge and Associated Features
- Arlington House (Robert E. Lee Memorial)
- Lyndon B. Johnson Memorial Grove
- Lincoln Memorial
- World War II Memorial
- Washington Monument
- L'Enfant Plan of the City of Washington, District of Columbia
- Arlington Ridge Park
- George Mason Memorial
- Thomas Jefferson Memorial
- Alban Towers Apartment Building
- American Institute of Pharmacy Building
- George Washington Memorial Parkway
- Halcyon House
- Francis Scott Key Bridge
- National Cathedral
- Vigilant Firehouse
- Bridge #5020 / State Bridge #5020
- Old Warehouse Area and Ground Maintenance Complex
- Frederick Douglass National Historic Site

September 16, 2026

FROM: Stephen E Hammond
Spokesperson for Family Circle of Descendants at Arlington House
shamm63989@gmail.com

TO: Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242
tammy_stidham@nps.gov

Ms. Stidham,

This letter is in response to the National Park Service (NPS) request for comments from consulting parties regarding the revised Triumphal Arch at Memorial Circle Assessment of Effects (AoE) Report, dated August 2026. We appreciate the opportunity to comment and participate in the consulting party meeting held on September 9th.

As a consulting party we are extremely concerned with how NPS is conducting this assessment. I write 'conducting' versus 'conducted' because there is still time for the NPS to take the necessary actions to follow the spirit of Section 106 guidelines. Although the Section 106 process is intended to be a collaborative, input-seeking process, it seems quite clear after the Sept 9th consultation meeting that the NPS and Department of the Interior have a directive and have made a decision on how they intend to proceed on this project despite the concerns of consulting parties. On Sept 9th, multiple consulting parties had questions and expressed concerns. In many cases, NPS either avoided answering the questions or stated no alternative exists and a decision had been made, or brushed off the comment with "I understand" and moved on to the next question.

The AoE states the following: "The purpose of the proposed undertaking is to celebrate 250 years of American independence by honoring America's founding principles through installation of an arch 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."

The Family Circle of Descendants at Arlington House (Family Circle) consists of people whose ancestors were enslaved and enslavers at the Arlington House. We have come together to reclaim the narrative at Arlington House so that it is inclusive of the entire history there, not only Robert E. Lee's history. Our goal is to serve as a role model for how our country can be healed and repaired. Few visitors know the entire Arlington House history. Installation of an arch cannot

heal, repair or convey the entire history within the space it may consume. The Family Circle seeks to inspire Americans to **R-E-A-C-H** our potential.

> **Reflect** on our history understanding that it has not all been positive
> **Educate** ourselves so that we have a more complete understanding of our nation's history
> **Acknowledge** that we, as a country, aspire to become a more perfect union
> **Celebrate** how far we have come as a nation while recognizing that we're not 'there' yet
> **Honor** those who have sacrificed and given their lives and of themselves to build and sustain our nation

An arch is not needed to accomplish the **REACH** goals listed above. The Memorial Bridge, along with Memorial Circle and the Memorial Avenue entrance to the Arlington National Cemetery were designed to create a physical and symbolic connection between the North and South: between the Lincoln Memorial and the Arlington House. Despite the Memorial Circle location inside of Washington, D.C., the symbolism and the physical location of a triumphal arch on that Memorial Circle site strongly suggests to many that the triumph is associated with the South having won the Civil War. The Family Circle includes descendants of Robert E. Lee. We know this perception is false, but perceptions are critical to creating and elevating a narrative. The existence of this proposed arch will pick at that sore of division and divide us further. This arch does nothing to celebrate our history or to heal and repair ongoing divisions in this nation.

Arlington House provides an outstanding natural vista of Washington, D.C. that shifts with the seasons. Through their labor, the enslaved ancestors of the Family Circle descendants created that vista that has been there for 208 years. It has been enjoyed and treasured by countless millions of visitors. The view is one of the defining characteristics that placed Arlington House on the National List of Historic Places. That characteristic deserves to be preserved. Construction of an arch will introduce a new prominent vertical element within a historically designed landscape whose significance is tied to axial relationships, ceremonial movement, open views, and reciprocal vistas between Washington, D.C. and Arlington House. The ground elevation at the Arlington House is approximately 205 feet above sea level. The elevation at the top of the proposed arch is 265 feet above sea level. Therefore, the top of the proposed arch is about 60 feet higher relative to sea level than the hill at Arlington House.

We are primarily concerned with the negative impact and interruption by an arch on the entire Area of Potential Effect, but specifically on Arlington House the Robert E. Lee Memorial, the Arlington House Historic District, Arlington National Cemetery and the Lincoln Memorial. If built, a 265-foot arch would destroy that panoramic vista. At a minimum the arch would adversely affect the sites listed above. The adverse effect of the destruction of that Arlington House panoramic-vista cannot be avoided, mitigated or minimized by NPS. To that end, we believe that NPS has not adequately addressed the requirements of Section 110(f) of the NHPA, which requires federal agencies, to the maximum extent possible, to undertake planning and

actions necessary to minimize harm to any NHL that may be directly and adversely affected by an undertaking.

Based on NPS's own findings of adverse effects, the Family Circle believes that this process should include meaningful consultation about whether those adverse effects can be avoided, not simply how they might be mitigated when the revised AoE already treats the selected location and the presence of a monumental vertical feature as fundamental parameters of the undertaking.

The revised AoE itself recognizes that mitigation measures that document, interpret, or compensate for adverse effects after they occur do not negate an adverse-effect finding. That distinction is important to the Family Circle. Our concern is not simply what interpretive material, documentation, or other mitigation might accompany construction of the Arch. Our concern includes whether permanent adverse effects to the historic landscape can and should be avoided in the first instance.

Several members of our Family Circle are descendants whose ancestors were enslaved by Martha Washington and managed by George Washington. Upon Martha Washington's death, dozens of enslaved people were inherited by her grandson, George Washington Park Custis. He brought them to the Arlington property that overlooks Washington, D.C today and has become the resting place of honored heroes in Arlington National Cemetery. Our ancestors were forced to clear the land, make the bricks and build the plantation house that would originally be named Mt. Washington to honor the first President. In this case, multiple things can be true. George Washington grew into a great leader; he helped establish the United States; and he served as our nation's first President. But George Washington also enslaved our ancestors. A 265-foot arch is not needed to celebrate America or its triumphs to **REACH** its potential.

Unfortunately, construction of an arch does not represent the experiences of all Americans. The Family Circle of Descendants at Arlington House includes people whose ancestors were enslavers of people brought to this country for one purpose, to serve as an economic engine to a fledgling constitutional republic and a representative democracy. While the institution of slavery was not a formal founding principle of the United States, it was a deeply entrenched pre-existing economic institution. It was the subject of major compromises during the nation's creation. Ultimately, the framers intentionally left the words "slave" and "slavery" out of the final draft of the Declaration of Independence because Georgia and South Carolina refused to join the new union without legal protections for slavery. George Washington could have taken steps to end the practice of slavery, but he did not. This is part of our history that we must acknowledge and understand. A triumphal arch is an injustice to the millions of enslaved individuals and their descendants at both the Arlington House plantation and everywhere else slavery has been a practice across the nation.

Based on the NPS' current approach there appears to be little chance to reach a compromise with consulting parties on this project. The problems and challenges associated with this project cannot be mitigated or minimalized by the National Park Service. In order for our nation to

succeed over our first 250 years, we have had to manage struggle and persevere through hatred. A triumphal arch cannot reflect that. A triumphal arch cannot change that history and we are remiss if we exclude or attempt to candy-coat the facts.

The projected cost of the triumphal arch is about 100 million dollars. For a tiny fraction of the cost for that effort, the Family Circle believes there is another way to commemorate this moment in our nation's history. Legislation is pending in Congress to redesignate Arlington House as the 'Arlington House National Historic Site.' That redesignation would modify the site's federal designation; it would not change the historical fact of Robert E. Lee's association with Arlington House. Rather, it would allow that association to be interpreted within the considerably larger history of Arlington House and the many people whose lives are connected to it. That is the purpose behind **REACH: Reflection, Education, Acknowledgment, Celebration, and Honor**. It asks Americans neither to diminish our nation's achievements nor to avert our eyes from the painful portions of our history. It asks us to understand both as we together strive to meet our full potential as individuals and as a nation.

As descendants of people who stood on different sides of that history at Arlington House, we believe that distinction matters. Our ancestors include the enslaved and the enslavers. We have chosen to come together not because we agree about every interpretation of the past, but because we believe our nation is better served when the entire history is told.

For the Family Circle, the landscape extending from Arlington House across Arlington Memorial Bridge to the Lincoln Memorial already tells a deeply American story: slavery and freedom, Civil War and reunion, sacrifice and citizenship, contradiction and progress. We ask the National Park Service to preserve the integrity of that landscape, to engage its consulting parties meaningfully in determining its future, and to consider whether America's 250th anniversary can be commemorated in a way that adds understanding to that story rather than physically or symbolically overwhelming it.

The NPS can address this now if it chooses. As a consulting party who cares deeply about this space and is directly impacted by decisions being made, we are prepared to collaborate. Family Circle of Descendants at Arlington House concurs with recent comments by other consulting parties. We look forward to continued and substantive consultation that meets, at the very least, the spirit of the National Historic Preservation Act. Section 106 consultation is intended to involve the seeking, discussing and considering of consulting parties' views and, where feasible, the seeking of agreement. We therefore ask NPS to explain how the concerns raised by the Family Circle and other consulting parties have been considered; to continue consultation regarding avoidance, minimization and mitigation of the identified adverse effects; and to do so before reaching a final decision on how this undertaking will proceed.

September 16, 2026

Tammy Stidham
Associate Regional Director, Lands and Planning
National Park Service, National Capital Region

Cc: Jordan Hoaglund, Priority Project Coordinator, National Park Service
Jennifer Madello, Superintendent, George Washington Memorial Parkway, National Park Service

RE: NPCA Comments on the Revised Assessment of Effects, Proposed Triumphal Arch at Memorial Circle, George Washington Memorial Parkway

Dear Ms. Stidham:

On behalf of the National Parks Conservation Association (NPCA) and our more than 1.9 million members and supporters, we submit these comments regarding the revised Assessment of Effects transmitted August 28, 2026, together with its appendices. These comments address the updated documents, reflect what consulting parties heard at the September 9 consulting party meeting, and renew several requests we first made in June and again on August 5 that remain unanswered.

We credit the work the National Park Service has done since June, some of which responds to what consulting parties asked for. What that work has produced, however, is a fuller account of a proposal that should not go forward at this location. The record now identifies 261 historic properties within the Area of Potential Effects and finds adverse effects to dozens of them, six of which are National Historic Landmarks. The agency's own findings conclude that the Arch would obstruct the views to the Washington Monument, Arlington House, the Lincoln Memorial, and the Capitol dome, which are the very views that define the Memorial Avenue corridor. No amount of documentation, interpretation, or landscape rehabilitation restores an obstructed view, and NPS has not claimed otherwise.

We reject the avoidance analysis in this document. NPS has written a purpose that only one site can satisfy, declined to study any alternative location or any reduced design, and then presented the absence of alternatives as a finding. That is not a good faith effort to avoid harm. It is a justification assembled after the fact for a decision that appears to have already been made.

I. This undertaking still lacks congressional authorization

We have asked NPS in every letter since June to identify, in writing, the statutory authority under which it believes this project may proceed, and we have received no answer. The revised Assessment of Effects cites Executive Order 14252 as the basis for the undertaking. An executive order directing the Secretary to develop proposals is not authorization to build a permanent commemorative structure on federal parkland, and it does not displace the framework Congress established, the Commemorative Works Act, for how commemorative works in Washington and its environs are authorized, sited, and approved. At the September 9 meeting, NPS staff identified the 1925 Arlington Memorial bridge Act as the authorizing bill for the undertaking, while acknowledging that the Act does not refer to an arch and that the 250th anniversary formed no part of the Act or the 1924 report. A statue that delegated final design decisions to a Commission which then chose not to build the structures it had contemplated does not authorize a different structure a century later. We renew our request for a written statement of authority.

