NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE

SCOPING REPORT
FOR TIER II ENVIRONMENTAL IMPACT STATEMENT

WASHINGTON, DC

APRIL 2010
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1.0

INTRODUCTION
1.0 INTRODUCTION

1.1 PURPOSE OF SCOPING

The purpose of this document is to summarize activities that occurred during the public scoping period (November 10 through December 24, 2009) for the proposed National Museum of African American History and Culture (NMAAHC), a new museum on the National Mall within the Smithsonian Institution. The purpose of the scoping period was to identify public issues or concerns about the development of the NMAAHC. Public concerns identified during this scoping period will help guide the development of the Tier II Environmental Impact Statement (EIS).

The scoping report includes an analysis of the comments received during the scoping period, including identification of public concerns. The report is organized into the following sections:

- Project Background
- Summary of Public Scoping Activities
- Comment Analysis

1.2 PROJECT BACKGROUND

The purpose of the proposed action is to fulfill the mandate of the National Museum of African American History and Culture Act, P.L. 108-184 (2003). The Act states: “[Such a museum], would be dedicated to the collection, preservation, research, and exhibition of the African American historical and cultural materials reflecting the breadth and depth of the experience of individuals of African descent living in the United States.” The Tier I EIS states that based on “The Time Has Come: Report to the President and Congress” in 2003, the project is needed to: provide a national meeting place for all Americans to learn about the history and culture of African Americans; establish an Institution that can respond to the interests and needs of diverse racial constituencies; and build a national venue that can serve as an educational healing space to further racial reconciliation.

Section 8 of the Act, “Building for the National Museum of African American History and Culture,” directs the Smithsonian Board of Regents to select one site among four on or near the National Mall for the construction of the museum. The Smithsonian Institution consulted with a variety of groups and conducted a Town Hall meeting in November 2005. After undertaking a site evaluation study and consultation with parties specified in the legislation and others, the Board of Regents of the Smithsonian Institution voted to select the area bounded by Constitution Avenue, Madison Drive, and 14th and 15th Streets, NW, now commonly known as the Monument site. The decision was announced on January 30, 2006.

After site selection, the Smithsonian Institution and the National Capital Planning Commission, after consultation with the Council of Environmental Quality, decided to tier the EIS process (40 CFR parts 1502.20 and 1508.28). The Tier I EIS was completed with a Final EIS (FEIS) issued on June 27, 2008 and a Record of Decision was issued on August 8, 2008. The Tier I FEIS analyzed a “no build” alternative along with six diagrammatic massing alternatives on the site. Alternatives addressed themes that included context, siting and mass, orientation, form, exterior spaces, and profiles. The
Tier I FEIS concluded that the Build Alternatives all had comparable effects on the majority of resources analyzed, which included cultural resources, aesthetics and visual resources, groundwater, surface water resources, air quality, noise, transportation, land use and planning policies, visitor use and experience, communities and businesses, infrastructure and utilities, public health and security, and cumulative effects. The Smithsonian Institution and the National Capital Planning Commission chose to assess more concrete design concepts for the NMAAHC for viewsesh impacts, possible historic resource effects, and certain geotechnical, transportation and other effects in the Tier II EIS.

The Smithsonian Institution chose to express the Tier I Preferred Alternative as a set of physical parameters related to heights, setbacks, and configuration. The program requirements and physical parameters resulted in a Smithsonian Preferred Alternative of about 350,000 gross square feet that was bounded between 60 and 105 feet in height, a minimum 50-foot setback from the inside face of the sidewalk of the surrounding streets for preliminary security planning purposes; and a subsurface volume not lower than 45 feet. The massing parameters ranged from orthogonal and contextual to free-form and non-contextual. In addition to the physical parameters, the Smithsonian Institution, in coordination with the Consulting Parties, developed a set of design principles to help future design architects to minimize adverse effects on historic resources. The principles speak to the importance of relating to and respecting the character, views, and spatial arrangements of the National Mall; the character, scale, and historic context of the Washington Monument grounds; and the relationship of the NMAAHC to adjacent architectural and urban contexts.

The Smithsonian Institution is using the decisions described in the Record of Decision for the Tier I EIS as instructions to the design architects in developing concept designs for the NMAAHC. The environmental effects of the concept designs will be evaluated in the Tier II EIS. The final decisions on the design of the NMAAHC will not be made until the Tier II NEPA analysis is complete.

The potential range of alternatives that will be evaluated in the Tier II EIS includes the no action or no build alternative and no fewer than three build alternatives that will address, among other things, the design principles, the analysis and findings of the Tier I EIS and Smithsonian Institution Record of Decision, and the issues surfaced in the concurrent National Historic Preservation Act, Section 106 process. The Tier II EIS will include a full range of alternatives evaluating varying heights and forms, including one with a roof height that does not exceed the roof heights of adjacent museums, and with building faces that do not protrude beyond the building faces of adjacent museum buildings along the Mall. The Smithsonian Institution and the National Capital Planning Commission, as the lead federal agency, are jointly leading the preparation of the Tier II EIS. National Park Service is a cooperating agency.
2.0

PROJECT SCOPING
2.0 PROJECT SCOPING

The scope of an EIS is the range of actions, alternatives and impacts to be considered in an EIS. The EIS scoping process is designed to provide an opportunity for the public and other federal and local agencies to help determine the scope of the EIS.

2.1 NOTICE OF INTENT

The first formal step in the preparation of an EIS is the publication of a Notice of Intent to prepare an EIS. The Smithsonian Institution and the National Capital Planning Commission published the Notice of Intent for this proposed action in the Federal Register on November 10, 2009. The Notice of Intent is provided in Appendix A. The Notice of Intent described the proposed action and reasons why an EIS is being prepared. In addition, the Notice of Intent stated the Smithsonian Institution and the National Capital Planning Commission’s continuation of related consultation under Section 106 of the National Historic Preservation Act (16 U.S.C. 470(f)). The Notice of Intent comment period for this project began on November 10, 2009, and concluded on December 24, 2009. Comments were accepted in writing or by email.

2.2 OUTREACH ACTIVITIES

A number of methods were used to reach out to the community, federal and local agencies, and other interested parties throughout the public scoping period, including the publication of newspaper advertisements, the distribution of flyers, a public scoping meeting, and meetings with federal agencies and the Consulting Parties. The following describes each of these outreach activities in further detail.

2.2.1 NEWSPAPER ADVERTISEMENTS

The date and location of the public scoping meeting was advertised in seven local publications: Afro American, Washington Informer, Washington Post Express, El Pregonero, The Current Newspapers (Northwest, Dupont, Foggy Bottom, and Georgetown), Capital Community News (Hill Rag, DC North, East of the River), and Washington City Paper. Table 2-1 displays the publication date of each newspaper advertisement. The advertisements announced the public meeting. See Appendix B for a copy of the advertisements’ text.
### Table 2-1
**Newspapers and Publication Dates**

<table>
<thead>
<tr>
<th>Newspaper</th>
<th>Publication Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afro American</td>
<td>December 5, 2009</td>
</tr>
<tr>
<td>Washington Informer</td>
<td>December 3, 2009</td>
</tr>
<tr>
<td>Washington Post Express</td>
<td>December 1, 2009</td>
</tr>
<tr>
<td>El Pregonero</td>
<td>December 2, 2009</td>
</tr>
<tr>
<td>The Current Newspaper – Northwest</td>
<td>December 2, 2009</td>
</tr>
<tr>
<td>The Current Newspaper – Dupont</td>
<td>December 2, 2009</td>
</tr>
<tr>
<td>The Current Newspaper – Foggy Bottom</td>
<td>December 2, 2009</td>
</tr>
<tr>
<td>The Current Newspaper – Georgetown</td>
<td>December 2, 2009</td>
</tr>
<tr>
<td>Capital Community News – Hill Rag</td>
<td>December 1, 2009</td>
</tr>
<tr>
<td>Capital Community News – DC North</td>
<td>December 1, 2009</td>
</tr>
<tr>
<td>Capital Community News – East of the River</td>
<td>December 1, 2009</td>
</tr>
<tr>
<td>Washington City Paper</td>
<td>December 4, 2009</td>
</tr>
</tbody>
</table>

#### 2.2.2 Flyer Distribution

During the scoping period, a meeting flyer was emailed to a mailing list of 91 individuals, Federal and District of Columbia agencies, elected officials, neighborhood organizations, and institutions surrounding the project site. In addition, an email blast (e-blast) of the flyer was distributed to approximately 2,527 email addresses on November 20, December 1, and December 8, 2009. The purpose of the flyer and the e-blast was to invite recipients to the public scoping meeting. The distribution list was compiled based on sign-in sheets at public meetings held during the Tier I EIS process, as well as agencies, organizations, and individuals reasonably expected to be interested, or with expertise or jurisdiction, or who requested to be placed on the mailing list during the Tier I EIS process. In addition, the flyer was distributed to an email distribution list compiled by Justice & Sustainability Associates for projects in Washington, DC.

