

**Smithsonian National Museum of African American History and Culture
Section 106 Consulting Parties Meeting #7**

Date of Meeting: September 15, 2010
Project: Smithsonian National Museum of African American History and Culture
Location of Meeting: 600 Maryland Avenue, NW – 5th Floor
Time of Meeting: 9:30 am – 12:00 noon

Attendees: Sharon Park, SI OFEO
Jane Passman, SI OFEO
Ann Trowbridge, SI OFEO
Jud McIntire, SI OFEO
Brenda Sanchez, SI OFEO
Louise Brodnitz, Advisory Council on Historic Preservation
Andrew Lewis, D.C. Historic Preservation Office
Dreck Wilson, ASAALH
Don Hawkins, Committee of 100 for the Federal City
Ken Walton, National Capital Planning Commission
Perry Wheelock, National Park Service
Mark Isaksen, National Park Service-National Mall and Memorial Parks
Judy Scott Feldman, National Coalition to Save Our Mall
Sarah Batcheler, U.S. Commission of Fine Arts
Thomas Luebke, U.S. Commission of Fine Arts
Judy Robinson, Robinson & Associates
Melissa Hatcher, AECOM
Elsa Santoyo, SmithGroup
Amy Ballard, SI AHHP
Tim Kerr, Robinson & Associates
Janel Crist Kausner, Robinson & Associates

Meeting Summary

Sharon Park (SP), SI OFEO, brought the meeting to order at 9:40 a.m. SP began by explaining the meeting's agenda and giving a brief overview of the alternative presented at the July 28, 2010, consulting parties meeting – the Refined Pavilion alternative.

1. Review of Model

SP reviewed the Refined Pavilion alternative, indicating responses it had made to consulting party recommendations. The landscape design, for instance, has more completely integrated the site with the Washington Monument grounds. Also, as a result of reduced program, the volume, height, and footprint of the museum have been reduced in response to consulting party recommendations.

In reviewing the model, the consulting parties asked for clarification regarding certain aspects of the design. Several participants asked whether the museum and porch element intruded on the McMillan Plan setback line. SP stated that the relationship between the museum and porch and the McMillan setback will be clarified. Sarah Batcheler (SB), U.S. Commission of Fine Arts, asked about the height of the building relative to surrounding buildings. SP stated that the museum penthouse would not exceed the height of the U.S. Department of Commerce cornice. Andrew Lewis (AL), D.C. Historic Preservation Office, stated that the museum penthouse appeared to be located toward the south side of the roof. AL

and other consulting parties asked whether or not the penthouse would be placed symmetrically on the roof, as was expected. SP stated that the disposition of the penthouse would be clarified.

Dreck Wilson (DW), ASAALH, noted that the location of trees shown on the model appeared to be out of date for the latest iteration of the Refined Pavilion alternative. SP pointed out that the model represented the concept for the alternative, not design development. In discussing the landscape plan as it has been developed, the consulting parties reiterated concerns previously expressed by the National Park Service that shrubs used to obscure security elements should not block views across the site.

Perry Wheelock (PW), National Park Service, stated that the porch element appeared in the model to be part of the museum building, and therefore the museum appeared too far to the south. Thomas Luebke (TL), U.S. Commission of Fine Arts, agreed with this assessment. He pointed out that there could be two possible alignment concepts for the museum – with the other buildings on the Mall or with the rest of the city. No reasoning, he said, had been provided by the design team for the alignment that has been chosen. A logical alignment, he suggested, might be true cardinal north, rather than the 1.7-degree rotation needed to align with other buildings on the Mall. SB stated that she thought at the end of the last consulting parties meeting that the decision was to rotate the building to cardinal north. The drawings received by CFA for its hearing, however, seem not to have followed that logic. TL asked whether the museum was understood by the design team as part of the Mall or part of the Washington Monument grounds. He asked that the design team state its intention with regards to that question.