II. The scale of this proposal is without precedent in the monumental core

Washington's monumental landscape is deliberately horizontal, and it has been kept that way for more than a century by design and by law. The Arch would rise 250 feet, more than double the height of the Lincoln Memorial it would stand in front of and would exceed every building in the District. It would contain 70,072 square feet across five levels, with exhibit space, restrooms, the possibility of a café and gift shop, five elevators, six stairways, a security screening area with magnetometers and x-ray equipment, and a 9,812 square foot observation deck 161 feet above grade. Nothing of that character has been built in this landscape. The Washington Monument is the only structure in the monumental core with a public observation deck, and NPS now proposes a second one, in a traffic circle, at the gate of a national cemetery.

The consequence is permanent and it is not confined to the properties in Appendix L. Anyone arriving in Washington across Memorial Bridge, anyone standing at the Lincoln Memorial and looking west, anyone visiting a grave at Arlington, and anyone driving the Parkway would experience a different city than the one that exists today and would do so for as long as the structure stands. That is the change this record documents, and it cannot be mitigated.

III. The location is inappropriate, and others should be considered

NPS acknowledges in the revised assessment that relocation would avoid some adverse effects, and rejects it on the ground that moving the Arch would sever the project from the historic planning precedent that supplies its rationale. Because the purpose has been drafted around a single site, the resulting absence of alternatives is treated as a conclusion rather than as a consequence of how the purpose was written. Section 106 asks whether harm can be avoided or minimized, and that question cannot be answered by refusing to examine the options that would avoid it.

NPS states that reduced Arch heights were dismissed in part because they were not considered representative of the 250th anniversary milestone. A less harmful design was therefore set aside because its height in feet did not match a number of years. We are not aware of any principle of historic preservation law under which numerical symbolism outweighs the statutory duty to minimize harm, and we ask NPS to withdraw that rationale.

NPS grounds the undertaking in the 1924 Report of the Arlington Memorial Bridge Commission, but by the agency's own account that concept called for two freestanding columns representing national reunion, which were scaled back during the 1930s and ultimately replaced with smaller sculptural pavilions. Two columns flanking an axis are not an occupied building spanning it. A design that was considered and deliberately abandoned a century ago is not a precedent that this project completes.

At the September 9 meeting, NPS stated that for this project it is not considering alternative locations or changes in design, and that only different sizes of the same structure were evaluated. NPS also offered a rationale for rejecting smaller heights that does not appear in the written assessment, namely that they blocked views rather than framed them. Both State Historic Preservation Officers stated on the record that they do not accept that this design is location dependent. We ask NPS to produce the height alternatives it states it evaluated, the analysis behind their rejection under each rationale it has offered, and renderings of those alternatives from the vantage points used in Appendix H, and to develop and circulate a genuine range of alternative locations, including those the District of Columbia State Historic Preservation Officer has identified.

IV. This would change the character of use of the nation's ceremonial route into Arlington National Cemetery, and the assessment does not evaluate it.

Memorial Avenue and Memorial Circle are not ordinary roads, but the route along which the nation escorts its fallen into Arlington, and that use is a character-defining feature of both the Memorial Avenue corridor and the cemetery's historic district. Because a change in the character of a property's use is an adverse effect, we would expect the assessment to evaluate one, and it does not.

What the transportation appendix proposes is a fundamental reworking of how this interchange functions. NPS would fully signalize Memorial Circle, add eight signalized pedestrian crossings into its center, eliminate every existing yield and merge movement, narrow the circulating roadway to roughly twenty feet, and install forty-eight traffic signal systems. Memorial Circle is one of the most heavily used points in the region, connecting Arlington National Cemetery, the Pentagon, Reagan National Airport, Arlington Memorial Bridge, I-395 and Route 27, Route 50, and the District. It carries some 16,700 vehicles a day today and is projected to carry 22,500 by 2046. Converting a free-flowing rotary of that consequence into a signalized intersection is a permanent change to the daily lives of the people who live and work in this region, and the assessment characterizes it only as an improvement to visitor safety.

The construction period would be worse still. Over two to three years, the south half of Memorial Circle would close while two-way traffic detoured to the north side, westbound traffic from Memorial Bridge would drop to two lanes, the eastbound turn from Memorial Avenue to northbound Arlington Boulevard would be prohibited, northbound traffic from Washington Boulevard would be barred from the circle entirely, and the sidewalk on the south side would be rerouted. The traffic control sheets show a signed detour reading “Memorial Circle Closed, Arlington Ahead.” For commuters, that is years of disruption at a choke point with no practical alternative. For Arlington, which conducts thousands of services each year, it means funeral processions moving through an active construction zone, and the record does not estimate how many, or what delays they would face, or what that would mean for families arriving to bury someone.

Visitation goes unaddressed altogether. A destination of the size described above, placed in the entrance sequence of a national cemetery, will draw crowds, and the record contains no visitation estimate, no parking or bus staging analysis, and no assessment of how visitor traffic would interact with funeral traffic or with regional commuting. The sole accommodation is a pickup and drop-off zone on Memorial Avenue, which is to say on the procession route itself.

Before it issues a finding, we ask NPS to prepare a traffic operations analysis comparing the signalized circle to existing conditions for current and projected volumes, a projection of visitation together with its parking and staging demand, an analysis of construction-period and permanent effects on cemetery operations developed with Arlington National Cemetery and the Department of the Army, an assessment of emergency access, and an express finding on whether the undertaking changes the character of use.

V. Veterans Organizations and Landmark Stewards Still Have Not Been Invited

We have raised this consistently, and it remains true today that no veterans service organization and no organization representing the families of those buried at Arlington is a consulting party in this review. NPS has concluded that the Arch would adversely affect the Arlington National Cemetery Historic District, Arlington House, the Memorial Avenue corridor along which the nation escorts its dead, Arlington Ridge Park and the Marine Corps War Memorial within it, Fort Myer, the Pentagon, and the National War College, and there is no remaining explanation for their absence from the table.

The same gap extends to the institutions that built, own, or care for the properties NPS now says would be harmed, several of which are private organizations that have never been told a federal project has been found to harm their property. We ask NPS to send written invitations to consult, and to document those invitations to the consulting parties, to organizations such as:

- Veterans service organizations, including The American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, Paralyzed Veterans of America, Vietnam Veterans of America, Iraq and Afghanistan Veterans of America, and the Military Order of the Purple Heart;

- Organizations representing the families of the fallen and of those buried at Arlington, including Gold Star Wives of America, American Gold Star Mothers, the Tragedy Assistance Program for Survivors, and the Society of the Honor Guard, Tomb of the Unknown Soldier;

- The organizations that built and steward the affected memorials, including the Military Women's Memorial at the Arlington Hemicycle, the Vietnam Veterans Memorial Fund, the Korean War Veterans Memorial Foundation, Friends of the National World War II Memorial, and the Marine Corps Heritage Foundation;

- The owners and stewards of the Landmarks and other properties NPS says would be harmed, including the Protestant Episcopal Cathedral Foundation, Georgetown University, the George Washington University, the National Society Daughters of the American Revolution, the National Academy of Sciences, Tudor Place, Dumbarton House, the Washington Canoe Club, and the Embassy of the Kingdom of the Netherlands as steward of the Netherlands Carillon;

- Preservation and civic organizations, including the Arlington County Historical Affairs and Landmark Review Board, the Alexandria Board of Architectural Review, and the affected Georgetown, Foggy Bottom, and Arlington Ridge citizens associations; and

- Federally recognized Tribes, on a government to government basis, with that consultation documented to the consulting parties.

We note that the NPS National Historic Landmarks Program recommended at the September 9 meeting that NPS consult directly with the owners of the adversely affected Landmarks. We agree, and that consultation should begin with a written invitation to participate. Please provide a roster of the current consulting parties ahead of the next convening.

VI. The Review Schedule and the Choice of a Programmatic Agreement Do Not Fit This Project

NPS transmitted the revised Area of Potential Effects, the property list, the viewshed analysis, and the effects tables at the end of the day on July 28 and asked for written comment by August 6, which is seven business days. That follows the ten days consulting parties were given in June to review the original assessment of effects and the draft agreement, a window to which both State Historic Preservation Officers objected at the time. Consulting parties are now being asked to advise on the application of the criteria of adverse effect to 261 historic properties, with the first consulting party meeting of this review convened on September 9, one week before comments were due, without visual simulations, and without any written response to the comments and objections already filed. We ask NPS to extend the deadline by at least 60 days, to convene a further consulting party meeting before any finding is issued, and to circulate a written response to the comments received to date. NPS indicated at the meeting that it wishes to move toward a memorandum of agreement. Both State Historic Preservation Officers responded that discussion of an agreement is premature and that mitigation is unlikely to be the answer to effects of this severity. We agree.

The questions of authority, alternatives, and effects must be resolved before any agreement document is drafted.

At the September 9 meeting, NPS confirmed that the project has not been submitted to the National Capital Planning Commission for final review and will not be on the Commission's October agenda. NPS stated that it anticipates submitting in November if Section 106 can be concluded by the Commission's submission deadline. We appreciate the confirmation as to October, and we ask that the November target not be permitted to set the pace of this consultation. Section 106 cannot be concluded on that timeline given what remains unresolved, and final Commission action taken while consultation remains unfinished would prejudge the outcome the process is meant to protect.

VII. The Environmental Review Should Be Reopened

When NPS issued its Finding of No Significant Impact on June 18, it had not completed the identification of historic properties, had not drawn the Area of Potential Effects it now describes as final, and had not conducted the viewshed analysis that produced most of the adverse effect findings now before consulting parties. The finding also carried no mitigation. It is difficult to reconcile a conclusion of no significant impact with an administrative record that, six weeks later, documents adverse effects to 42 historic properties, six of them National Historic Landmarks, and with adverse effect determinations that NPS acknowledges it is still in the process of revising.

Because the environmental analysis and the Section 106 record have now diverged this far, we ask NPS to reopen the environmental review, incorporate the identification and effects work completed since June, and provide the public a further opportunity to comment on the analysis as revised. NPS stated at the September 9 meeting that it plans to update the environmental assessment to reflect the additional adverse effects but does not plan to take public comment on the updated document. An assessment revised to account for 42 adverse effects, six of them to National Historic Landmarks, is a materially different document from the one the public reviewed, and it should be circulated for comment. Our position remains that an environmental impact statement is warranted for a project of this scale and effect, but at a minimum NPS should withdraw the Finding of No Significant Impact and issue a revised environmental assessment that reflects what its own staff have since found.

VIII. Alternatives Belong on the Table Now

The District of Columbia State Historic Preservation Officer has identified other locations, including the vicinity of the Frederick Douglass Memorial Bridge, that would not produce these effects, and additional candidate sites are already listed in the Commission's Memorials and Museums Master Plan. An agency cannot reasonably determine whether harm is capable of being avoided while declining to examine the options that would avoid it.

We therefore ask NPS to develop and share with consulting parties, before it issues a finding, an alternatives analysis that includes the locations the District of Columbia State Historic Preservation Officer identified, the sites in the Memorials and Museums Master Plan, substantially smaller designs at the current site, other ways to mark the 250th anniversary that would not require a permanent monument in this landscape, and a no action alternative treated as a genuine choice.

NPCA will remain at the table as a consulting party. We note the Secretary's September 3 statement that construction would begin within two weeks, which NPS explained at the meeting as a reference to Phase 1B archaeological work. We ask NPS to confirm in writing that no ground disturbance beyond archaeological identification will occur before Section 106 is complete, and that NPS make its effects

determination and reconvene consulting parties before any further commitment of resources.