#### 2.2.3 Public Scoping Meeting

One public scoping meeting was held on Thursday, December 10, 2009, from 5:30 p.m. until 8:30 p.m. at the Smithsonian Institution Building, Castle Commons, located at 1000 Jefferson Drive, SW, Washington, D.C., 20560. The meeting began with a formal presentation at 6:00 p.m. and was followed by an informal open house format. Attendees were greeted at the door and asked to provide their names and contact information on sign-in sheets. A presentation was led by the Smithsonian Institution and the consultant team, explaining the NEPA process and the purpose of scoping, the purpose and need for the project, and the Smithsonian Institution’s design competition to select the project architect. Following the presentation, participants were directed to the topic area stations. Three topic area stations, each displaying up to three boards, were set-up for
participants to view information on the projects. The three topics covered were: 1) Purpose/Need and NEPA Process/Roadmap; 2) Tier I EIS Issues, Tier II EIS Issues, and Section 106; and 3) Design Principles, Massing Parameters, and Design Competition Submission. The Smithsonian Institution, National Capital Planning Commission, and the consultant team representatives were present to answer questions and record comments on a large flip charts located at each station. In addition, the National Park Service, as a Cooperating Agency, was in attendance. A total of 41 individuals signed-in as attendees of the public scoping meeting with approximately 14 representing organizations, 20 individuals, 5 agencies, and 2 media outlets. The scoping meeting comments are included in Appendix C.

2.2.4 Agency Coordination

During the scoping process and prior to conducting the public scoping meeting, the Smithsonian Institution and the National Capital Planning Commission contacted the National Park Service and the General Services Administration to provide information on the project and to determine interest in face-to-face meetings to discuss the proposed action. A conference call was held with General Services Administration and National Aquarium staff on December 8, 2009. A meeting was held with the National Park Service on December 8, 2009. The comments received during the agency consultations are summarized in Appendix D.

2.2.5 Consulting Parties

As part of the scoping process and prior to conducting the public scoping meeting, the Smithsonian Institution and the National Capital Planning Commission held a meeting with the Consulting Parties to the concurrent National Historic Preservation Act, Section 106 consultation process. The meeting was held on November 18, 2009. The comments received during this meeting are summarized and included in Appendix E.
3.0

SCOPING COMMENTS
3.0 SCOPING COMMENTS

3.1 SUMMARY OF COMMENTS BY TOPIC AREA

The project scoping process allowed for comments to be received via a variety of methods. A majority of the comments were received verbally at public meetings; however, written letters, comment cards, and emails were also received. Members of the community, the Consulting Parties, and public agencies contributed in the scoping commenting process. Table 3-1 displays the number of comment respondents by response type.

Table 3-1
Comment Respondents by Response Type

<table>
<thead>
<tr>
<th>Response Type</th>
<th>Number of Respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written – Letter or Email</td>
<td>9</td>
</tr>
<tr>
<td>Verbal – Public Meeting</td>
<td>25</td>
</tr>
<tr>
<td>Verbal – Agency Meetings</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>37</td>
</tr>
</tbody>
</table>

A full record of the comments received during the scoping period is included in Appendix C. Table 3-2 on the following pages includes a compilation of the relevant comments received by topic area, as well as the number of times the same (in general content, not in exact language) comment was expressed.
# Table 3-2
Compilation of Comments Received for Tier II EIS

<table>
<thead>
<tr>
<th>Comment Topic</th>
<th>Comment</th>
<th>Number of Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td>Are there any significant adverse cumulative impacts to land use? EIS should consider this project with other past, ongoing, or future projects.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What is the height of the building relative to others in the area?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Views from inside the building looking out are historic.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Provide more renderings as part of the visual analysis. Include views from multiple directions.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Building is in stark contrast to the massing studies evaluated as part of the Section 106 process, which were intended to establish guidelines for museum.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Museum footprint is far too large for the site.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Building will be filling what is now public open space historically part of the Washington Monument.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>NMAAHC should not appear larger than American History. Outwardly slanting faces and continuous form make NMAAHC appear larger than it is.</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Museum fits with the buildings around it, but does not address the presence of the Washington Monument. The project should transition to the Washington Monument, not to the other museums and surrounding buildings.</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>The alternatives should take into account the relationship to the broad sweeping landscape of the Washington Monument grounds and the new museum should not reduce this feeling.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What is the impact of the project when looking down from the Washington Monument?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Need to consider impacts of nighttime lighting from the museum’s interior.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What is the impact of the Corona and its potential to blocks views from nearby locations of the Washington Monument? Corona blocks views form 14th Street and Constitution Avenue. How will these effects be minimized?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Building massing should be less intrusive.</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Building as shown in the concept is too large for the site but alternatives can address height, mass, pedestrian access.</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>To the extent possible, impacts on the views to the east and to the west along the Mall should be mitigated.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Perimeter security features should not overwhelm the site.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The design of the museum should be coordinated with the design of the Hoover Building and the National Aquarium entrance on Constitution Avenue.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The podium is an interesting concept, but it projects into the space looking west towards the Washington Monument from the Mall.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The following urban design topics should be analyzed in the Tier II EIS: building height, security, views and vistas to and from the Washington Monument, and</td>
<td>1</td>
</tr>
<tr>
<td>Comment Topic</td>
<td>Comment</td>
<td>Number of Comments</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>relationship of the existing building and site context.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geology and Soils</td>
<td>What is the existing status of the subsoil conditions of the Washington Monument itself?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What effect will have NMAAHC have on sensitive soils conditions supporting the foundation of the Washington Monument?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What are the effects of NMAAHC construction on the integrity of the Washington Monument related to subsoil conditions, water levels, and fluctuations over time? Studies should be completed to determine these conditions and the project’s effects.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The site is not the most structurally stable because of the underlying clay. Bedrock is approximately 40 to 50 feet below ground surface. These factors should be taken into consideration to ensure that the construction of the museum does not adversely impact the Washington Monument.</td>
<td>2</td>
</tr>
<tr>
<td>Hydrology</td>
<td>This building will constitute new water table conditions.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Does Tiber Creek run under the site? What effects will construction of NMAAHC have on Tiber Creek?</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>What effect will construction have on the water table?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What is the site’s hydrology? Will the museum use a foundation or permanent pump? The building will constitute a major diversion of the water table at this location.</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Ground water hydrostatic pressure changes that may occur during construction should be analyzed in the Tier II EIS.</td>
<td>1</td>
</tr>
<tr>
<td>Natural Resources (Global Climate Change, Biological Resources, Site Performance)</td>
<td>What effects will global climate change have on the water table and sensitive soil conditions at the site? How will global climate change affect the stability of the Washington Monument?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>What is the impact on existing trees?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Retain the natural landscaping of the site.</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Use native plants/trees and provide bio-retention opportunities.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Provide a green roof – either intensive or extensive. Building should be at least 75 percent green, using solar panels, recycled materials, etc.</td>
<td>3</td>
</tr>
<tr>
<td>Transportation (Vehicular and Pedestrian)</td>
<td>How will service vehicles access the site?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Where do buses service the site? The location should be clear and obvious.</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Shuttle bus service from popular places in D.C. should be provided. Shuttle transport to/from the Anacostia museum should be considered.</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Will there be curb cuts on 14th Street? How will the project affect 14th Street?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>15th Street is a park road and a ceremonial road, and it is not part of the public highway system. Constitution Avenue is a ceremonial route from Capitol Hill to Arlington National Cemetery. This should be taken into account in the traffic study.</td>
<td>1</td>
</tr>
<tr>
<td>Comment Topic</td>
<td>Comment</td>
<td>Number of Comments</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td></td>
<td>Are there plans to modernize the Mall by closing off Independence Avenue?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>What is the timing of construction of National Aquarium entrance with [the] new museum: Will the construction schedules overlap? [Will there be] impacts to Constitution Ave from simultaneous construction?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Museum should be set back to allow for fluid pedestrian movement.</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Are there any plans to link NMAAHC to history museum through an underground passage?</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Site design should have a strong relationship to the Washington Monument grounds to the east, and to the Mall pedestrian circulation to the south.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The existing paths and connections to monuments and historic sites should be incorporated into the site design.</td>
<td>1</td>
</tr>
<tr>
<td>Alternatives</td>
<td>How much of the existing design is set?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>The EIS needs to consider a meaningful range of alternatives. Keeping the same form and making the same large scale moves will not satisfy NEPA.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Design and the alternatives should explore subtleties of setbacks and relationships to the ground plane and subtly consider different interpretations of the design forms.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>How many total floors will be in the building? What is the total building square footage? How tall will the building be?</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>How will the alternatives be selected? Will they be voted on by Smithsonian or will the public have a say? How much of the existing design is set?</td>
<td>1</td>
</tr>
<tr>
<td>Process</td>
<td>Public process should have outreach to churches.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Concept alternatives schedule is too aggressive.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Preparation of the Tier II EIS should be closely coordinated with agencies responsible for surrounding properties.</td>
<td></td>
</tr>
</tbody>
</table>
3.2 COMMENTS NOT APPLICABLE TO EIS PROCESS

Several comments received during the scoping process were beyond the scope of the current NEPA process. These include comments related to museum programming, museum design, and site selection/museum location. Three comments were received questioning the location of the NMAAHC. One comment was received asking how the museum would be funded. The remaining comments related to museum programming, museum design, and process are provided below. These comments could help guide the design team in the development of alternative concepts.