2. NCPC Meeting

Ann Trowbridge (AT), SI OFEO, provided a summary of the National Capital Planning Commission (NCPC) hearing on the SI's latest submission, which took place on September 2, 2010. She stated commissioners showed enthusiasm for the project and commended the design team for their continued development of the concept. The Smithsonian had been given the green light to move forward with the design, she said, with direction on issues to address further. These issues included clarification of the property line on 14th Street, N.W., a review of the planned service entrance on 14th Street, landscape design, night lighting, security, and geotechnical studies related to the stability of the Washington Monument. AT noted that SI was encouraged not to reduce the program to such an extent that the museum's mission was compromised. She also listed comments made by the commissioners, which included a concern that the museum was located too far to the south, a concern that the water feature was too close to Constitution Avenue, and a recommendation that the Smithsonian involve the Anacostia Community Museum, as the de facto African American history museum, in the establishment of NMAAHC.

TL asked whether NCPC had asked for further investigation of NMAAHC service access from the National Museum of American History. AT and Ken Walton (KW), NCPC, stated that the commission had not asked for further investigation. Jud McIntire (JM), SI OFEO, stated that SI had already reviewed various options for that possibility. All the possibilities presented difficulties related to traffic, operations, and cost that the 14th Street service entrance did not present. TL asked that the SI studies be made available to CFA for review. KW stated that NCPC does not expect SI to conduct further service entrance studies, but to see what studies SI has already conducted.

PW reiterated the comment by NCPC commissioner Peter May, representing NPS, that the museum is located too far to the south. AT pointed out that restudy of the location was not part of NCPC's formal recommendations. Brenda Sanchez (BS), SI OFEO, asked for clarification of NPS's position. PW stated that the porch element extends farther south than the Park Service is comfortable with.

3. Effects Matrix

SP began the discussion of the effects matrix by reminding the consulting parties of the NMAAHC schedule. She stated that SI would like to include the matrix in the Tier II draft environmental impact statement (DEIS), which would be issued at the end of October. A public hearing on the DEIS would take place in the middle of November. SI would like the matrix to be used when discussion of a memorandum of agreement to resolve adverse effects of the museum begins, which is scheduled for January 2011. Since no consulting parties meetings are scheduled until January, today's meeting represented the best opportunity to comment on the current matrix draft. She also stated that a meeting on the matrix could be held between now and January, if it was thought to be needed.

Judy Robinson (JR), Robinson & Associates, reviewed the development of the matrix. She pointed out that the current version of the matrix responded to requests by the consulting parties to reduce the amount of text in the matrix and to make differences between the alternatives more easily understood. The current version of the matrix, she explained, removed repetitive text, used graphic means (bullets, boldface type, underlining) to emphasize differences, and separated the design advantages of the alternatives from the body of the matrix text in order to make them clearer.

JR directed the consulting parties' attention to the minimization comment column at the end of the matrix, reviewed its development, and asked if the column should still be included. AL suggested the comments could be included in an appendix as part of the historical record. DW wondered if such an appendix would undermine the purpose of the matrix, which is to have pertinent information available in one place in summary form. Louise Brodnitz (LB), Advisory Council for Historic Preservation, suggested breaking the comments down by alternative. JR stated that this approach would introduce a large amount of new text into the matrix, since the comments often referred to more than one alternative and therefore would have to be repeated in several locations. SB stated that the matrix is already text heavy and therefore leaving the comment column out may make little difference to its understandability. AL pointed out that, for Section 106 consultation, identifying adverse effects was the first priority. Minimization becomes important when the preferred alternative is selected. Don Hawkins (DH), Committee of 100 on the Federal City, reiterated the importance of the comment column as a historical record of the consultation process.

A discussion ensued on the value of a quantitative summary of the matrix findings – a comparative analysis of the number of major, moderate, and minor adverse effect findings. SB pointed out the value of having some means to compare the alternatives. AL pointed out that evaluations of the intensity of effects is not a Section 106 finding, but occurs in environmental impact statements.

The consulting parties also made suggestions on ways to increase the legibility of the information in the matrix, such as color coding, use of italics, renaming columns, adding and moving definitions, etc. SP and JR agreed to study these and other ways of making the matrix clearer.

JR then led a discussion of the effects of the Refined Pavilion scheme, which the consulting parties had not seen previously. AL asked that the symmetrical placement of the penthouse in the Refined Pavilion scheme be confirmed if it is to be cited as a design advantage. After a discussion of the Refined Pavilion's advantage of having the smallest footprint, SB suggested expanding the description to point out that the alternative also had the smallest volume, lowest height, etc.