Sincerely,



Edward Stierli
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National Trust for Historic Preservation®

September 16, 2026

Tammy Stidham
Associate Regional Director – Lands & Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

via email: tammy_stidham@nps.gov

Re: Proposed Triumphal Arch at Memorial Circle, Washington, DC

Dear Ms. Stidham,

The National Trust for Historic Preservation ("National Trust") thanks the National Park Service ("NPS") for the opportunity to comment on the revised Assessment of Effects Report for the proposed Triumphal Arch at Memorial Circle. The National Trust also appreciates NPS's extension of the comment deadline to September 16th. As we have stated in previous letters, the Section 106 consultation for this undertaking is unreasonably rushed, especially given the extraordinary magnitude of the proposed project's adverse effects, and the unparallel national significance of the dozens of historic resources that would be adversely affected. The National Trust believes that it is also necessary for NPS to pause this consultation to address multiple critical, unresolved issues of national importance, including significant deficiencies regarding compliance with established statutory and regulatory requirements.

One of these critical issues is that NPS is required by the NHPA and its implementing regulations to seek to avoid and minimize adverse effects, yet it has failed to do so. 54 U.S.C. §§ 306101-02, 306108, 306131; 36 C.F.R. § 800.6(a). The Assessment of Effects further documents NPS's refusal to consider any changes to the location, height, scale, mass, or design of the proposed Arch. NPS's refusal to consider such avoidance or minimization measures is a violation of NPS's legal responsibilities and has rendered this Section 106 consultation virtually meaningless. More recently, the late afternoon release on September 15 of a Memorandum of Agreement that the consulting parties have only 3½ business days to review – without even waiting for comments to be received on the Revised Assessment of Effects – confirms the perception that the NPS is merely going through the motions and has no intention of taking into account the effects of the project or responding to any comments.

Even simple, common sense design changes that would help avoid adverse effects have been barred from consideration. For example, the National Trust is deeply concerned by the proposed Arch's elevated observation deck. It is extremely disrespectful to construct a platform from which tourists will be able to look down into Arlington National Cemetery

and witness and even photograph the funeral services of our nation's fallen heroes. The Assessment of Effects simply ignores this outrageous adverse effect, even though it could be easily avoided by eliminating the observation deck from the design.

Similarly, the Assessment of Effects fails to reasonably consider many of the disrespectful adverse effects that the rushed construction of the proposed Arch will inflict upon Arlington National Cemetery. The proposed construction timeline is 2-3 years, during which construction will be 7 days a week, 20 hours a day.[1] During that time, there will continue to be as many as 27 funeral services conducted at Arlington National Cemetery per day.[2] Yet the Assessment of Effects fails to consider specific measures to avoid or minimize the effects of construction on those services, and NPS refuses to explore any avoidance or minimization options that would require significant changes to the proposed Arch's design or construction timeline.

Consider that the rules of Arlington National Cemetery require visitors to "speak quietly" and "respect funeral services" so that "each funeral is executed with the utmost dignity and respect".[3] Federal law bans musical instruments, loudspeakers, and audio devices within Arlington National Cemetery. 32 C.F.R. § 553.33(9). NPS is now proposing to subject this sacred space to years of loud, intrusive construction noise and disruption, while placing a massive new structure within its historic viewshed.

NPS's assertion that they will coordinate with Arlington National Cemetery to avoid or minimize construction noise and traffic impacts to funeral services is impossible given the number of funeral services conducted daily and the pace of construction proposed. The construction timeline for the Arch and the scale of its construction due to its massive size is simply incompatible with the number of funeral services conducted daily at Arlington National Cemetery. NPS must further evaluate this undertaking's likely adverse effects related to construction activities and develop specific restrictions that ensure appropriate respect for the funeral services of our nation's heroes.

The National Trust is additionally concerned that multiple other aspects of this consultation are in clear violation of the law. For example, the proposed undertaking is in violation of the Commemorative Works Act, 40 U.S.C. §§ 8901–8910, and the Height of Buildings Act, Pub. L. 61-196, 36 Stat. 452. There is no evidence that Congress has authorized this undertaking as required by the Commemorative Works Act, nor has the Height of Buildings Act been amended to permit the proposed Triumphal Arch to exceed 130 feet (as it was for previous buildings allowed to exceed that limit). NPS cannot advance a Section 106 consultation where the subject undertaking is illegal. The National Trust again urges NPS to pause this consultation to deal with these serious issues.

Any suggestion that this undertaking was somehow authorized by Congress via its adoption

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[1] Pg. 11, ¶ 1, Final Assessment of Adverse Effects.

[2] https://www.arlingtoncemetery.mil/Funerals/Attending-a-Funeral.

[3] https://www.arlingtoncemetery.mil/Visit/Visitor-Tips *and* https://www.arlingtoncemetery.mil/Funerals/Attending-a-Funeral.

of the 1924 Report of the Arlington Memorial Bridge Commission, or that this proposed undertaking is somehow consistent with that report, is ridiculous on its face. The adoption of a report recommending two slender 166-foot columns at Memorial Circle cannot be reasonably construed to authorize the construction of a massive, bulky 250-foot Arch. The difference between the two proposals is dramatic and obvious. The adoption of a report by Congress almost 100 years ago also cannot provide authorization for a newly proposed project. In any event, if this project is supposedly an execution of the 1924 Report, we agree with the DC State Historic Preservation Office that the NPS must at the very least evaluate alternatives that literally incorporate the 1924 McKim Mead & White design, with two narrow columns limited to 166 feet in height and separated by 300 feet.

Before proceeding to the next step of the Section 106 consultation process (which NPS has already improperly invoked), a number of legal deficiencies must be addressed and corrected, in addition to the Commemorative Works Act and the Height of Buildings Act, For example:

- **NPS has failed to identify all historic properties within the Area of Potential Effects**. During the September 9 consultation meeting, Arlington County and the Virginia SHPO both pointed out that the identified historic properties included only properties listed in the National Register of Historic Places, but the NPS failed to include properties *eligible* for the National Register, as required by the Section 106 regulations, 36 C.F.R. § 800.16(*l*). This egregious omission must be corrected before moving on to considering how the adverse effects can be avoided, minimized, and/or mitigated.

- **NPS has failed to resolve disagreements regarding No Adverse Effect determinations**. We appreciate that the NPS is now acknowledging that at least 42 historic properties will be adversely affected, including 6 National Historic Landmarks, 8 historic districts, 8 cultural landscapes, and 20 individually significant historic properties. However, consulting parties have expressed disagreement with some of the NPS's No Adverse Effect determinations, and those disagreements must be resolved before moving on to the next step of the consultation process by referring the disagreement to the Advisory Council on Historic Preservation, as required by 36 C.F.R. § 800.5(c)(2). For example, the DC SHPO has cited a disagreement with the No Adverse Effect determination for Theodore Roosevelt Island, and the National Trust continues to disagree with the NPS assumption that visual impact from the publicly accessible rooftop of a building is inherently not adverse.

- **NPS has failed to comply with Section 110(f) of the National Historic Preservation Act**. For the six adversely affected National Historic Landmarks, the NPS has failed to comply with the requirement to "undertake such planning and actions as may be necessary to minimize harm to the landmark" "to the maximum extent possible." 54 U.S.C. § 306107.

- **NPS has failed to comply with the National Environmental Policy Act (NEPA)**. The Finding of No Significant Impact (FONSI) was issued on June 18, 2026

(just three days after the first Section 106 consultation meeting), and was completely unsubstantiated. It also provides additional evidence that NPS is merely going through the motions of a review, and has already made its decision. At the September 9 meeting, NPS stated its intention to conduct an updated NEPA review, but that it would not allow any public comment! In light of the acknowledged adverse effects on 42 historic properties, and the receipt of more than 100,000 public comments in opposition to the project, the failure to prepare an Environmental Impact Statement and the failure to allow public comment during the NEPA review is indefensible.

- **NPS has failed to ensure compliance with Section 4(f) of the Department of Transportation Act**. As we have previously pointed out, the Federal Aviation Administration and Federal Highway Administration have review and approval roles for this project that require compliance with Section 4(f), which prohibits the "use" of historic sites and parks unless there is no feasible and prudent alternative, and the project includes "all possible planning to minimize harm." 49 U.S.C. § 303(c); 23 C.F.R. Part 774. Not only would the proposed Arch be built directly on federal historic park land, thus resulting in a "use," but the Arch would also result in a "constructive use" of Arlington National Cemetery, because "the project's proximity impacts [would be] so severe that the protected activities, features, or attributes that qualify the property for protection [would be] substantially impaired." 23 C.F.R. § 774.15(a).

Overall, the National Trust remains deeply concerned that NPS's approach to this undertaking is both legally inadequate and fundamentally disrespectful to Arlington National Cemetery and the dozens of other historic resources that would be adversely affected. There are numerous critical issues that have not been adequately addressed during this consultation, and the subject undertaking is blatantly illegal. The National Trust urges NPS to slow down the unreasonably accelerated pace of this Section 106 consultation to consider these critical issues and to allow for a more reasonable evaluation of the proposed undertaking's adverse effects.

Sincerely,

Elizabeth S. Merritt
Deputy General Counsel

Chris Cody
Senior Associate General Counsel

National Mall Coalition

September 16, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, D.C. 20242

Via email: tammy_stidham@nps.gov

Dear Ms. Stidham:

Thank you for holding the Section 106 consultation for the Triumphal Arch at Memorial Circle project on September 9th. The National Mall Coalition ("Coalition") provided comments on the Arch project on June 15, 2026, and additional comments on July 19th. We still await responses from NPS to our many questions and concerns raised in those two letters. Our comments today focus more specifically on the Section 106 meeting on September 9th.

We are in strong agreement with objections stated during that session and in subsequent communication by the DCSHPO, the DC Preservation League, and other consulting parties. The MOA proposed by NPS is not only grossly premature, it preempts any meaningful public consultation on the crucial questions of alternatives to the site and the design, which the NPS has stated they will not consider. What kind of Section 106 process is this? It fails miserably. As others have noted, NPS is derelict in its duties in continually asserting that NPS will not consider any alternative sites or design for the Arch. We call on NPS to answer the questions and concerns the Coalition, DCSHPO, C100, Cultural Landscape Foundation, and many others have raised with real answers, not dismissals. The 1924 Memorial Bridge Commission report that NPS cites as the plan for the Arch called, as DCHPO states, for two slender columns, not a massive triumphal arch. The purpose of those columns was to frame the view to Arlington, not to celebrate our nation's 250th anniversary. The 1924 report is absurd as a historical justification for the site, the architectural form, and the meaning of this massive, obstructive Arch project.

We reiterate:

- What are the alternatives NPS is considering, including South Capitol Street and maybe Barney Circle (as proposed some years ago)?

- What other designs or architectural forms have been considered besides a triumphal arch, historically associated with military victory, or different sizes and treatments of an arch form?
- How does NPS, as our nation's premier interpreters of America's historic sites, explain the meaning of placing a triumphal arch on the symbolic axis connecting the Lincoln Memorial to Arlington National Cemetery and Arlington House? I have heard and read nothing that explains how this symbolic triumphal form respects Washington's design symbolism, let alone how that form, on that location, celebrates 250 years of American democracy.

To that last point, on a personal note, as an art historian and lecturer on Washington architecture for over 30 years, as well as chair of a nonprofit committed to protecting the brilliant legacy of the 1791 L'Enfant Plan and 1902 McMillan Plan, I propose that locating a colossal Triumphal Arch at Memorial Circle will not only destroy key components of Washington's symbolism as an embodiment of our nation's history. It may raise serious outrage by ordinary Americans as well as historians for the political message it appears to convey: that the Confederacy, or its ideology that still has many proponents today, won the Civil War after all. The Arch severs the physical, symbolic, and visual connection between Lincoln and Arlington House that signifies reunification, reconciliation.