3.2.1 Museum Programming

- Will there be food/concession at the museum?
- What do we want visitors to take away from this museum on the Mall? Is the African American experience part of the American experience? How should we understand the rich cultural traditions in the larger picture of American history?
- NMAAHC will help foster a dialogue about race in America.
- The NMAAHC will help to dispel the myths and stereotypes and create a better understanding not only of African Americans but also of America and American history.
- Should provide services for children at the facility.
- What will be the relationship between the Anacostia neighborhood museum and NMAAHC? Exhibits? Programs? Will a shuttle service connect the two museums?
- Music and performance spaces should be prominent.
- Really like how the skin wraps the building.

3.2.2 Museum Design

- Design should make a bold statement about the contributions of African Americans to this country. Materials and icons can address the African American experience.
- What is the symbolism of the design?
- Are there lessons learned from NMAI [with regards to] design and function?
- Design should show path/legend of past African American architects’ contribution to D.C. and map comparisons of architects old and new.
- The best architecture of the Mall does not overpower. There is a precedent on the Mall of human-oriented architecture with its Egyptian and Gothic Revival buildings.
- Open space characteristics of the site should be given preference.
- Like both the iconic imagery of the building form and historical diversity of exhibits and authentic artifacts. Project will ensure the communities of Afro-Americans that this building will reflect the culture of people it honors through its pre-design and completed project.
- There should be no final landscape plan developed for NMAAHC until a unified landscape for the entire Washington Monument grounds can be articulated, including the National Park Service Mall Plan.
- Washington Monument grounds have never been completed as designed because Congress rejected the McMillan commission design as potentially dangerous to the Washington Monument foundation. As such, the grounds are a vast and barren expanse that desperately
needs improvement including trees, pedestrian walkways, places to rest, and public gathering and performance space in keeping with its centrality to the entire National Mall.

- The landscape design should consider a broad open lawn. Streetscape sidewalks can be used when the site is not located in a historic sidewalk area. The landscape of the Washington Monument grounds is characterized by simple ground planes, strong vertical elements (primarily elm trees), and no shrub layer. The design of NMAAHC should be consistent with this.

- Design should incorporate the element of water. Water should be agitated and not complacent.
3.3 CONCLUSIONS

The following lists the most important issues to be considered by the Smithsonian Institution and National Capital Planning Commission in the development and assessment of alternatives for the NMAAHC in the Tier II EIS. These issues have been extracted from comments summarized in Table 3-2.

3.3.1 Land Use and Visitor Use and Experience

These issues focus on site context and how visitors would be expected to use the site. Specifically, the following concerns were identified:

- How the museum fits in with the context of the surrounding land uses, including the Washington Monument and the other museums on the National Mall.
- How visitors interact with the site and use the museum.
- How perimeter security measures affect visitor access to the site and the museum building.

3.3.2 Cultural Resources and Visual Resources

These issues relate to the potential effects of the NMAAHC on adjacent historic resources and within the historic context of the Capitol, Washington Monument, and the National Mall. These issues also concern visual effects of the museum on scenic viewsheds and vistas.

- Relationship to the McMillan Plan and the L’Enfant Plan.
- Physical effects to the character-defining features of surrounding key cultural resources.
- Relationship of the site and the museum within the site to the surrounding urban context and the spatial context of the Washington Monument and grounds, including the massing and height of the museum.
- Effects of perimeter security measures on the visual environment.
- Effects of the museum on the visual environment, including lighting and obstruction of key views/vistas and views within the Washington Monument grounds.

3.3.3 Geology, Soils, and Groundwater

Tier II will include analysis of geotechnical information to assess the NMAAHC’s potential effects on the hydrology of the site and its surroundings, as well as on surface water.

- Soil types that underlay the project site and the load bearing capacity of these soils.
- Type of foundation that will be required based on soil and groundwater conditions at the site and the type of construction required for the foundation.
- Soil types that underlay surrounding areas.
- Impact of construction and operation at the project site on the Washington Monument grounds and other nearby structures.
3.3.4 Conservation of Natural Resources

These issues concern the museum’s potential effects on depletable natural resources, including open spaces, and methods to conserve them, including:

- Sustainable features that will be incorporated into project design.
- Effects related to global climate change from construction and operation of the museum, including contributions to greenhouse gas emissions.
- Amount of open space that will remain and the landscaping that will be installed.
- Types of drainage features will be used for stormwater runoff.
- Effects of vegetation removal, including loss of trees.

3.3.5 Transportation

The Tier II EIS will include an analysis of traffic impacts associated with area roadways, as well as address specific concerns related to tour bus loading and unloading, servicing and deliveries, pedestrian routes, and bicycle access. Specific issues include:

- How vehicles will access the site for servicing and deliveries. Where the loading dock/service entrance will be located.
- How servicing and deliveries will affect traffic congestion during peak and off-peak hours.
- Location of tour bus parking.
- Locations of pedestrian access points.
- Impact of increased pedestrian traffic on surrounding land use and roadway congestion.
- Location of existing bike routes and bicycle parking.
3.4 **EIS TOPICS**

Based on discussion in internal, agency, and public meetings, the topics listed below will be included in the Tier II EIS.

- **Land Use and Visitor Use and Experience**
  - Site Context
  - Visitor Experience
- **Cultural and Visual Resources**
  - Historic Resources
  - Visual Resources
- **Geology, Soils, and Groundwater**
  - Soil Composition and Stability
  - Distribution and Movement of Groundwater
- **Natural Resource Conservation**
  - Site Performance
  - Open Space
  - Global Climate Change
- **Transportation**
  - Site Access and Service
  - Pedestrian and Bicycle Connections

In addition, the Tier II EIS will include a description of the alternatives and the process used to select the alternatives, as well as public and agency involvement and input in the NEPA process.
3.5 SCHEDULE/TIMELINE

The current schedule anticipates that the Tier II Draft EIS will be released for 45-day public review in the summer of 2010. A second public meeting will be held in summer 2010 during the public review period for the Tier II Draft EIS.

After public comment on the Tier II Draft EIS, the Smithsonian Institution and the National Capital Planning Commission anticipate publication of the Final EIS in the fall of 2010.
APPENDICES
APPENDIX A

NOTICE OF INTENT
By clarifying its rules and abolishing out-dated language, the Exchange is not changing or altering any obligation, rights, policies or practices enumerated within its rules.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the "Act"), in general, and furthers the objectives of Section 6(b)(5) of the Act, in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(ii) of the Act and Rule 19b-4(f)(6) thereunder. Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act and Rule 19b-4(f)(6) thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

- Electronic Comments
  - Use the Commission’s Internet comment form (http://www.sec.gov/rules/sro.shtml); or
  - Send an e-mail to rule-comments@sec.gov. Please include File Number SR–NYSEArca–2009–96 on the subject line.

- Paper Comments
  - Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEArca–2009–96. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission’s Internet Web site (http://www.sec.gov/rules/sro.shtml). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission’s Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied the pre-filing requirement.

SMITHSONIAN INSTITUTION

NATIONAL CAPITAL PLANNING COMMISSION

Intent To Prepare a Tier II Environmental Impact Statement for Proposed Construction of the Smithsonian National Museum of African American History and Culture

AGENCY: Smithsonian Institution (SI), National Capital Planning Commission (NCPC).

ACTION: Notice.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality (40 CFR parts 1500–1509), and in accordance with the Environmental Policies and Procedures implemented by the National Capital Planning Commission, the SI and NCPC announce their intent, as Joint-Lead Agencies, with NCPC as the Responsible Federal Agency, to prepare a Tier II environmental impact statement (EIS) to assess the potential effects of constructing and operating the National Museum of African American History and Culture (NMAAHC) within the Smithsonian Institution. The Museum will be located on a 217,800 square foot (SF) or 5 acre site bounded by Constitution Avenue, Madison Drive, 14th and 15th Streets, NW., on the National Mall in Washington, DC. A public meeting will be conducted to ensure that all significant issues related to construction and operation of the proposed museum are identified for study in the EIS. SI and NCPC are conducting this NEPA process concurrent with the National Historic Preservation Act (NHPA), section 106 process.

SUPPLEMENTARY INFORMATION: Public Law 108–184, the National Museum of African American History and Culture Act enacted by the Congress of the United States on December 16, 2003, (the Act) established a museum within the Smithsonian Institution to be known as the National Museum of African American History and Culture. It recognizes that such a museum “would be dedicated to the collection, preservation, research, and exhibition of African American historical and cultural materials reflecting the breadth and depth of the experience of individuals of African descent living in the United States.”