Judy Scott Feldman (JSF), National Coalition to Save Our Mall, pointed out a potential inconsistency in the matrix evaluations. It states, for instance, that the Refined Pavilion alternative has a design advantage in that it is conceived of as an object in a field, as appropriate to the Washington Monument

grounds, while a comment to minimize the impact of the Blended alternative recommends aligning it with other museums. Discussion followed on the possible reasoning for siting the museum – in relationship to the Monument grounds and in relationship to the museum buildings on the Mall. Since the site was considered a hinge site, SB pointed out, it partook of both the Mall alignment and the Monument grounds orientation. AL stated that the D.C. Historic Preservation Office has examined the records and has concluded that 14th Street, N.W., is the western boundary of the Mall. The NMAAHC therefore occupies a portion of the Washington Monument grounds, and effects should be evaluated according to that finding. JSF raised the question of the public’s perception of the building’s location. She suspected that most people would look on it as related to the row of museums rather than as part of the Washington Monument grounds. The question, she said, was which relationship – to the museums or to the Monument grounds – was more important in the evaluations made in the matrix. SB noted that, currently, the site is understood as part of the Washington Monument grounds. As soon as something is built there, that perception changes. The question is how to minimize the impacts to the Washington Monument and its grounds while acknowledging that impact. A discussion followed on the S106 requirement and goal of protecting all of the numerous historic resources in this particularly rich area.

PW and AL stated the need to analyze the effects of the oculus and the porch, although their designs are not as advanced as the building itself. JR pointed out that, once the preferred alternative was selected, discussion of effects would be focused on that design, which would include more advanced designs for these elements.

JSF asked whether views of the Commerce building from the Washington Monument grounds were more important than aligning the NMAAHC with the Commerce building. TL stated that this was a fundamental issue that needed to be resolved, but that it could not be contained within the Section 106 consultation, since it relates to the future of the city rather than its past. AT pointed out that the SI and the design team are wrestling with the relative importance of all the influences on the building’s location and design. As an example, she noted that the NMAAHC is considered part of the SI family of civic buildings, and therefore the design is not influenced by nearby office buildings, such as the Commerce building.

Several comments related to specific items in the matrix entries for the Refined Pavilion alternative:

Item 3 – Several consulting parties asked for confirmation on the treatment of the penthouse and whether it would be symmetrical.

Item 19 – AL asked for a definition of “primary frontages.” AL and LB stated that they did not see the matrix entry as being accurate with regards to the Refined Pavilion.

Item 20 – AL suggested making reference to the compatibility of the Refined Pavilion’s landscape scheme with the Washington Monument grounds in this item. SB stated that there were other similar opportunities to make the same reference.

Item 21 – Several consulting parties suggested that the definition of “public gathering and recreational space” be clarified to include the expression of First Amendment rights. LB noted that the new use of the NMAAHC grounds represented a change in land use under Section 106.

Item 26 – Consulting parties asked for clarification of the use of National Mall versus Mall. JR agreed that the team would review the matrix to ensure that National Mall is used when the

broader understanding of the area (from the western edge of the Capitol grounds to the Lincoln Memorial) and historic Mall is used when the area between 3rd and 14th streets, N.W., is referred to.

Item 27 – Consulting parties requested that the consultants confirm that the porch is located within the McMillan setback.

Other general comments were made on the matrix. SB suggested that an alternative should have an advantage over at least two other schemes before it is cited as an advantage in the matrix. Consulting parties also requested that the consultants check all boxes for consistency where a lower height is listed as an advantage.

4. Next Steps

SP stated that the team would update the matrix and distribute it to consulting parties for review. The revised matrix would be included in the DEIS, for which a public hearing would be held in mid-November. A meeting on the revised matrix could be held, if the consulting parties thought it necessary. SB suggested that the revised matrix be issued in its final format for ease of review.

AL noted that another consulting parties meeting might be needed if Commission of Fine Arts review of the project resulted in substantive changes before the DEIS was issued. DW asked whether his organization should attend the January 2011 meeting since it would not be a signatory to the MOA. SP noted that several design issues, would continue to be refined and that ASAALH might wish to be involved in consultation on those issues. She suggested that he make his decision on participation in future meetings base on the agendas for those meetings. AL pointed out that ASAALH could request the status of concurring party to the MOA and sign the agreement in that capacity, if it wished to do so.

The meeting was adjourned at 12:25 p.m.