We urge NPS to go back to the drawing board with the Triumphal Arch project, open a Section 106 consultation process, and begin discussions about alternative sites, forms, and meaning. Let's start by asking how and where we can respectfully honor the 250th anniversary of American democracy.

Sincerely,

Judy Scott Feldman

Judy Scott Feldman, PhD
Chair, National Mall Coalition
jfeldman@nationalmallcoalition.org

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Memorandum

To: Tammy Stidham, Associate Regional Director, National Park Service (NPS)

Date: September 21, 2026

From: Mical Durak, Historic Preservation Program (HPP), CPHD

Subject: HPP Feedback on Memorandum of Agreement (MOA) – September 2026

Thank you for reaching out to seek input on the Memorandum of Agreement (MOA). Please see below for Arlington County's Historic Preservation Program's (HPP) comments:

Feedback on the Memorandum of Agreement (MOA):

- Pages 1-2: The National Park Service (NPS) continues to reiterate that the purpose of the construction of the triumphal arch is to "celebrate 250 years of American independence by honoring America's founding principles through [the] 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 that the undertaking is "location-dependent and is proposed for Memorial Circle because the proposed arch is ground in the historic planning and design intent for the Arlington Memorial Bridge, Memorial Avenue, Columbia Island, and Memorial Circle corridor…".
    - It remains unclear to HPP staff how this particular design for the triumphal arch being presented celebrates the 250th anniversary of America and how it meets the original design intent for the corridor.
    - The original 1924 Report of the Arlington Memorial Bridge Commission called for the construction of vertical monumental elements at Columbia Island, that measured 33.5 feet wide and 166 feet tall. In short, the original proposal called for something significantly smaller and more in proportion with the surrounding landscape, in comparison to NPS's current proposal. The construction of a commemorative feature of that original scale in this area would comply with the original plans. HPP staff believe that the scale and massing of the proposed 250-foot-tall triumphal arch fall outside of the original scope of that plan and do not comply with its intended spirit, undermining any reliance on the initial intentions.
    - Furthermore, it is unclear how the proposed arch would be a new destination for learning and contemplation by the public as previously described by NPS in the Assessment of Effects (pg. 11) and how the arch specifically connects to the 250th anniversary of America aside from the 250-ft. tall design.

  - Given these ongoing issues, HPP staff do not believe that NPS has sufficiently explored alternative locations or designs for the triumphal arch to avoid grave impacts on historic properties and to better connect to the stated "purpose" of the undertaking, which as drafted could support any number of projects in any number of locations. No bonafide consideration of alternative designs of locations has been demonstrated to consulting parties to justify that the proposed triumphal arch must be located within this specific area and must have this specific design to meet the purpose and need as presented by NPS. We continue to request that any study completed of a smaller arch design or alternative project designs be shared with consulting parties for their review.
- Page 3: NPS lists the number of identified historic resources within the Area of Potential Effects (APE) of this undertaking. HPP staff continue to maintain that NPS has not sufficiently identified all National Register of Historic Places (NRHP)-eligible historic resources, such as properties that have not been previously identified but meet the age requirements for eligibility in Arlington County and that a comprehensive architectural survey still needs to be completed to assess eligibility and effect on eligible resources. This request was shared with NPS both via our feedback on the Assessment of Effects (AoE) as well as during the consulting party meeting on September 9th, 2026, but remains unaddressed by NPS.
- Page 5: HPP staff request that NPS address the role and responsibilities of consulting party members in the "Roles and Responsibilities" section of the MOA.
- Page 6 – 13: HPP staff recognize the proposed mitigation measures outlined in the MOA. HPP staff would support the implementation of all these measures to mitigate the large impact of this undertaking on surrounding historic and cultural resources.
  - Page 6: Construction management control is essential, especially given the impact the construction of this proposed undertaking would have on the daily operations of the Arlington National Cemetery (ANC). HPP staff have concerns about the potential noise impact of this project on the cemetery during solemn events. Furthermore, NPS notes that they would coordinate with ANC to "avoid disruptive construction activities during funerals". ANC has 24 to 27 funerals a day and had over 5,200 funerals in fiscal year 2025 alone. HPP staff strongly urge NPS staff to consider how this project will impact these operations to honor and remember those who have served and how it is a virtual certainty this project's construction activities will impact active funerals at ANC given their frequency.
  - Page 7: Under "Archaeological Investigation," HPP staff seek clarification on the archaeological monitoring proposed. NPS notes that archaeological monitoring would occur during "excavation, foundation work, and utility installation", but notes that monitoring would occur during "deep excavation" in the same section. Given the potential for archaeological resources, as noted by NPS, monitoring during any excavation would be warranted – not just during "deep excavation."
  - Page 7: HPP staff also seek clarification on what NPS is referring to when citing the "public archaeology component".
  - Page 10: Under "Documentation," NPS offers oral histories as a mitigation measure; however, it notes that "transcripts and recordings would be archived and, where appropriate, made available for interpretation, research, and public education". Could NPS explain what transcripts would be made available? Who

will make the determination on sufficient or significant worthiness of retention? How would this be a true mitigation measure if this information was not available to the larger public for research and study?

  - HPP staff want to reiterate that the terms of mitigation should apply to all adversely effected properties such as, but not exclusive to, Memorial Circle, Arlington Memorial Bridge, Memorial Avenue, ANC, Arlington House, and the Lincoln Memorial corridor. Furthermore, for the mitigation efforts proposed that would not have placement on or near the site, the final products should be accessible to the public either through a repository such as the Library of Congress or a website. HPP staff would like to be notified where those items are located in the future so we can request access to them.
  - Outside of what was proposed in the MOA for mitigation, NPS should also consider further measures to support American troops and veterans utilizing these areas (both the ANC and the Military Women's Memorial) given the impact this proposed project would have on that landscape and those spaces. NPS should also consider the use of easements or placement of other limitations on future redevelopment for these historic areas and cultural landscapes.

- Pages 13 – 15: HPP staff request that consulting parties, not just Signatories, are issued a "summary report detailing work undertaken pursuant to its terms, or a statement of 'no activity'" as outlined in the Monitoring and Reporting section of the MOA on pgs. 13 – 14. Furthermore, we request that consulting parties, not just Signatories, are also informed of any "post-review discoveries" as outlined on pgs. 14 – 15. Given the scale and noted impact of this proposed undertaking on historic resources, we feel it is appropriate and essential to continue to inform and involve consulting parties identified as part of the current Section 106 process in any future discussions and changes to the proposed undertaking.
- NPS notes in several sections (Post-Review Discoveries, Dispute Resolution, Non-Compliance, Termination, and Withdrawal) that "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." HPP staff request that this statement be omitted from the MOA as we believe that under these specific circumstances, a halt in construction activities is not only appropriate but essential. For example, NPS explains in the Non-Compliance, Termination, and Withdrawal section what would occur if the MOA was terminated. HPP staff believe that all construction activities and work on the project should cease in the event there is no active MOA for the proposed undertaking to ensure that mitigation efforts related to the project are still guaranteed to be undertaken.

Although HPP staff can appreciate NPS's interest in developing a MOA for this project, we believe that reaching this step and requesting signatures to the MOA is premature. NPS has not adequately addressed several of HPP staff's concerns and comments, and those of other consulting parties, from previous review cycles of Section 106 documents and meetings. We continue to maintain that NPS has not sufficiently considered avoidance or alternative options for this project, that it remains unclear what the ultimate purpose of the triumphal arch would be and how it would benefit the American public, and that NPS has not fully and appropriately analyzed the impact this project would have on all historic resources within the APE. Without providing this critical information and without bonafide consideration of avoidance or alternative

options for the proposed undertaking, this process fails to comply with the requirements of the Section 106 process. HPP staff do not believe this project has reached the point of development where discussions about mitigation are appropriate; this should come after all other concerns, and an exploration of alternative options, are fully discussed and documented.

Finally, HPP staff continue to maintain that the requested review period by NPS of consulting parties does not follow standard protocols. Requesting that consulting parties review and sign an MOA within less than a week is inappropriate and unreasonable. Furthermore, this review request was made by NPS before the stated deadline of September 16, 2026, for all consulting party comments on the AoE indicating that NPS was not taking those comments into consideration as part of their development of the MOA. As with the past four engagements with consulting parties, it does not follow the standard Section 106 process.

Given HPP staff's ongoing, articulated concerns regarding this undertaking, and because several substantive comments from Arlington County and other consulting parties remain unresolved, Arlington County does not concur with the proposed MOA and will not be a signatory at this time. NPS has not adequately addressed concerns raised during previous reviews of the Section 106 documentation and consultation process.

We welcome future opportunities to meaningfully engage in the Section 106 process for this undertaking in the future, and welcome reviewing the MOA again once our outstanding concerns, and those of other consulting parties, have been satisfactorily addressed by NPS.

Mical Durak
Historic Preservation Principal Planner

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

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 POTENTIAL ADVERSE 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 TRIUMPHAL ARCH PROJECT

NATIONAL PARK SERVICE

_____

Jennifer Madello — Date
Superintendent
George Washington Memorial Parkway

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 Date
DC Historic Preservation Officer

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

The Committee of 100
on the Federal City

945 G Street, N.W., Washington, D.C. 20001 ◆ www.committeeof100.net ◆ info@committeeof100.net

September 21, 2026 By email: tammy_stidham@nps.gov

Ms. Tammy Stidham, Associate Regional Director
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

RE: Section 106 Consultation, Triumphal Arch – Comments of the Committee of 100 on the Federal City: Proposed MOA and Other Matters

Dear Ms. Stidham:

On behalf of the Committee of 100 on the Federal City ("Committee of 100"), we write in response to your request to the Consulting Parties to provide written comments on the proposed Memorandum of Agreement ("MOA") on the proposed Triumphal Arch (the "Project").

1. As a preliminary matter, and as previously conveyed to you by email on September 17, 2026, we object to the three and a half day comment deadline stated in your request. Because this is a major substantive proposal, it is simply unreasonable and inconsistent with the purpose and spirit of the Section 106 process to provide only three and a half working days for the Consulting Parties to respond.

2. Before providing comments on the proposed MOA, we would like to address the subject of the newly-proposed military use of the Triumphal Arch.

During the September 9, 2026, Consulting Party meeting hosted by NPS, you were expressly asked about whether there was any change in the proposed use of the Triumphal Arch for military purposes:

> "*Paul Edmondson, Committee of 100*: Just a quick follow-up question on Secretary Burgum's statement. He referred to what's been previously called the public viewing platform as a military viewing platform. Does that indicate any change of purpose or change of use intended for this property?
>
> "*Tammy Stidham, National Park Service*: Not that I am aware."

Despite this, as widely publicized, over the past weekend President Trump announced that the proposed arch is now planned to be a "top grade" military complex and will "house, store, and have the rapid ability to use large numbers of drones, plus Snipers, on both the roof and plaza areas, and additionally have and hold large quantities of sniper ammunition in storage." Given this, it appears that Secretary Burgum's statement on September 3, 2026, was either prescient, or that he had prior knowledge of plans to use the arch as a military facility which had not been shared with the National Park Service.

On behalf of the Committee of 100, we request that the National Park Service pause the current Section 106 Consultation Process so that NPS and the Consulting Parties have an adequate opportunity to re-evaluate the potential impacts of the Project and any related alternatives or mitigation that should be considered in light of this new information regarding its proposed use.

To that end, we ask that you provide any unclassified documentation relevant to the new proposed use of the arch as a "desperately needed National Security structure," as described by President Trump. Given the fact that the arch is now apparently proposed as a dual-use commemorative monument and a military facility and ammunition storehouse—to be located in the middle of the George Washington National Memorial Parkway, less than 50 yards from the Arlington Memorial Bridge, and less than 500 yards from Arlington National Cemetery—we believe that its potential impacts on the cultural environment must be reassessed.