Section 8 of the Act, “Building for the National Museum of African American History and Culture,” directs the Smithsonian Board of Regents to select one site among four in Washington, DC for the construction of the museum. After undertaking a site evaluation study and consultation with parties specified in the legislation, the Board of Regents of the Smithsonian Institution voted to select the area bounded by Constitution Avenue, Madison Drive, 14th, and 15th Streets, NW., now commonly known as the Monument site. The decision was announced on January 30, 2006.

After site selection, SI and NCPC, after consultation with the Council of Environmental Quality, decided to tier the EIS process (40 CFR parts 1502.20 and 1508.28). The Tier I EIS was completed with a Final EIS (FEIS) issued on June 27, 2008 and a SI Record of Decision issued on August 8, 2008.

The identity and description of the action to be addressed in both EIS tiers derive primarily from the language of Public Law 180–184, its legislative history, and the studies by the “National Museum of African American History and Culture Plan for Action Presidential Commission” that led to its enactment, and the Phase II Site Evaluation Study of November 15, 2005.

The Tier I FEIS analyzed a “no build” alternative along with six diagrammatic massing alternatives on the site. Alternatives addressed themes that included context, siting and mass, orientation, form, exterior spaces, and profiles. The Tier I FEIS concluded that the Build Alternatives all had comparable effects on the majority of resources analyzed. This highlighted the need to develop more concrete design concepts in order to assess fully the impacts of the NMAAHC on cultural and visual/aesthetic resources.

Therefore, the SI chose to express the Tier I Preferred Alternative as a set of physical parameters related to heights, setbacks, and configuration. The physical parameters resulted in a Smithsonian Preferred Alternative of about 350,000 GSF that was bounded between 60 and 105 feet in height, a minimum 50 foot setback from the inside face of the sidewalk of the surrounding streets; and a subsurface volume not lower that 45 feet. The massing parameters ranged from orthogonal and contextual to free-form and non-contextual. While NCPC and Smithsonian are working cooperatively on this EIS, Smithsonian does not submit a design to NCPC for review until later in the process.

In addition to the physical parameters, the SI developed a set of design principles to help future design architects to minimize adverse effects on historic resources. The principles speak to the importance of relating to and respecting the character, views, and spatial arrangements of the National Mall; the character, scale, and historic context of the Washington Monument grounds; and the relationship of the NMAAHC to adjacent architectural and urban contexts.

The potential range of alternatives that will be evaluated in the Tier II EIS includes the no action or no build alternative and no fewer than three build alternatives that will address, among other things, the design principles, the analysis and findings of the Tier I EIS and SI ROD and the issues surfaced in the concurrent NHPA, section 106 process. The Tier II EIS will include a full range of alternatives evaluating varying heights and forms, including one with a roof height that does not exceed the roof heights of adjacent museums, and with building faces that do not protrude beyond the building faces of adjacent museum buildings along the Mall.

Public Scoping Meeting and Comments: The Smithsonian Institution and the National Capital Planning Commission will solicit public comments for consideration and possible incorporation in the Draft Tier II EIS through public scoping, including a scoping meeting, on the proposed museum building at the Monument site. The scoping meeting will be held on December 10, 2009, from 5:30 p.m. to 8:30 p.m. in the “Commons” of the Smithsonian Castle Building, located at 1000 Jefferson Drive, SW., Washington, DC. Consultants representing the SI and NCPC will be available to answer questions and receive comments about the scope of the Tier II EIS. Announcements about the meeting are provided on the NCPC Web site at http://www.ncpc.gov. Notice of the public meeting will be publicized in local newspapers and through other sources. Additional information about the museum is located at http://www.nmaahc.si.edu and about the Tier I EIS at http://www.louisberger-nmaahc.com. To ensure that all issues related to this action are addressed and all significant issues are identified early in the process, comments are invited in writing and orally from all interested and/or potentially affected parties. These comments may be provided at the public meeting or provided in writing to EDAW/AECOM, Attn: NMAAHC EIS Comments, 601 Prince Street, Alexandria, VA 22314 or by e-mail to NMAAHC.EIS.Comments@aecom.com. All public comments must be postmarked or received by e-mail by December 24, 2009.

FOR FURTHER INFORMATION CONTACT: Jane Passman, Senior Facilities Planner, Smithsonian Institution, Office of Facilities Engineering and Operations. For U.S. Postal Service delivery the address is P.O. Box 37012, MRC 511, Washington, DC 20013–7012. For all other deliveries the address is 600 Maryland Ave., SW., Suite 5001, Washington, DC 20024. Phone 202–633–6549; Fax: 202–633–6233.


Judith Leonard,
General Counsel, Smithsonian Institution.


Lois J. Schiffer,
General Counsel, National Capital Planning Commission.

[FR Doc. E9–27002 Filed 11–9–09; 8:45 am]
BILLING CODE 8030–03–P

DEPARTMENT OF TRANSPORTATION
Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California; Notice of Statute of Limitations on Claims

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327 and Other Federal Agencies.

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, and other Federal Agencies that are final within the meaning of 23 U.S.C. 139(b)(1). The actions relate to a proposed highway project, Interstate 5 (I–5) High Occupancy Vehicle (HOV)/Truck Lanes from the I–5/State Route 14...
APPENDIX B

TEXT OF NEWSPAPER ADVERTISEMENTS
National Museum of African American History & Culture
Tier II Environmental Impact Statement & Section 106 Consultation

Notice of Public Scoping
December 10th, 2009

5:30pm – 8:30pm Open House
6:00pm – 6:30pm Presentation

Smithsonian Castle
Castle Commons
1000 Jefferson Drive, SW
Washington DC, 20560
APPENDIX C

SCOPING COMMENTS
National Museum of African American History & Culture
Tier II Environmental Impact Statement and Section 106 Consultation

Public Scoping Meeting
December 10, 2009, Smithsonian Castle
Castle Commons • 1000 Jefferson Drive, SW • Washington DC 20560

Comment Form

Please provide your comments on the proposed development of the National Museum of African American History & Culture (attach additional sheets if necessary).

- It's important that the museum is set back to allow fluid pedestrian movement (both with people passing by and large groups visiting the museum)

- Clear obvious accommodations for tour bus drop-offs

- Consideration needs to be given to any plans to modernize the mall (close to Independence Ave).

- The shape of the museum should not be big and bulky but rather reflective of the open green surroundings

- In addition to reflective of the proud African Heritage that it represents

- While as many of the trees should be preserved as possible, they should not compromise views of the design or safety

- The building design should compliments the rectangular/square shapes that are nearby — Rather than mimic the curves of the site

- The landscape design should encourage visitors to commune with one another outside of the building

Written comments may be mailed to:
NMAAHC EIS
601 Prince Street
Alexandria, VA 22314

Email: NMAAHC.EIS.Comments@aecom.com

Please visit our website:
www.nmaahceis.com

Comments must be postmarked or received by e-mail by December 24, 2009.
I'm glad to see they are not rushing into any traditional type, but it is inside what a unique design for a unique people. The brass color rich as the history of African Americans.
Comment Form

Please provide your comments on the proposed development of the National Museum of African American History & Culture (attach additional sheets if necessary).

Will it be possible to have shuttle transport between this museum and the Anacostia Smithsonian?

Written comments may be mailed to:
NMAAHC EIS
601 Prince Street
Alexandria, VA 22314

Email: NMAAHCEIS.Comments@aecom.com
Please visit our website:
www.nmaahceis.com

Comments must be postmarked or received by e-mail by December 24, 2009.
Summary of Public Scoping Comments
December 10, 2009

Issues

Land Use and Visitation
- [What] is the height of the building relative to others in the area?
- [What is the] timing of construction of National Aquarium entrance with [the] new museum: Will the construction schedules overlap? [Will there be] impacts to Constitution Ave from simultaneous construction?
- Why [are there] no significant adverse cumulative impacts to land use? [The EIS] should consider with other past, ongoing, or future projects.
- Will there by food/concession [at the museum]?

Natural Resources
- Does Tiber Creek run under the site?
- [The EIS should] evaluate potential impacts related to former Tiber Creek.
- What is the site’s hydrology – [will the museum use a] foundation or permanent pump?
- What is the impact on existing trees?

Cultural Resources
- [Perimeter] security concerns should not overwhelm the site and building design.
- [The Design Team should provide] more renderings from other directions.

Transportation
- How will service vehicles access the site?
- Where do buses service the site?
- Shuttle bus service from popular places in D.C. [to the museum] should be provided.
- [There are] concerns with curb cuts on 14th Street. How [the] building addresses 14th Street [is] of concern to the D.C. Office of Planning.

Design

Overall Comments
- The design should make a bold statement about the contributions of African Americans to this country.
- [The] design should show path/legend of past African American architects’ contribution to D.C. and map comparisons of architects old and new.
- Are there lessons learned from NMAI [with regards to] design and function?
- Really like how the skin wraps the building.
- Likes high walls and how panels exhibit images.

Technical Comments
- How many total floors will be in the building?
- How much of the existing design is set?
- [Are there any] plans to link NMAAHC to history museum through an underground passage?
- [The] building is too big for the site.
• [The design should] use native plants/trees and provide bio-retention opportunities.
• Building as shown in the concept is too large for the site but alternatives can address height, mass, pedestrian access.
• It is great that it will be a sustainable/green building.
• [The museum should] provide a green roof – either intensive or extensive.

Program comments
• How are programming and form co-evolving?
• Materials and icons can address the African American experience.
• Music and performance spaces should be prominent.
• [Provide] more description of the role of performance space in the design.
• Likes both the iconic imagery of the building form and historical diversity of exhibits and authentic artifacts.
• What will be the relationship between the Anacostia neighborhood museum and NMAAHC? Exhibits? Programs?
• [The museum] should provide services for children at the facility.

Process
• Why was the particular site selected?
• How will the museum be funded?
• [The public process] should have outreach to churches.
• [The] concept alternatives schedule [is] too aggressive.
The Ward 7 Arts Collaborative Inc. would like to share the following with you:

We, the Ward 7 Arts Collaborative, is excited about this project. This project will ensure the communities of Afro-Americans that this building will reflect the culture of people it honors through its pre-design and completed project.

I hope to be furthered included the dialogue about this project. If you have any questions or concerns, I can be reached at (202) 399-1997 or emailed at ward7artscollab@yahoo.com.

Respectfully yours,
Wanda Aikens
Executive Director
Ward 7 Arts Collaborative, Inc.
"Bringing Out The Beauty In Our Community"
Address: 4645 Nannie Helen Burroughs Ave NE
        Washington, DC 20019
Phone: 202-399-1997
Fax: 202-399-7177
Email: ward7artscollab@yahoo.com
Website: http://www.w7aconline.org
From: Judy Scott Feldman [mailto:jfeldman@savethemall.org]
Sent: Thursday, January 07, 2010 12:46 PM
To: Ballard, Amy
Cc: chall@achp.gov; Patsyfletch@aol.com; tluebke@cfa.gov; donhawkins@comcast.net; Lewis, Andrew (OP); David (OP) Maloney; Rebecca Miller; Walton, Kenneth T.; christine.saum@ncpc.gov; Levy, David W.; George H. F. Oberlander; perry_wheelock@nps.gov; Peter_May@nps.gov; DWi5928417@aol.com; tom9754@verizon.net; fbell; sbatcheler@cfa.gov; flindstrom@cfa.gov; Nell Ziehl; Robert Nieweg; Harwood, Alan; Judith Robinson; doug_jacobs@nps.gov; Elsa Santoyo; Chase, Lynn; McIntire, Jud; Rombach, Harry; Passman, Jane; Park, Sharon; Sieling, Bryan; Sanchez, Brenda
Subject: Comments: Re: NMAAHC Consulting Parties Meeting 20 January 2009

Amy,

Thanks for the reminder.

The National Coalition to Save Our Mall is interested in discussing with other consulting parties the comments we have submitted regarding the Tier II Scoping, in particular regarding the Washington Monument foundation issue. Our comments are the following:

To EDAW/AECOM:

Re: Tier II Scoping for the Museum of African American History and Culture

The National Coalition to Save Our Mall was unable to comment meaningfully by the December 24 comment deadline because we were awaiting the results of our Freedom of Information Act (FOIA) request for data and documents from the Smithsonian and the National Park Service. While we received documents from the Smithsonian on December 9, the National Park Service only distributed its documents to us on December 23rd at which time we were on holiday leave.

The subject of our FOIA request was the existing status of the Washington Monument foundation and potential effects of NMAAHC construction on its integrity. (Problems associated with subsoil conditions date to the 1870s; in the 1930s, plans to complete the McMillan Commission's plan for terraces and gardens at the Monument were scrapped by Congress as too risky to the Monument's stability.) We were seeking all documents and studies undertaken since 1982 by NPS or the Smithsonian to establish subsoil conditions, water table levels and fluctuations over time, and any settling in the Monument's foundation since 1982. We raised these concerns during the Tier I Scoping and were told the necessary studies would be completed as necessary.

From all the documents supplied by the Smithsonian and Park Service, it seems evident that neither entity has undertaken any study of the existing status of the subsoil conditions of the Washington Monument itself or potential effects of construction at the museum site.

Instead, these studies focus on specific projects and areas of the Monument grounds -- the Smithsonian for the NMAAHC site; the Park Service for the 1999 Monument scaffolding (and cleaning) and the 2002 proposed visitor center/security facility at the Monument Lodge with a tunnel to the Monument itself. As the June 10, 2002 visitor center report makes clear, all construction for that project would have taken place above water table levels so no dewatering --
and associated potential geotechnical changes -- would result. However, our understanding is that construction for the NMAAHC will involve deep excavations into the water table and the channelized Tiber Creek on this portion of the Monument grounds. What effect will that construction have on the Tiber, the water table, and the sensitive soil conditions supporting the Monument foundation? What effect will global climate change add to these conditions?

We are astonished that this project continues to move forward as though the important question of the existing status of the Washington Monument foundation is irrelevant. This assumes that any potential threat to the Monument can be dealt with during the construction process. What is the basis for that belief? Where are the data and studies to support that supposition?

We request that such studies must be completed as part of the Tier II process. We ask the National Capital Planning Commission to make this a requirement for any and all future site and design reviews for this project.

Our other comments regarding the Tier II review were already made during the Section 106 public meeting on November 18th and the December 10th scoping meeting, including:

- The museum footprint is far too large for the site, filling this sensitive site on the Washington Monument grounds. The size is in stark contrast to the massing studies we evaluated during the Section 106 public consultation meetings, which we were intended to establish guidelines for any structure.

- The museum needs to have performance space to serve its important role in showcasing African American history and culture, including musical performance.

- Open performance space is also a critical component of this museum's role on the National Mall. The building will be filling what is now public open space historically part of the Washington Monument site; it must provide venues for continued public use of at least a portion of the open space.

- The symbolism of the design is unclear and during the Section 106 meeting it became clear that various agency participants took issue with either its "classicism" or its unusual configuration. The question we raised in November, and reiterate here, is, What do we want visitors to this museum on the Mall -- our national expression of American identity -- to take away? Is the African American experience part of the American experience? How should we understand the rich cultural traditions in the larger picture of American history?

- During the Section 106 public consultation meetings, the National Coalition to Save Our Mall raised objections to the federal and DC agencies' characterization of the landscape of the Washington Monument grounds as "Olmstedian," and the preference that the Museum landscape conform to that existing landscape. We pointed out that the Monument grounds has never been completed as designed, in part because Congress rejected in the 1930s the McMillan Commission design as potentially dangerous to the stability of the Monument's foundation. The grounds are a vast and barren expanse that desperately needs improvements including trees, pedestrian walkways, places to rest, and public gathering and performance space in keeping with its centrality to the entire National Mall. The National Park Service Mall Plan proposes limited improvements but
no comprehensive plan for the Monument grounds as a whole. There should be no final landscape plan developed for the NMAAHC until a unified landscape concept for the entire Washington Monument grounds can be articulated including the Park Service Mall Plan.

We ask for a written reply to our request for studies establishing current subsoil conditions at the Monument and potential impacts on the Monument of the proposed museum construction.

We would like a statement in writing from the Smithsonian design team that they acknowledge the fact that no study has been done of the potential effects on the Washington Monument foundation of a major diversion of the water table at this location. This building will constitute a new water table condition. Before final design is submitted to NCPC and the Commission of Fine Arts, what other studies will to be undertaken to ensure that whatever takes place at this location will have no adverse effect on the stability of the Washington Monument foundation?

For the National Coalition to Save Our Mall,

Judy Scott Feldman, Ph.D.
Chair
Hello,

My name is Joe Harper and am emailing to express my concern over the design of the National Museum of African American History and Culture. I do not believe that this building, in its current form, belongs on the mall, especially as close as it is to the Washington Monument. I have been following this project as it moves through the design process and noticed that the designer will have to provide three alternative designs. Will these designs be voted on by this organization or will the public have a say, which they should. The integrity of our National Mall is very important issue and I think that the design should have to follow strict design specifications that are set by organizations that govern the Mall with the help of public opinion in an effort to preserve the architectural symbolism that currently exists. Based on the outcome of this design I am sure that this is not the case. I just wanted to voice my opposition to this design and thought that this would be a good place to do it. I am anxiously awaiting the alternative designs. I hope they will provide a building that will fit in.