If the National Park Service is seeking to invoke a waiver of the National Historic Preservation Act due to an "imminent threat" to the national security under Section 110(j) of that statute and its related regulations at 36 CFR Part 78, or under the emergency provisions of 36 CFR § 800.12, please provide the Consulting Parties with documentation of NPS's compliance with the applicable requirements of those regulations.

Additionally, and as we have stated previously, the Project as proposed cannot be implemented by NPS in the absence of Congressional authorization under the Commemorative Works Act, 40 U.S.C. §§ 8901–8909, the Height of Buildings Act, Pub. L. No. 61–196, 36 Stat. 452, and 40 U.S.C. §8106. We are not aware that a stated dual use to include military purposes would somehow exempt the project from those three statutes.

3. Finally, our comments on the proposed MOA are necessarily brief given the short time given to respond, but they are as follows:

- For reasons detailed in our letter of September 16, 2026, the Committee of 100 disagrees with the statement in the proposed introductory "whereas" clauses that the undertaking is location-dependent and is "grounded in the historic planning and design intent for the Arlington Memorial Bridge, Memorial Avenue, Columbia Island, and Memorial Circle corridor." We consider that explanation to be misguided, if not disingenuous.
- The Committee of 100 believes that the mitigation measures NPS proposes to take in connection with the Arch as detailed in the MOA are completely inadequate and, we suggest, superficial. While we acknowledge (while disputing) the view of the National Park Service that a different location for the Project would not meet what you have described as a "location-dependent" need (based on the 1925 congressional authorization of a *completely* different—and subsequently rejected—commemorative design at Columbia Island), NPS has not adequately explained why the proposed design of the arch is somehow immutable. In particular, even if truly "location-dependent," NPS has failed to seriously consider design changes such as changes in height (which would obviously mitigate the impact of the Project). During the September 9, 2026, Consulting Party meeting you stated, "there was an exploration of different heights for the arch [and] it was determined that smaller heights blocked views instead of framing them." But even if this is the case (which we also dispute), elimination of the enormous gilded statuary and related super-structure on top of the proposed arch would reduce its total height by some 84 feet. This simple design change would somewhat mitigate the impact, and would actually increase, rather than further block, the views framed by the arch.
- We feel strongly that the proposed "Construction Management Control" measures would not adequately mitigate the devastating impacts of the Project on ceremonial burials at Arlington National Cemetery, given public statements by federal officials that the construction would continue 20 hours per day for two to three years, and the fact that military burials at Arlington average 27 to 30 funeral services each weekday and 6 to 8

services on Saturdays. We also question whether these measures would address the serious disruption of local traffic patterns caused by the Project, not to mention the aviation risks of 320-foot high construction cranes, and not to mention the traffic and aviation impacts of the arch itself.

- In our view, documentation of the historic character and history of the existing cultural landscape and additional public interpretation of that landscape after it is forever altered is not adequate mitigation when reasonable and feasible alternatives to those damaging alterations exist.

Thank you for the opportunity to provide our additional comments.

Sincerely,

Judy Chesser

Judy Chesser
Chair

Paul Edmondson

Paul W. Edmondson
Member, Historic Preservation Subcommittee

cc:

Ms. Jennifer Madello, NPS - jennifer_madello@nps.gov
Mr. Jordan Hoagland, NPS - jordan_hoaglund@nps.gov
Mr. David Maloney, DC SHPO - david.maloney@dc.gov
Mr. Reid Nelson, Executive Director, Advisory Council on Historic Preservation - rnelson@achp.gov
Consulting Parties

COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

David L. Bulova
Secretary of Natural and Historic Resources

Roger W. Kirchen
Director

Tel: (804) 367-2323
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www.dhr.virginia.gov

September 21, 2026

Ms. Tammy Stidham
Associate Regional Director, Lands and Planning
National Park Service
5300 Wellington Branch Drive, Suite 100
Gainesville, Virginia 20155

Re: Triumphal Arch at Memorial Circle—Proposed Memorandum of Agreement
Arlington, Virginia
DHR File No. 2026-4065

Dear Ms. Stidham:

On September 15, the Department of Historic Resources (DHR) received from the National Park Service (NPS) a draft Memorandum of Agreement (MOA) for the proposed undertaking. The NPS requested written comments or signature of the document by September 21.

At this time, it is DHR's opinion that the review and proposed signature of the MOA on behalf of the Virginia State Historic Preservation Office is premature. The potential Signatories and consulting parties are not in agreement regarding the completion of the identification efforts and the assessment of effects. It is not possible to determine that a Memorandum of Agreement is acceptable to resolve adverse effects to historic properties when agreement has not been reached regarding what the effects of the undertaking are. The parties have also not agreed that the proposed mitigation measures, which were only just introduced in the August 28 Assessment of Effect as conceptual, are sufficient and appropriate.

As DHR has stated in previous letters, NPS has received numerous comments from the public, consulting parties, the DC Historic Preservation Office and Virginia DHR. These comments have not been directly addressed in a manner that shows that NPS is consulting with the goal of seeking agreement where feasible on the review of this undertaking. DHR recommends that NPS directly and specifically address the comments received in response to the Assessment of Effect prior to attempting to execute an MOA.

In addition to the above procedural issues regarding the timing of the proposed MOA, the MOA as written lacks specificity and a clearly defined review process to ensure continued and effective consultation on the implementation of the Agreement. As such it is not executable in its current form.

The draft MOA falls short of the Advisory Council on Historic Preservation's guidance regarding the preparation of Agreement documents, https://www.achp.gov/initiatives/guidance-agreement-documents,

regarding the minimum expected information that should be included in the preamble and stipulations of a Section 106 Agreement document. In DHR's review we noted the following non-exhaustive list of examples:

- The draft Agreement cites but does not include several Appendices and Exhibits as such the draft Agreement does not clearly identify the APE, does not list the historic properties affected, and does not fully enumerate the adverse effects to be mitigated.
- It is not clear whether the stipulations include mitigation for all historic properties that will be adversely affected, for example the Pentagon and Arlington Ridge Park are unaddressed.
- The stipulations fail to identify the party responsible for the implementation of any of the proposed stipulations and the timeline for completion of each stipulation.
- The MOA lacks any clearly defined process for Signatories and consulting parties to review the outputs of the stipulations for sufficiency and accuracy.

Regarding the content of the MOA stipulations, it is DHR's general opinion that, while documentation and interpretation of the affected landscapes has value and should be completed prior to the implementation of the undertaking, the mitigation proposed fails to address the severity of the adverse effects. By seeking to document and interpret the affected landscapes prior to the insertion of the arch into the symbolic space, NPS will create a snapshot of the past without contextualizing the present. DHR anticipates all the proposed mitigation will do will further highlight how this undertaking has marred rather than added to these spaces. DHR recommends that meaningful mitigation should be commitment to concrete preservation and/or restoration measures on these historic properties. The proposed interpretive and documentary mitigation is focused on the landscapes themselves as merely a static built environment rather than symbolic spaces and the past and present they represent; DHR also recommends that the interpretation of these spaces should focus on the history that drove the need to build these commemorative spaces, the history of sacrifice and honor represented by Arlington National Cemetery and Arlington House, and how that past informs our use of these spaces now.

Finally, NPS originally proposed a Programmatic Agreement for this undertaking. A programmatic agreement can be utilized in accordance with 36 CFR § 800. 14 (b) when effects on historic properties cannot be fully determined prior to approval of an undertaking or for adverse effects from complex projects. The Whereas clause at the top of page four of the draft MOA states:

> "**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;"

The stipulations also describe the need to conduct archaeological investigations in order to identify potential archaeological sites within the Area of Potential Effect. However, the subsequent stipulations contain no requirements for ongoing review of the Undertaking, continuing assessment of effects, and the potential to develop additional mitigation measures if additional adverse effects are identified. NPS has not consulted with consulting parties regarding the potential for additional, separate undertakings associated with this undertaking subject to review under Section 106. DHR request that NPS consider the appropriateness of a Programmatic Agreement based on the above information or, at a minimum, per 36 CFR § 800.4 (b) (2), ensure that a process for continued review is provided for in the proposed MOA.

Please contact me at samantha.henderson@dhr.virginia.gov or (804) 482-6088 to continue consultation on this undertaking.

Sincerely,



Samantha Henderson, Director
Review and Compliance Division

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Fax: (540) 868-7033

September 21, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

RE: Triumphal Arch - Section 106 Memorandum of Agreement

Dear Ms. Stidham,

The Cultural Landscape Foundation (TCLF), writes in response to your request to consulting parties to provide written comments on the proposed Memorandum of Agreement ("MOA") on the proposed Triumphal Arch. In light of President Trump's September 20, 2026, announcement on Truth Social of his intent to "convert the magnificent Triumphal Arch, planned since the Civil War Era many years ago, at the Receptive (sic) Circle adjoining the Arlington Memorial Bridge, into a top grade Military Complex/Triumphal Arch, to house, store, and have the rapid ability to use large numbers of drones, plus Snipers, on both the roof and plaza areas, and additionally have and hold large quantities of sniper ammunition in storage," which is a fundamental change in purpose and need—**this MOA is DOA.**

TCLF again registers its **very strong opposition** to siting the Arch in Memorial Circle, between the Lincoln Memorial and Arlington National Cemetery and Arlington House, and to siting a munitions storage facility in such a highly trafficked area, as a matter of public safety, and in a location symbolic of a peace, reverence, and national unity.

The National Park Service's (NPS) administration of the Section 106 review, for what would be the second largest memorial in the nation's capital, has been performative and disrespectful to one of the nation's most significant cultural landscapes. The idea that consultation would lead to a negotiated outcome was illusory—there was no attempt made "avoid" "adverse effects" by siting the Arch in another location. Consulting parties were given just three- and one-half business days to provide comments on the MOA, which may be the shortest time period ever in which comments were due on a major and permanent alteration to the Monumental Core. NPS held a second consulting parties meeting on September 9, 2026, discussing the Assessment of Effects, for which comments were due on September 16. Typically, this would have been followed by a review within NPS of the comments received. However, on September 15, NPS circulated an MOA, which suggests decisions had been made and that the consulting parties' comments, suggestions, and concerns had been completely dismissed *before* they were received.

It should be noted, too, that during the September 9 consulting parties meeting, NPS repeatedly refused to identify who at either NPS or the Department of the Interior made the decision that there was "no reasonable avoidance alternative," and that the Arch *must* go in Memorial Circle. **Who is accountable for the decision about the Arch's siting, which would permanently disfigure one of the nation's most significant cultural landscapes? Where is the transparency in this process?**

The timing of the deadline for comments on this MOA suggests NPS is working backward from the due date for submitting materials to the National Capital Planning Commission in advance of that

body's November 5, 2026, meeting at which NPS anticipated that commission would consider final approval of the Arch proposal.

As noted above, the president's announced intent for the Triumphal Arch to be a "Military Complex" is a fundament change in the stated purpose and need of this undertaking, and it is certainly well beyond NPS' putative stated intent to fulfill objectives of erecting commemorative gesture called for by the Arlington Memorial Bridge Commission in their 1924 report (a justification about which David Maloney at the D.C. State Historic Preservation Office said "doesn't pass the laugh test" and is "a manufactured idea").