Thank you,
Joe Harper
Atlanta, GA
WE DO NOT NEED THIS ADDITIONAL SPENDING TO TAKE PLACE WHEN AMERICA IS BANKRUPT. ITS CITIZENS HAVE NO JOBS, NO HOMES, NO MEDICAL CARE, NO FOOD. THIS KIND OF WASTEFUL OUT OF CONTROL SPENDING SHOULD BE BANNED IF WE HAD OTHER THAN MILLIONAIRES IN CONGRESS. THE MILLIONAIRE CONTRRESSMEN SPEND OUR TAX DOLLARS LIKE WATER, WITH NOTHINIG TO SHOW FOR THE SPENDING. THEY ARE WASTEFUL SCOUNDRELS.
JEAN PUBLIC 15 ELM ST FLORHAM PARK NJ07392

> Date: Tue, 10 Nov 2009 08:45:09 -0800
> From: jeanpublic@yahoo.com
> Subject: this project needs to be shut down- america has no money for this right now - pc correctness sending us all into bankruptcy

> [Federal Register: November 10, 2009 (Volume 74, Number 216)]
> [Notices]
> [Page 58068-58069]
> From the Federal Register Online via GPO Access [wais.access.gpo.gov]
> [DOCID:fr10no09-122]
> 
> =================================================================

> SMITHSONIAN INSTITUTION
> NATIONAL CAPITAL PLANNING COMMISSION

> Intent To Prepare a Tier II Environmental Impact Statement for Proposed Construction of the Smithsonian National Museum of African American History and Culture

> AGENCY: Smithsonian Institution (SI), National Capital Planning Commission

> ACTION: Notice.

> SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality (40 CFR parts 1500-1509), and in accordance with the Environmental Policies and Procedures implemented by the National Capital Planning Commission, the SI and NCPC announce their intent, as Joint-Lead Agencies, with NCPC as the Responsible Federal Agency, to
prepare a Tier II environmental impact statement (EIS) to assess the
potential effects of constructing and operating the National Museum of
African American History and Culture (NMAAHC) within the Smithsonian
Institution. The Museum will be located on a 217,800 square foot (SF)
or 5 acre site bounded by Constitution Avenue, Madison Drive, 14th and
15th Streets, NW., on the National Mall in Washington, DC. A public
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SUPPLEMENTARY INFORMATION: Public Law 108-184, the National Museum of
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reflecting the breadth and depth of the experience of individuals of
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Section 8 of the Act, "Building for the National Museum of African
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After site selection, SI and NCPC, after consultation with the
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The identity and description of the action to be addressed in both
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The Tier I FEIS analyzed a "no build" alternative along with six
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Alternatives all had comparable effects on the majority of resources
analyzed. This highlighted the need to develop more concrete design
concepts in order to assess fully the impacts of the NMAAHC on cultural
and visual/aesthetic resources. Therefore, the SI chose to express the
Tier I Preferred Alternative as a set of physical parameters related to
heights, setbacks, and configuration. The physical parameters resulted
in a Smithsonian Preferred Alternative of about 350,000 GSF that was
bounded between 60 and 105 feet in height, a minimum 50 foot setback
from the inside face of the sidewalk of the surrounding streets; and a
subsurface volume not lower that 45 feet. The massing parameters ranged
from orthogonal and contextual to free-form and non-contextual. While
NCPC and Smithsonian are working cooperatively on this EIS, Smithsonian
does not submit a design to NCPC for review until later in the process.
In addition to the physical parameters, the SI developed a set of
design principles to help future design architects to minimize adverse
effects on historic resources. The principles speak to the importance
of relating to and respecting the character, views, and spatial
arrangements of the National Mall; the character, scale, and historic
context of the Washington Monument grounds; and the relationship of the
NMAAHC to adjacent architectural and urban contexts.
The potential range of alternatives that will be evaluated in the
Tier II EIS includes the no action or no build alternative and no fewer
than three build alternatives that will address, among other things,
the design principles, the analysis and findings of the Tier I EIS and
SI ROD and the issues surfaced in the concurrent NHPA, section 106
process. The Tier II EIS will include a full range of alternatives
evaluating varying heights and forms, including one with a roof height
that does not exceed the roof heights of adjacent museums, and with
building faces that do not protrude beyond the building faces of
adjacent museum buildings along the Mall.

Public Scoping Meeting and Comments: The Smithsonian Institution
and the National Capital Planning Commission will solicit public
comments for consideration and possible incorporation in the Draft Tier
II EIS through public scoping, including a scoping meeting, on the
proposed museum building at the Monument site. The scoping meeting will
be held on December 10, 2009, from 5:30 p.m. to 8:30 p.m. in the
` `Commons" of the Smithsonian Castle Building, located at 1000
Jefferson Drive, SW., Washington, DC. Consultants representing the SI
and NCPC will be available to answer questions and receive comments
about the scope of the Tier II EIS. Announcements about the meeting are
provided on the NCPC Web site at http://www.ncpc.gov. Notice of the
public meeting will be publicized in local newspapers and through other
sources. Additional information about the museum is located at http://www.nmaahc.si.edu and about the Tier I EIS at http://www.louisberger-
nmaahceis.com. To ensure that all issues related to this action are
addressed and all significant issues are identified early in the
process, comments are invited in writing and orally from all interested
and/or potentially affected parties. These comments may be provided at
the public meeting or provided in writing to EDAW/AECOM, Attn: NMAAHC
EIS Comments, 601 Prince Street, Alexandria, VA 22314 or by e-mail to
NMAAHC.EIS.Comments@aecom.com. All public comments must be postmarked
or received by e-mail by December 24, 2009.

FOR FURTHER INFORMATION CONTACT: Jane Passman, Senior Facilities
Planner, Smithsonian Institution, Office of Facilities Engineering and
Operations. For U.S. Postal Service delivery the address is P.O. Box
37012, MRC 511, Washington, DC 20013-7012. For all other deliveries the
address is 600 Maryland Ave., SW., Suite 5001, Washington, DC 20024.
Phone 202-633-6549; Fax: 202-633-6233.


Judith Leonard,
General Counsel, Smithsonian Institution.
Lois J. Schiffer,
General Counsel, National Capital Planning Commission.

[FR Doc. E9-27002 Filed 11-9-09; 8:45 am]
It’s about time there was a National Museum of African American History and Culture (NMAAHC) on the National Mall along with the other national museums. I am a Smithsonian Institute member and I believe that we as a nation need to dialogue about race and the NMAAHC will help to foster that dialogue with documented history. There is so much that is being forgotten with each new generation or even never taught in our schools about the African American experience. The NMAAHC will help to dispel the myths and stereotypes and create a better understanding not only of African Americans but also of America and American history. I have visited the museums and worked near the National Mall for about 30 years. I appreciate the Mall’s open vistas and green space, as a place to retreat from the noise and traffic of downtown Washington, DC. I have sat on the benches along 14th Street and on Constitution Avenue, and I have lunched on the adjacent grass. So, a few years ago, when I read a new museum was being proposed for the open space at 14th St. & Constitution Ave., NW, I immediately thought there goes the Mall’s green space! But then I learned that the proposal was for the NMAAHC and I thought that that last open parcel of land was being dedicated to a great and enduring cause. I may very well be retired before it is completed but I for one will certainly visit and support it.

Regards,
Graylin W. Presbury
Please make sure that the natural landscaping is left in tact as much as possible. This includes not cutting down any trees that could be used by wildlife. Also I am hoping the building will be at least 75% green. Utilizing solar panels, recycled materials..etc

those are all my comments, sorry i couldnt attend

Best Regards!

K. Edwards
Tallahassee, FL
727.403.2898
APPENDIX D

MEETING MINUTES FROM AGENCY MEETINGS
Meeting Minutes

Project: National Museum of African American History and Culture
Meeting Date: December 8, 2009
Location: Teleconference
Meeting Subject: Scoping Meeting with General Services Administration and National Aquarium
Participants:
- Smithsonian Institution: Jane Passman, Brenda Sanchez, Lynn Chase
- National Capital Planning Commission: Ken Walton
- General Services Administration: Suzanne Hill
- National Aquarium: Tim Pula
- SmithGroup: Elsa Santoyo
- EDAW/AECOM: Alan Harwood, Melissa Hatcher

Teleconference commenced at 9:30 a.m. Discussion focused on providing GSA with an overview of the project and schedule, and allowing GSA and National Aquarium to provide input during the scoping process. Following is a summary:

- **Purpose of Meeting**
  - The purpose of the meeting was to hear comments from GSA prior to the scoping meeting on December 10th (5:30 p.m. at the Smithsonian Castle, Schermer Hall and Castle Commons)
  - AGREEMENTS/DECISIONS MADE: Not applicable
  - ACTION: Not applicable

- **Background**
  - The Tier I EIS addressed the site location, massing, and design parameters. The Tier II analysis will be building specific and look at site services and access.
  - SI had been in contact with GSA and National Aquarium during Tier I.
  - Status updates have been given at the Commission of Fine Arts and the National Capital Planning Commission meetings over the years as the project has progressed.
  - Tier II will look at the design more specifically.
  - SI held a competition to select the design for the Tier II process. SI selected the design team of Freelon Adjaye Bond, and Smithgroup (FABS).
    - FABS is looking at alternatives to house a new museum on the corner of 14th Street and Constitution Avenue, across from the Commerce (Hoover Building) and National Aquarium
  - Project involves a combined Environmental Impact Statement (EIS) and Section 106 process.
  - SI stated that construction documents intends to complete construction documents by the end of 2012, start construction in May 2012, and complete construction and open the museum in December 2015.
  - AGREEMENTS/DECISIONS MADE: Not applicable
  - ACTION: Not applicable
o GSA Concerns
  ▪ GSA asked when the preliminary alternatives would be available for them to see?
    • GSA would like to be able to coordinate the design of the Hoover Building and the National Aquarium entrance with the museum to create something that is aesthetically pleasing.
    • SI stated that the alternatives are currently in development and will be prepared in coordination with the consulting parties and the alternatives will be presented formally to the public in the Draft EIS.
    • SI will present three alternatives to the Commission of Fine Arts on April 15, 2010 and will have the alternatives available to formally share with GSA around April 1, 2015.
  ▪ National Aquarium stated that they would share the National Aquarium entrance design with SI and would like to be periodically updated by SI on where they are in the design of the museum.
    • SI agreed to provide National Aquarium with the opportunity for early review of the alternatives.
  ▪ SI asked when construction of the National Aquarium will take place?
    • National Aquarium indicated that they have the opportunity with the renovation of the Hoover Building to create a new entrance for the National Aquarium on Constitution Avenue.
    • National Aquarium could give a Notice to Proceed to GSA for construction of the new entrance in April 2010.
  ▪ GSA stated that they are still in the NEPA process for the Phase II renovation of the Hoover Building and are coordinating with the construction of the museum entrance at the same time.
    • GSA plans to send out the Final EA in February 2010.
    • GSA has two alternatives for perimeter security for the Hoover Building and Americans with Disabilities Act (ADA) ramps on 14th and 15th Streets.
  ▪ GSA stated that they have no other renovation projects or perimeter security in the Federal Triangle.
  ▪ AGREEMENTS/DECISIONS MADE:
    • SI AGREED THAT THERE WILL BE EARLY OPPORTUNITIES FOR GSA AND NATIONAL AQUARIUM TO SEE THE DESIGN OF THE MUSEUM.
    • SI WILL COORDINATE WITH GSA DURING REGULARLY SCHEDULED MEETINGS WITH THE CONSULTING PARTIES ON THE DESIGN OF THE MUSEUM.
  ▪ ACTION:
    • SI TO MEET WITH GSA AND NATIONAL AQUARIUM AT END OF JANUARY/BEGINNING OF FEBRUARY TO SHARE PRELIMINARY ALTERNATIVES.
    • GSA TO PROVIDE WEBSITE FOR THE DRAFT EA FOR THE HOOVER BUILDING (www.gsa.gov/ncrnepa).
    • SI TO PROVIDE WEBSITE FOR NMAAHC (Tier I website is http://www.louisberger-nmaahceis.com/; new website for Tier II under development www.nmaahceis.com)
    • TIM PULA TO SHARE CONTACT INFORMATION
      Tim Pula
      Senior Director of Capital Planning and Facilities
      National Aquarium in Baltimore
      111 Market Place, Suite 800
      Baltimore, MD 21202
      Phone: 410.576.3809
      Fax: 410.986.2381
      Email: tpula@aqua.org
Meeting Minutes

Project: National Museum of African American History and Culture
Meeting Date: December 8, 2009
Location: 1100 Ohio Drive
Meeting Subject: Scoping Meeting with National Park Service
Participants:

- **Smithsonian Institution**: Jane Passman, Jud McIntire, Brenda Sanchez, Lynn Chase, Harry Rombach, Amy Ballard
- **National Capital Planning Commission**: Ken Walton
- **National Park Service**: Peter May, Glenn DeMarr, Doug Jacobs, Stephen Lorenzetti
- **SmithGroup**: Elsa Santoyo
- **EDAW/AECOM**: Alan Harwood, Melissa Hatcher
- **Robinson & Associates**: Judy Robinson
- **Froehling and Robertson, Inc (F&R)**: Oscar Merida, Alan Lederman
- **Gustafson Guthrie Nichol**: Rodrigo Abela

Meeting commenced at 2:00 p.m. Discussion focused on providing NPS with an overview of the project and schedule, and allowing NPS to provide input during the scoping process. Following is a summary:

- **Purpose of Meeting**
  - A scoping meeting is scheduled for December 10, 2009 at 5:30 p.m. at the Smithsonian Castle (Schermer Hall and Castle Commons).
  - Smithsonian Institution (SI) and National Capital Planning Commission (NCPC) are joint leads.
  - The purpose of the meeting with National Park Service (NPS) is to solicit comments directly from NPS as part of the scoping process.
  - AGREEMENTS/DECISIONS MADE:
    - Not applicable
  - ACTION:
    - Not applicable

- **Background**
  - SI held a competition and selected a design team.
  - Design team currently developing alternatives that will be presented to the Commission of Fine Arts on April 15, 2010.
  - Construction to start in 2012 and museum will open in late 2015.
  - Tier I EIS looked at site location, massing, and design parameters.
  - SI recently initiated the Tier II EIS process and is continuing the Section 106 process.
  - Tier II EIS will consider site-specific issues
  - Tier II EIS expected in Summer/Fall 2010.
  - AGREEMENTS/DECISIONS MADE:
    - NOT APPLICABLE
  - ACTION:
• NOT APPLICABLE

  o NPS Issues
    ▪ NPS is concerned that the Draft EIS considers a meaningful range of alternatives.
      ▪ NPS indicated that keeping the same form or making the same large scale move is not going to be enough.
    ▪ SI stated that the corona is an important piece of symbolism and asked if all three alternatives include the corona would they be considered different enough?
      ▪ NPS indicated that the alternatives should:
        o Explore subtleties of setbacks and relationships to the ground plane
        o Subtly consider different interpretations of the design forms.
    ▪ NPS indicated they would like an opportunity to review the alternatives as they are developed, and this can occur within the context of the Consulting Parties meeting.
    ▪ SI plans to present three alternatives to the Commission of Fine Arts (CFA) on April 15, 2010, and will submit the alternatives on April 1, 2010.
      ▪ CFA will be the first introduction of the alternatives to the public, but formal public comments will not be solicited until the Draft EIS.
      ▪ SI will post design alternatives on the project website as they are made publically available.
      ▪ Consulting Parties regularly provide input on the design and members of the public are represented in this group.
      ▪ The Draft EIS will be the first opportunity for the public to comment on the alternatives.
    ▪ SI determined that the design competition boards will not be included in the design station at the public scoping meeting.
    ▪ NPS asked what the intended square footage of the new museum is?
      ▪ SI indicated that the museum is intended to be 350,000 to 400,000 square feet.
      ▪ SI is reviewing their programming requirements and does not want to build more museum than is needed.
      ▪ NPS indicated that the renderings that were created during the design competition submission appear larger than American History, which is approximately 700,000 square feet.
      ▪ NPS cautioned that the NMAAHCl should not appear larger than American History.
      ▪ The outwardly slanting faces and continuous form may make NMAAHCl appear larger than it is.
    ▪ NPS stated that the current design competition submission does not fit in well in the context of the site.
      ▪ NPS stated that the museum fits with the buildings around it, but it does not address the presence of the Washington Monument.
      ▪ NPS recommended that the alternatives transition to the Washington Monument, not to the other museums and surrounding buildings.
      ▪ The alternatives should take into account the relationship to the broad sweeping landscape of the Washington Monument grounds and the new museum should not reduce this feeling.
      ▪ The landscape design should consider a broad open lawn.
      ▪ The podium is an interesting concept, but it projects into the space looking west towards the Washington Monument from the Mall.
      ▪ The alternatives should consider the context of the site looking down from the Washington Monument.
      ▪ Interior lighting could be an issue depending on the alternatives.
    ▪ NPS indicated that mockups at the site would be helpful in the development of alternatives.
    ▪ NPS suggested that SI should have a smaller meeting with the White House and offered to help SI set up the meeting.
      ▪ SI indicated that they have been giving the White House regular briefings on the project.
NPS asked what the analysis of traffic and transportation will include?
- The traffic analysis in the Tier II EIS will look at how people get dropped off, delivery vehicle and servicing, and relationship of the museum traffic to the Washington Monument traffic.
- NPS indicated that 15th Street is a park road and a ceremonial road, and it is not part of the public highway system.
- NPS indicated that Constitution Avenue is a ceremonial route from Capitol Hill to Arlington National Cemetery.

NPS stated that the Tier 1 EIS did not do enough related to soils
- NPS indicated that the site is not the most structurally stable because of the underlying clay.
- Bedrock is 40 to 50 feet below ground surface.
- F&R will take soil borings and integrate geotechnical information into the design of the alternatives.
- F&R will conduct additional soil testing upon selection of the preferred alternative.
- SI stated that they are currently considering a slurry wall as they develop alternatives, but that testing and monitoring will still need to be conducted.
- SI through EDAW AECOM informally requested the geotechnical studies from NPS for the Washington Monument Lodge and Visitor’s Center.

NPS asked what sidewalk plan SI is considering?
- NPS stated that streetscape sidewalks can be used when the site is not located in a historic sidewalk area.
- If SI does not have a prescribed sidewalk plan, NPS recommended using streetscape sidewalks.