Given his fundamental and consequential change in purpose and need, TCLF calls on NPS to suspend the current Section 106 review until revised designs for the Arch, which reflect its new function as a "Military Complex," are shared with the public. Until then, **this MOA is DOA.**

Sincerely,



Charles A. Birnbaum, FASLA, FAAR
Founding President & CEO

September 21, 2026

Ms. Tammy Stidham
Associate Regional Director – Lands and Planning
National Park Service National Capital Region
1100 Ohio Drive, SW
Washington, DC 20242

Dear Tammy:

In light of President Trump's statements over the weekend indicating that the Triumphal Arch is intended to become a military complex, the DC Preservation League (DCPL) lacks the information needed to provide substantive comments on the current draft Memorandum of Agreement (MOA). Because these recent developments fundamentally alter the purpose and need of the Arch project, the current proposal presented to the consulting parties no longer reflects the true scope of the undertaking or the adverse effects of this new proposal. The National Park Service must now pause the process and reinitiate the Section 106 consultation to ensure a thorough review and appropriate stakeholder consultation regarding this significantly expanded scope.

DCPL looks forward to continued consultation on this project.

Sincerely,

Rebecca Miller
Executive Director

1328 Florida Avenue NW| Washington, DC 20009 | T: 202.783.5144 | dcpreservation.org
Fay Armstrong, *President* | Greta Fuller, Vice *President* | Howard S. Berger, *Treasurer* | Melissa Cohen, AIA, LEED AP, *Secretary* | John DeFerrari, *At Large*
Jill S. Cavanaugh, FAIA, AICP | Scott DeMartino, Esq. | Katie Irwin, AIA, IIDA, LEED AP | Rob McClennan, AIA
D. Peter Sefton | James W. Shepherd, AIA, LEED | Joseph E. Taylor, AIA | Benjamin L. Williams, Esq., LEED AP | Juliet Zucker

September 21, 2026

Ms. Tammy Stidham
Associate Regional Director – Lands and Planning
National Park Service
National Capital Region
1100 Ohio Drive, SW
Washington, DC 20242

RE: Initial DC SHPO Comments on the Draft Triumphal Arch Project Memorandum of Agreement

Dear Ms. Stidham:

The DC State Historic Preservation Office (DC SHPO) is writing in response to your September 15, 2026, email circulating a draft Memorandum of Agreement (MOA) for the Triumphal Arch Project and requesting "feedback/comments on the proposed mitigation measures outlined in the MOA by 12:00 noon EST on Monday, September 21, 2026."

Considering that NPS and the consulting parties are still in the process of evaluating the adverse effects associated with the planned undertaking, we respectfully submit that it is premature to determine and finalize mitigation measures at this time.

As you are aware, on September 9, 2026, the National Park Service (NPS) hosted a second consulting parties meeting regarding the Triumphal Arch Project. The purpose of that meeting was to discuss the project's revised Assessment of Effects Report. Comments were requested one week later, on September 16, 2026, but a day before the comment deadline was set to close, NPS requested comments on its proposed mitigation measures.

NPS could have neither received nor considered all consulting party comments regarding the adverse effects of the project (including our own) before drafting the measures that are supposed to mitigate them. Our September 16, 2026, letter identified examples of adverse effects that were not included in NPS's assessment and, therefore, require further consideration before they can be resolved. Moreover, the preliminary archaeological assessment for this project has not been completed, so the potential to adversely affect archaeological resources is not yet known. Mitigation cannot be assessed for adverse effects that have not yet been fully identified and evaluated. Finally, in light of reports over the weekend that the arch is to be used for military purposes, it is also important to clarify how such uses will impact the arch's design and review what additional adverse effects these uses will cause.

We were pleased to read in your September 15 email that the NPS wishes to "…refocus the consultation on avoidance, minimization and mitigation measures…." Our September 16, 2026, letter included specific suggestions for how avoidance and minimization might be achieved. We hope the NPS finds our comments, and those of the consulting parties, useful in determining how best to proceed in accordance with regulatory requirements.

While it is premature to fully assess what mitigation may be required, we have a few preliminary comments on the mitigation-related stipulations of the recently circulated draft MOA. Broadly speaking, the suggested mitigation measures are not proportionate to the significant adverse effects of the arch that NPS has proposed to date. Many of the measures are of the sort routinely implemented for undertakings causing far fewer and much less impactful adverse effects. For example, Stipulations III.A.6-8 are routine permit conditions required for much smaller construction projects within the District of Columbia. Similarly, the suggested commitment to regularly empty and place lids on trash receptacles (Stipulation III.A.10) should be counted among NPS's daily responsibilities instead of mitigation measures. Several of the rehabilitation projects outlined in the Park Improvements section (Stipulation III.C) are also the sorts of undertakings the NPS should be implementing on a reasonably routine basis instead of as mitigation. Finally, recordation is the most rudimentary and minimal form of recognized mitigation, followed by interpretive displays, and oral histories.

The question of mitigation should be more fully considered after NPS and the consulting parties complete the assessment of adverse effects, and, consistent with "refocus[ing] the consultation on avoidance [and] minimization," only after meaningfully developing and evaluating the alternatives that could render most of the suggested mitigation measures unnecessary.

If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, we look forward to receiving the information requested in our previous letter and to consulting further with all parties to continue the Section 106 review of this undertaking.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
District of Columbia State Historic Preservation Office

26-0593, 26-0495, 26-0474 and 26-0371

September 21, 2026

Tammy Stidham
Associate Regional Director, Lands and Planning
National Park Service, National Capital Region

RE: NPCA Comments on the Draft Memorandum of Agreement, Proposed Triumphal Arch at Memorial Circle, George Washington Memorial Parkway

On behalf of the National Parks Conservation Association (NPCA) and our more than 1.9 million members and supporters, thank you for the opportunity to comment on the draft Memorandum of Agreement (MOA). We incorporate by reference our earlier comments in this consultation, including our letters of July 18 and August 5, and write briefly because the undertaking described in the draft MOA no longer appears to be the one the federal government intends to build.

This past weekend, the President publicly described the Arch as a national security structure that would house drones, snipers, and stored ammunition on its roof and plaza. None of the documents shared with consulting parties contemplate those uses, including the assessment of effects, Environmental Assessment, and the draft MOA. When consulting parties asked about a change in purpose at the September 9 meeting, NPS said it was not aware of one. The draft MOA even proposes a climate-controlled public exhibit space in the base of the Arch, which shows how far plans have drifted from what is now being described. An armed security installation at the ceremonial entrance to Arlington National Cemetery would bring effects this consultation has never examined, including restricted access to Memorial Circle and Memorial Avenue, security perimeters and hardening, additional lighting, and the storage of munitions beside one of the most solemn landscapes in the country. We ask NPS to pause the consultation, share what it knows about the intended use, and revisit the Area of Potential Effects, the effects findings, and the environmental review before any agreement moves toward signature.

Even setting that development aside, the draft MOA does not resolve the adverse effects NPS has documented. The letter declares the undertaking as location-dependent and treat relocation as a materially different project, which removes avoidance from consideration by definition rather than by analysis. The same reasoning has kept smaller or modified designs off the table. The MOA acknowledges that the area of potential effects includes 31 National Historic Landmarks, yet it contains no measure that changes the Arch's height, mass, siting, or lighting. NPS is required to minimize harm to those Landmarks to the maximum extent possible, and the Service's own Landmarks staff have already concluded that minimization is not possible without relocating or abandoning the project. In place of minimization, the MOA offers documentation and interpretation: landscape surveys, photography, oral histories, webpages, QR codes on maritime history, and a webpage on the history of triumphal arches. A record of a landscape made before it is altered only documents the loss, and several of the proposed park improvements are routine stewardship NPS should be doing regardless.

We are also concerned about how the agreement would operate. The MOA states that design details have not been developed and that effects will be assessed in future reviews of individual components, which carries forward the deferred approach we objected to in the draft Programmatic Agreement while fixing the outcome now. Three separate provisions state that nothing requires NPS to stop construction, whether

during review of unanticipated discoveries, during dispute resolution, or even after the agreement is terminated. The construction measures describe plans to be written later without specific limits, thresholds, or commitments tied to the funeral schedule at Arlington National Cemetery, where services take place throughout each weekday and on Saturdays. Veterans service organizations and Gold Star families appear only as potential oral history interviewees rather than as parties with a voice in the outcome.

Finally, the comment period is not adequate for an agreement meant to resolve effects on 261 historic resources, and the questions we have raised about the Finding of No Significant Impact and the absence of congressional authorization under the Commemorative Works Act remain unanswered.

NPCA values the professionalism and good faith your team has brought to this consultation, and we remain committed to participating. For the reasons above, we cannot support execution of this MOA. For the reasons above, we cannot support execution of this MOA. We urge NPS to pause the Section 106 process altogether and begin it again once the purpose and use of the structure are fully disclosed, so that the Area of Potential Effects, the effects findings, the environmental review, and a genuine range of alternatives, including the locations identified by the District of Columbia State Historic Preservation Officer and meaningful design changes at the current site, can be reconsidered on an accurate record and with adequate time for consulting parties to respond.

Sincerely,



Edward Stierli
Vice President of Government Affairs
National Parks Conservation Association
EStierli@npca.org
777 6th Street NW, Suite 700
Washington, DC 20001

National Trust *for* Historic Preservation®

September 21, 2026

Tammy Stidham
Associate Regional Director – Lands & Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

via email: tammy_stidham@nps.gov

Re: Draft Memorandum of Agreement Regarding Triumphal Arch Project

Dear Ms. Stidham,

The National Trust is alarmed by the National Park Service's ("NPS's") premature circulation of a Draft Memorandum of Agreement Regarding the Triumphal Arch Project ("Draft MOA"). The Section 106 consultation for this undertaking has not been properly conducted nor concluded, and numerous significant issues raised by a chorus of consulting parties and the DC and VA State Historic Preservation Officers ("SHPOs") remain unresolved. The fact that NPS is requiring all comments on the Draft MOA to be submitted in only 3.5 business days is an unreasonably short amount of time for consulting parties and SHPOs to review a complex agreement document, especially for an undertaking that will cause severe adverse effects to dozens of our nation's most important historic places.

We are even more shocked and alarmed by yesterday's announcement that the proposed Arch would actually be a military complex, with drones, snipers, and "large quantities" of ammunition stored inside. While we understand that NPS staff may not have been aware of this radical change in plans prior to preparing the current Draft MOA, it clearly compels a substantial revision to the entire review process under Section 106 and the National Environmental Policy Act ("NEPA").This new statement of purpose and need for the proposed Arch also further calls into question NPS's assertion that this undertaking is somehow related to the 1924 Memorial Bridge Commission Report, which does not propose any military activities at Memorial Circle.

The actions by NPS to limit public comment are directly contrary to multiple laws, as well as the spirit and intent of the NHPA and NEPA. For example, 36 C.F.R. § 800.2(d)(1) states that: "[T]he views of the public are essential to informed Federal decision making in the section 106 process. The agency official shall seek and consider the views of the public in a manner that reflects the nature and complexity of the undertaking and its effects on historic properties, the likely interest of the public in the effects on historic properties, confidentiality concerns of private individuals and businesses, and the relationship of the Federal involvement to the undertaking."

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By limiting the comment period for the Draft MOA to only 3.5 business days, and eliminating public comment altogether under NEPA, NPS is ignoring the massive "interest of the public in the effects on historic properties". The 3.5 day comment period is also highly inappropriate given "the nature and complexity of the undertaking and its effects on historic properties". This undertaking is extremely complex due to the national importance of the historic resources that will be adversely affected and the unique nature of Arlington National Cemetery, which demands unparalleled respect. This undertaking is also entirely a federal action: there is no permit applicant or intended recipient of funds who would be harmed by the federal government providing reasonable time for public comment.

The circulation of the Draft MOA is also premature because the proposed undertaking remains out of compliance with a litany of federal laws. As the National Trust and other parties have repeatedly informed NPS, this undertaking violates the Commemorative Works Act, 40 U.S.C. §§ 8901–8910, the Height of Buildings Act, Pub. L. 61-196, 36 Stat. 452, Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303(c); 23 C.F.R. Part 774, Section 110(f) of the National Historic Preservation Act, 54 U.S.C. § 306107, and the National Environmental Policy Act, 42 U.S.C. §§ 4332(2)(C). This consultation and u.ndertaking have also not properly complied with multiple statutory and regulatory provisions implementing the National Historic Preservation Act, including 36 C.F.R. §§ 800.6(a), 800.16(*l*), and 800.5(c)(2); 54 U.S.C. §§ 306101-02, 306108, and 306131, and many more. The premature issuance of the Draft MOA with no concern for this breathtaking array of legal deficiencies would be overtly arbitrary and capricious, and a clear violation of the Administrative Procedure Act, 5 U.S.C. §§ 551–559. NPS must halt its efforts to conclude this Section 106 consultation and address these issues, which have been repeatedly raised by both SHPOs and consulting parties.

The Draft MOA is also deeply flawed as written. First and foremost, the proposed stipulations for the resolution of adverse effects in Section III are inadequate. The stipulations fail to require any meaningful avoidance, minimization, or mitigation of this undertaking's adverse effects, which is unfortunately consistent with NPS's position throughout this consultation. The National Trust, as well as the SHPOs and other consulting parties, have consistently opined that NPS's refusal to consider any alterations to the location, height, scale, mass or design of the proposed Arch is inconsistent with NPS's responsibility to seek to avoid or minimize the severe and widespread adverse effects that this undertaking will cause. 36 C.F.R. § 800.6(a). NPS's tacit assertion that this undertaking is somehow shielded from those considerations because it is a "location dependent undertaking" is both legally fictitious and specious. All other "location dependent" undertakings, including the construction of other new buildings and monuments on specific federal properties, have always been required to consider adjusting their location, height, scale, mass, and design to avoid and minimize adverse effects. In any event, we continue to support the position of the DC SHPO that NPS must fully consider as an alternative the pair of columns reviewed by Congress in 1924-25, with a height of 166 feet and a separation of 300 feet between the two columns, as that alternative would fulfill the "location-dependent" criterion being imposed by NPS.

The resolution actions that are proposed in Section III.D. and III.E. of the Draft MOA are also all relatively standard, bare minimum mitigation actions that do not constitute a

reasonable level of effort on the part of NPS to resolve this undertaking's severe adverse effects, especially given the tremendous national significance of the historic resources affected. Many of the proposed mitigation actions are also underdeveloped. For example, NPS proposes to "Require a Construction Management Plan to minimize construction-period effects to historic properties, adjacent resources, traffic circulation, visitor access, and the surrounding commemorative landscape."[1] This and other such plans should be developed *prior* to the execution of the MOA, in consultation with DC and VA SHPO and the consulting parties. As written, this stipulation is meaningless, because there is no actual commitment to minimize any adverse effects that will be caused by the Arch's construction. The Draft MOA must be revised to include stipulations that actually accomplish the avoidance and minimization of adverse effects, rather than simply promising to plan to possibly do so in the future.

The National Trust is regrettably unable to provide NPS with a line-by-line examination of the Draft MOA's language due to the unreasonably short 3.5 day comment period. We will endeavor to provide more detailed comments to NPS in the near future. We again strongly urge NPS to pause this consultation to correct the highly significant issues of national importance that we have identified in this letter and in our previous ones, as well as to address the surprising new military purpose for this undertaking that was just announced yesterday.

Sincerely,

Elizabeth S. Merritt
Deputy General Counsel

Chris Cody
Senior Associate General Counsel

[1] Draft Memorandum of Agreement Regarding the Triumphal Arch, Pg. 11, ¶ 8.

United States Department of the Interior
NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

September 22, 2026

Mr. Reid Nelson
Executive Director
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Dear Mr. Nelson,

On June 5, 2026, the National Park Service ("NPS") initiated consultation pursuant to Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations at 36 CFR Part 800, with the District of Columbia Historic Preservation Office ("DC HPO") and the Virginia Division of Historic Preservation ("VA DHR") for the proposed Triumphal Arch at Memorial Circle within the George Washington Memorial Parkway, a unit of the national park system. Included with the initiation of consultation correspondence was a list of invited consulting parties, Draft Assessment of Effects, Phase IA Archaeological Assessment; and the Draft Programmatic Agreement. In addition, NPS requested expedited consultation pursuant to 36 CFR § 800.3(g) and requested a response by June 15, 2026.

Also on June 5, 2026, the NPS notified the Advisory Council on Historic Preservation ("ACHP") that NPS had determined that the proposed Triumphal Arch Project would result in adverse effects meeting the criteria of 36 CFR 800.5(a)(1). The NPS invited ACHP to participate in consultation regarding this undertaking pursuant to 36 C.F.R. § 800.6(a)(1). ACHP responded on June 15, 2026 that it would formally participate in consultation of the project.

In compliance with Section 106 of the National Historical Preservation Act, NPS prepared an Assessment of Effects report ("AoE") describing the undertaking and analyzing potential adverse effects on historic properties, including archeological resources, within the project area. The AoE along with associated appendices and a draft programmatic agreement were posted to the NPS Planning, Environment & Public Comment ("PEPC") and made available for public comment from June 5 – June 15, 2026. The comment period allowed consulting parties, organizations, and members of the public an opportunity to review the AoE and the draft Programmatic Agreement and to provide feedback on these materials, consistent with the requirements of 36 CFR Part 800.

On June 15, at the end of the comment period, NPS hosted a meeting for all consulting parties to provide feedback on the AoE. Attendees included representatives of VA DHR, DC HPO, National Capital Planning Commission, Commission of Fine Arts, Arlington County, ACHP, Architect of the Capitol, the NPS NHL Program, Trump-Kennedy Center for the Performing Arts, and various representatives from the NPS.

During the June comment period, NPS received a total of 100,936 comments. NPS downloaded the public comments from PEPC and other channels and organized the comments by subject matter themes. NPS subject-matter experts reviewed the comments, synthesized them into broader themes, and prepared a comment report.

Due to additional public interest, NPS reopened and extended the opportunity to comment from July 10 to July 30, 2026. During this reopened comment period, the NPS received a total of 6,254 comments. A comment summary addendum was created in the same manner as the original comment summary. Most of the comments submitted during this comment period were already addressed in the summary report prepared for the June comment period. To avoid redundancy, the addendum addressed only the new comments received.

On July 10, 2026, NPS requested that consulting parties provide their comments and concerns by July 19 regarding the list of historic properties that was released on June 5, 2026. Specifically, NPS requested input to determine whether to expand the originally proposed Area of Potential Effects ("APE"). During that comment period, NPS received comments from DC HPO; VA DHR; Washington Headquarters Services/Department of War; Arlington County Historic Preservation Program; National Parks Conservation Association; The Cultural Landscape Foundation; Arlington Historical Society; American Institute of Architects |DC; Committee of 100 on the Federal City; National Mall Coalition; and National Trust for Historic Preservation. NPS addressed the comments received by drafting a revised APE which included additional historic properties that may be adversely affected by the proposed Arch.

On July 28, 2026, the NPS requested DC HPO, VA DHR, and consulting parties review and comment on the revised APE and list of historic properties by August 6, 2026. By the close of that comment period, NPS received comments from Family Circle of Descendants at Arlington House; National Capital Planning Commission staff; DC Preservation League; National Mall Coalition; National Parks Conservation Association; The Cultural Landscape Foundation; VA DHR; Arlington County Historic Preservation Program; NPS National Historic Landmarks Program; Institute of Architects |DC; and National Trust for Historic Preservation. After reviewing these comments, NPS revised the AoE.

On August 28, 2026, NPS requested consulting party review of the revised AoE by September 4, 2026. Due to several requests for additional time, NPS extended the deadline to September 16, 2026. Additionally, during this comment period, NPS hosted an additional consulting party meeting on September 9, 2026. During this meeting, NPS attempted to focus on presenting and reviewing the updated AoE for the proposed Triumphal Arch at Memorial Circle. NPS spoke on the project's scope, historic property evaluations, adverse effect determinations, and the rationale behind the project's location and design choices. Rather than engage in discussion about proper methods of avoiding, minimizing, and mitigating adverse effects as required by 36 CFR Part 800, several consulting parties instead chose to focus on threshold legal questions unrelated to the Section 106 process which are currently subject to active litigation.

In an effort to reach consensus between the consulting parties, NPS drafted a memorandum of agreement ("MOA") and sent it to consulting parties on September 15, 2026, requesting that consulting parties either sign or provide feedback by September 21, 2026. By close of that comment period, NPS received comments from DC Preservation League; The Cultural Landscape Foundation; The Committee of 100; VA DHR; Arlington County Historic Preservation Program; the National Trust for Historic Preservation; the National Parks

Conservation Association; and DC HPO. The comments displayed deep opposition to the project as a whole, including fundamental aspects such as the location, design, and height of the proposed Arch. One commenter stated: "[t]he idea that consultation would lead to a negotiated outcome [is] illusory." Another simply said: "this MOA is DOA."

During the consultation, the Department considered comments regarding the APE, identification of historic properties, assessment of effects, and alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects. Despite those efforts, consultation has not resulted in agreement on these topics. Specifically, NPS has been unable to reach agreement with the consulting parties regarding the extent to which adverse effects can be avoided or minimized, and the sufficiency of proposed mitigation measures.

The DC HPO and VA DHR have expressed the view that the adverse effects of the undertaking cannot be adequately resolved through documentation, interpretation, construction noise mitigation, or other conventional mitigation measures, and have insisted that the only substantive way to mitigate the effects is by changing the location or dimensions of the proposed Triumphal Arch. DC HPO and VA DHR, consulting parties, and members of the public have identified relocation, no-build, substantial reduction in height and massing, or a fundamentally different open-axis or landscape-based commemoration as the measures most likely to avoid or substantially reduce adverse effects. NPS has considered the views of the consulting parties and determined that adopting these measures would alter the fundamental nature of the proposed undertaking and fail to achieve its goals. Because the consulting parties have had ample opportunity to express and discuss their views, and the principal unresolved issues concern the undertaking's location, scale, massing, and relationship to the historic viewshed, additional consultation on the existing proposal is unlikely to result in agreement on an MOA to resolve adverse effects.

NPS recognizes the importance of the affected historic properties and the seriousness of the concerns raised during consultation, however, based on the consultation to date, does not believe that continued efforts to revise the MOA would resolve the central disagreement over whether the undertaking's adverse effects can be adequately avoided, minimized, or mitigated while maintaining the project in its proposed location and general design.

Sincerely,



Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service

Enclosures

Travis Voyles
Vice Chairman

Reid J. Nelson
Executive Director

September 24, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

Ref: *Triumphal Arch Project*
Washington, DC and Virginia
ACHP Case #025123

Dear Ms. Stidham:

On September 22, 2026, the National Park Service (NPS) forwarded a summary of its consultation efforts for the referenced undertaking to the Advisory Council on Historic Preservation (ACHP). The correspondence from NPS outlines the steps it has taken to comply with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800).

As you know, the ACHP has participated in the Section 106 consultation to seek ways to avoid, minimize, or mitigate adverse effects to historic properties that would result from this undertaking since June 15, 2026. We acknowledge the NPS's efforts to identify historic properties and assess effects to them, as well as to propose mitigation to resolve adverse effects as a result of the undertaking. The consideration of alternatives to avoid or minimize adverse effects is particularly important for the National Historic Landmarks within the undertaking's Area of Potential Effect, given the NPS's responsibility to meet the requirements of Section 110(f) of the NHPA.

It is clear that the proposed undertaking and its potential effects on historic properties have raised significant public interest, and the NPS stated in its September 22, 2026 correspondence that it believes additional consultation on the existing proposal is unlikely to result in agreement on an MOA to resolve adverse effects. Further, the NPS stated that implementation of alternatives to avoid or minimize the adverse effects would alter the fundamental nature of the proposed undertaking and fail to achieve its goals. In recognition of the public's significant concerns regarding the adverse effects the undertaking would pose to historic properties, we are hereby terminating consultation pursuant to 36 CFR § 800.7(a)(4).

In accordance with section 800.7(c), the ACHP will develop and transmit its final comments to the Secretary of Interior. While this section of the regulations affords the ACHP 45 days to develop and transmit our comments, we will endeavor to provide them by October 7, 2026. This timeline includes the regulatory requirement for the ACHP to provide an opportunity for the agency official, all consulting parties, and the public to provide their views. With this notice of termination, we are also requesting that

all consulting parties provide any views on this undertaking and proposed resolution of adverse effects to us by 11:59 p.m. ET on September 29, 2026. Additionally, consulting parties will be invited to participate in a meeting with the ACHP to verbally provide their comments; the invitation will be forthcoming shortly. Upon receipt of the ACHP's comments, the Secretary of the Interior shall take our comments into account and respond to them before reaching a final decision on the undertaking, as required by section 800.7(c)(4).

Should you have any questions or require additional assistance, please contact Jaime Loichinger, Director of the Office of Federal Agency Programs, at (202) 517-0219 or by e-mail at jloichinger@achp.gov and reference the ACHP Project Number above. We look forward to providing our comments to conclude the Section 106 process for this project.

Sincerely,



Travis Voyles
Vice Chair

Travis Voyles
Vice Chairman

Reid J. Nelson
Executive Director

October 9, 2026

The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Ref: *Proposed Triumphal Arch*
Washington, District of Columbia, and Virginia
ACHP Case #025123

Dear Secretary Burgum:

In accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) (NHPA) and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800), I am writing to convey to you the final comments of the Advisory Council on Historic Preservation (ACHP) regarding the Triumphal Arch Project. On September 24, 2026, the ACHP terminated consultation under 36 CFR § 800.7(a), having determined that further consultation would not be productive. In accordance with 36 CFR § 800.7(c), the ACHP is providing these comments to you to consider and respond to before you make a final decision regarding the undertaking.

Please note that these comments are applicable to the undertaking and its effects on historic properties as described by the National Park Service (NPS) in its correspondence to the ACHP, dated September 22, 2026.

Undertaking Description and Section 106 Consultation

As detailed by the NPS, the proposed undertaking includes construction of a Triumphal Arch (Arch) within Memorial Circle in Washington, DC, associated plaza and landscape improvements, supporting utility and stormwater infrastructure, traffic and pedestrian circulation modifications, security features, lighting, and temporary staging and laydown areas required for construction. The Arch would be an approximately 250-foot-tall reinforced concrete structure clad in granite and ornamented by a central winged figure and two eagles positioned above each Arch leg. Dimensions will be finalized during future design efforts. The principal architectural component would rise approximately 166 feet above finish grade, with surmounting statuary extending the total height to approximately 250 feet. The Arch would serve as a monumental architectural feature aligned with the axis between Memorial Avenue and the Arlington Memorial Bridge.

The NPS initiated consultation for this undertaking on June 5, 2026, at which time it requested to expedite consultation by addressing multiple steps in 36 CFR §§ 800.3 through 800.6 concurrently. Following the initiation of consultation, the NPS held two consultation meetings, on June 15, 2026, and September 9, 2026, which provided an opportunity for approximately 40 consulting parties to provide feedback on the undertaking, the NPS's identification efforts, its assessment of effects, and the proposed resolution of adverse effects through a Section 106 agreement document. The NPS requested written comments on

these points from consulting parties throughout this timeframe. As required by Section 106, the NPS also provided an opportunity for the public to comment on the undertaking, resulting in approximately 107,000 comments.

Consulting parties, including the State Historic Preservation Officers for the District of Columbia and Virginia, raised numerous concerns to the NPS, including whether alternatives to meet a similar purpose and need for the undertaking had been considered to meet the NHPA's Section 110(f) requirements (54 U.S.C. § 306107), and whether the NPS's identification efforts and assessment of effects were sufficient for an undertaking of this scale. Consulting parties and members of the public also raised concerns about the number of historic properties that may be located within the undertaking's area of potential effects and adversely affected by the undertaking.

Adversely affected historic properties noted by the NPS include six National Historic Landmarks (NHLs), eight historic districts, eight cultural landscapes, and 20 individual or other types of historic properties. The NPS further noted that archaeological resources, which are still being identified, would also be adversely affected by the undertaking. Of particular concern to consulting parties were the potential effects to the Arlington National Cemetery Historic District, as home to the nation's fallen soldiers.

The NPS indicated that since it considered the undertaking to be location dependent, it was unable to employ any of the avoidance alternatives considered such as relocating the undertaking. The NPS also assessed and deemed other design options infeasible as they would result in fully obscuring the views between the Lincoln Memorial and Arlington National Cemetery. In addition, because the Arch is intended to celebrate 250 years of American independence, the NPS stated that potential smaller heights were not considered representative of this milestone. The NPS noted, however, that minimization could be achieved through construction management controls, and that mitigation would include archaeological investigations, park improvements, documentation, and public interpretive materials.

Section 110(f) of the NHPA requires federal agencies, to the maximum extent possible, to undertake planning and actions necessary to minimize harm to any NHL that may be directly and adversely affected by an undertaking. The NPS stated in its Assessment of Effects, dated August 28, 2026, that avoidance through relocation would constitute a materially different undertaking rather than a reasonable avoidance measure for this undertaking. The NPS indicated that Section 110(f) does not require that all harm be eliminated where avoidance would defeat the purpose of the undertaking, and that it has met the "to the maximum extent" threshold by its identification, evaluation, consultation, consideration of avoidance, and development of minimization and mitigation measures.

In its September 22, 2026, correspondence to the ACHP, the NPS stated it had been unable to reach agreement with the consulting parties regarding the extent to which adverse effects could be avoided or minimized, and the sufficiency of proposed mitigation measures. It also stated that based on the consultation to date, it did not believe that continued efforts to revise the Memorandum of Agreement (MOA) would resolve the central disagreement over whether the undertaking's adverse effects can be adequately avoided, minimized, or mitigated while maintaining the project in its proposed location and general design.

ACHP made the decision to terminate consultation because it determined there was limited likelihood of reaching agreement on an MOA. Therefore, on September 24, 2026, the ACHP terminated consultation, and committed to providing these comments for your consideration.

Undertaking Recommendations

Based on the above summary of consultation, I offer the following recommendations for your consideration:

The NPS should continue to detail how it is meeting the requirements of Section 110(f).

The ACHP recommends the NPS, if possible, to continue to detail and provide any additional information available on its efforts in this regard and its rationale for how it is meeting the requirements of the law. While the NHPA does not prohibit adverse effects to NHLs, any additional information or explanation as to how the undertaking and its direct adverse effects to historic properties remain in the public interest in its consideration of alternatives to avoid or minimize such adverse effects would further benefit the NPS.

Particularly as it relates to Arlington National Cemetery within the Arlington National Cemetery Historic District, the NPS should continue to detail what steps it intends to take to address the adverse effects of the undertaking that would continue after the undertaking is constructed. This is important to ensure that the affected historic property will maintain its ability to convey its status and significance as a solemn resting place for those who have served our nation.

If the NPS chooses to proceed with the undertaking as described, it should determine and communicate next steps for carrying out and implementing any mitigation measures to address the adverse effects to NHLs and other historic properties.

While the draft MOA, circulated by the NPS on September 15, 2026, included numerous mitigation ideas, many of them, such as data recovery, interpretive materials and educational opportunities, will benefit in implementation from additional detail to ensure they are effective. The ACHP can provide advice on any mitigation actions or additional measures that NPS might implement or that may need or benefit from additional detail. As part of the NPS's commitment to mitigation, the NPS should consider how to incorporate opportunities to ensure these deliverables are accurate, comprehensive, and reflect the public's interest.

The NPS has the responsibility to seek and consider the views of the public in making its decision, especially recognizing that the nature of the proposed undertaking and the level of public interest in the undertaking's effects on historic properties.

While use of section 800.3(g) of the Section 106 regulations can be an effective tool for expediting reviews, challenges are anticipated in the use of this provision for those undertakings that have the potential to adversely affect historic properties of national significance and generate a large degree of public interest. In future undertakings, the NPS should continue to assess the use of this regulatory provision when the undertaking involves effects to nationally significant historic properties or NHLs, or when the effects are likely to be adverse.

Given the importance of ensuring the opportunity for the NPS to meaningfully consider comments from the parties that participated in consultation, address those comments, and incorporate that analysis into the record for the consideration of alternatives and for the development of mitigation, any further detail or opportunities that can be provided as this undertaking proceeds could also be useful for successful implementation.

As stated in the Section 106 regulations, the views of the public are essential to informed federal decision making (36 CFR § 800.2(d)(1)). More broadly, the NHPA recognizes that preservation of our national heritage is in the public interest so that the country's vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans (Section 1 of the National Historic Preservation Act, Pub. L. No. 89-665, as amended by Pub. L. No. 96-515; 54 U.S.C. § 300101). The ACHP received approximately 7,200 comments from the public during its review period; in addition to the 107,000 comments the NPS received, it is clear this undertaking and its effects on historic properties are of great importance to American citizens. As an

agency operating in the public interest, it is important that the NPS provides details of how its decision on this undertaking recognizes the public interest and its views, and how the agency will ensure the affected historic properties for which it is a steward will be maintained and enriched for those future generations (54 U.S.C. §§ 306101(a), 306102). We appreciate the NPS's extensive efforts thus far in this regard, we urge it to continue to utilize opportunities to further explain how, as an agency with the mission of conserving the scenery and the natural and historic objects within the properties it manages, it is ensuring that its actions with this undertaking are ensuring their protection for the enjoyment of future generations.

Conclusion

Section 800.7(c)(4) of the Section 106 regulations requires you, as the head of the agency, to take these comments into account in reaching a final decision on the undertaking. As stated in Section 110(l) of the NHPA (54 U.S.C. § 306114), you may not delegate this responsibility. A summary of your decision regarding the undertaking that contains the rationale for the decision and evidence of consideration of the ACHP's comments must be provided to the ACHP prior to the final decision on the undertaking and shared with the Section 106 consulting parties and the public. Once you submit your response and decision on the undertaking to the ACHP, the Section 106 review for this undertaking will be complete.

In accordance with Section 201 of the NHPA, 54 U.S.C. § 304101(f), when the office of the chairman of the ACHP is vacant, the vice chairman shall perform the functions of the chairman. Therefore, I have issued these comments in my role as vice chairman on behalf of the ACHP.

The NHPA requires that the federal government exercise leadership in the preservation of the nation's irreplaceable historic heritage. In that spirit, I look forward to your consideration of these comments and recommendations as a productive path forward for this significant undertaking which will celebrate 250 years of American independence.

Sincerely,



Travis Voyles
Vice Chairman

THE SECRETARY OF THE INTERIOR
WASHINGTON

October 9, 2026

Mr. Travis Voyles
Vice Chairman
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Dear Mr. Voyles:

The Department of the Interior is in receipt of your final comments letter dated October 9, 2026, regarding termination of the National Historic Preservation Act (NHPA) section 106 consultation for the proposed Triumphal Arch at Memorial Circle (ACHP Case #025123).

Your recommendations are appreciated and will be taken into account in reaching a final decision on the undertaking. At present, no final decision has been made with respect to the undertaking. Prior to making a final decision, I will prepare a summary of the decision that contains the rationale for the decision and evidence of consideration of the Advisory Council on Historic Preservation's (Council) comments. Prior to approval of the undertaking, a copy of the summary will be provided to the Council and all consulting parties, and the record will be made available to the public for inspection. A final decision on the undertaking will not be made until the National Capital Planning Commission completes its review.

This concludes the NHPA section 106 consultation process. A copy of this letter will be provided to all consulting parties as well as to the public.

With gratitude,

Doug Burgum
Secretary