NCPC asked if the street trees in the planting plan should be carried out as part of the new museum?
- NPS Development Concept Plan calls for street trees and a small concession stand on the project site.
- NPS no longer planning to build out the Monument Grounds Development Concept Plan.

AGREEMENTS/DECISIONS MADE:
- SI AGREED TO SHARE DESIGN ALTERNATIVES WITH NPS AS THEY ARE DEVELOPED
- SI AGREED TO POST DESIGN ALTERNATIVES ON THE PROJECT WEBSITE AS THEY ARE MADE PUBLIC.
- NPS AGREED TO PARTICIPATE IN THE REVIEW OF DESIGN ALTERNATIVES IN THE CONTEXT OF THE CONSULTING PARTIES MEETINGS.

ACTION:
- NPS TO PROVIDE GEOTECHNICAL STUDIES FROM THE WASHINGTON MONUMENT LODGE AND VISITOR’S CENTER
- NPS TO PROVIDE MONUMENT GROUNDS DEVELOPMENT CONCEPT PLAN
APPENDIX E

MEETING MINUTES FROM CONSULTING PARTIES
Smithsonian National Museum of African American History and Culture
Section 106 Consulting Parties Meeting #1

Date of Meeting: November 18, 2009
Project: Smithsonian National Museum of African American History and Culture
Location of Meeting: 600 Maryland Ave, NW – 7th Floor
Time of Meeting: 9:30 am – 12:00 noon
Purpose of Meeting: Section 106/Consulting Parties Meeting #1

Attendees:
Hal Davis, SmithGroup
Dreck Wilson, ASAALH
Brenda Sanchez, Smithsonian Institution
Judith Robinson, Robinson & Associates
Brian Sieling, SI/NMAAHC
Elsa Santoyo, SmithGroup
Martha Catlin, Advisory Council on Historic Preservation
Judy Scott Feldman, National Coalition to Save Our Mall
Amy Ballard, Smithsonian Institution
Doug Jacobs, National Park Service
Perry Wheelock, National Park Service
Stephanie Dyer-Carroll, EDAW
David Maloney, D.C. Historic Preservation Office
Andrew Lewis, D.C. Historic Preservation Office
Harry Rombach, Smithsonian Institution
Patsy Fletcher, AAHGS and D.C. Historic Preservation Office
Jud McIntire, Smithsonian Institution
Felicia Bell, U.S. Capitol Historical Society
Kenneth Walton, National Capital Planning Commission
Christine Saum, National Capital Planning Commission
Jane Passman, Smithsonian Institution
Lynn Chase, Smithsonian Institution
Nancy Witherell, National Capital Planning Commission
Daria Gasparini, Robinson & Associates
Zena Howard, The Freelon Group
Sharon Park, Smithsonian Institution
Thomas Luebke, U.S. Commission of Fine Arts
Sarah Batcheler, U.S. Commission of Fine Arts
David Adjaye, Adjaye Associates
Phil Freelon, The Freelon Group
Rodrigo Abela, Gustafson, Guthrie, Nichol

Meeting Summary
Sharon Park (SP), Smithsonian Institution, brought the meeting to order, reviewed the objectives of the meeting, and provided an overview of the agenda. Introductions were made by all participants.

1. Presentation by Architectural Team
Philip Freelon (PF), The Freelon Group, opened the architectural team’s presentation by providing background on the project, which he described as the District’s “project of the century.” PF spoke of the sense of openness in the design and the idea of the building as a
“knuckle” between the contextual commemorative zones. On behalf of the design team, he expressed interest in continued Consulting Parties discussion and input.

David Adjaye (DA), Adjaye Associates, presented the key principles that guided the development of the competition design. DA spoke of the design team’s effort to identify the “guiding DNA” or “founding molecules” that embody the transformation experienced by the African American culture. Important design references were illustrated in a mosaic of images. One important source was the caryatid element traditionally used in the architecture of Central and West Africa. The design’s “corona” embodies this reference and serves as a link between the diaspora and their African heritage. DA spoke of the deeply spiritual character of the African American culture and used the image of a dancing figure with upheld arms to capture the motifs of triumph, celebration, and hope. Patterns and stripes and a porch element are incorporated into the design as a reference to the agrarian origins of the African American journey.

DA described the contextualism of the design stating that, in principal, it is a podium building that does not obstruct the link between the urban edge and the pastoral Mall. Compositionally, the design is a rectangle that serves as an articulated end point to the series of monumental buildings along the Mall. DA noted that building alignments were generated by the lines that extend through the Mall site. DA explained that while the edification model with its elevated steps was used for other monumental buildings along the Mall, this design acknowledges the values of transparency and openness.

Rodrigo Abela (RA), Gustafson, Guthrie, Nichol, followed with a brief presentation about the design’s landscape elements and a description of how they are integrated into the site. RA noted that the mass of the building is set back behind the “porch” element, which is elevated to lend transparency at the ground-floor level. The west side of the building is pulled in to create a transition area between the building site and the open Mall. RA noted that the south porch opens up onto reflecting pools. RA highlighted the fact that the design features a “working landscape” that contributes to the building’s sustainability.

DA continued the discussion of the building’s efficiency, describing how the “corona” – essentially a perforated screen – acts as an energy-efficient double façade system. DA noted that he thought this would be the first LEED certified building on the Mall.

DA finished with a floor-by-floor description of the design. Below grade are located loading docks and service areas. At the ground level is the “great room,” which serves as a gateway place or public square area. The grade change at this level is handled by a gentle incline, and a “petrified forest of timbers” accentuates the space. The mezzanine level wraps around the great room and is the location of a café and offices, among other uses. Circulation spirals around the content, contributing to the “journey experience” of the visitor. A series of seven “lenses” frame views from the building and also act as orientation elements.

The architectural team’s presentation concluded with a viewing of an animated “fly through” video of the competition design. The presentations were greeted with applause.

SP thanked the architectural team, suggested a 10 minute break, and described the second half of the meeting as a discussion of the Design Principles and a chance for the architectural team to get preliminary input from the Consulting Parties.

2. Presentation of the Design Principles and Discussion of Areas of Consideration
SP opened the second half of the meeting and introduced speakers David Maloney, Perry Wheelock, and Tom Luebke.

David Maloney (DM), D.C. Historic Preservation Office, explained that rather than going through the Design Principles point by point, he would generally respond to the design description. DM stated that he agreed with the characterization of the project as the “building of the century.” DM expressed concern that from a practical standpoint the site chosen for the museum was not a good location for a major national museum. The site is within the Washington Monument grounds and is erroneously characterized as a “transitional” or “knuckle” site between the Mall and the monument grounds. DM observed that the best architecture on the Mall doesn’t overpower. Rather, what is important is the overall effect of the unified composition of buildings. DM described how the Washington Monument site follows the “temple in landscape” tradition and that it is important to see the obelisk in its iconic three-quarter view. DM noted that the “founding molecules” identified by the architectural team – the caryatid, porch, etc.– are ultimately derived from a humanistic tradition and urged DA not to use Classical, rationally-oriented derivatives. There is precedent on the Mall – with its Egyptian and Gothic Revival buildings, among others – for “human oriented” architecture. DM encouraged the architectural team to think creatively about the alternative designs.

Perry Wheelock (PW), National Park Service, provided background on the National Park Service and its role in the preservation of landscapes. PW mentioned that the NPS deals extensively with both designed and vernacular landscapes. The landscape of the Washington Monument grounds is characterized by simple ground planes, strong vertical elements (primarily elm trees), and no shrub layer. PW urged the architectural team to review the Cultural Landscape Inventory (CLI) prepared for the Washington Monument grounds by the National Park Service.

Tom Luebke (TL), U.S. Commission of Fine Arts, reminded the architectural team that the comments they would be hearing from the Consulting Parties were a culmination of much debate and discussion over the period of a year and that the Design Principles are an encapsulation of these discussions. TL indicated that there are enormous contextual forces at play with this site and the building has an enormous spatial burden to carry. TL was concerned that the relationship between the building and the Washington Monument is not in any way explicit. It is a north-south oriented building and could be located anywhere. The design should in some way recognize the monument. TL concluded by urging the architectural team to look more closely into the specific issues related to context.

SP summarized certain key issues – visitor experience, the 14th Street entrance, movement through the site to the Washington Monument grounds, full vertical views of the Washington Monument, set backs – and opened up the meeting to additional comments.

Dreck Wilson (DW), Association for the Study of African American Life and History, was concerned about the concept of spirituality as it related to the water features and voyage. DW requested the designers to more dynamically and more profoundly include the element of water. DW was concerned about the building’s monochromatic scheme.

DA responded by stating that they worked with a way of understanding materials and texture as a driver of color, or “color atmospheres.” DA also noted that the building would be seen through a refraction of light.

Martha Catlin (MC), Advisory Council on Historic Preservation, complemented the architectural team on the presentation. MC clarified the consideration of alternatives – stating that alternatives
are studied to avoid, minimize, or mitigate adverse effects. MC indicated that this is the heart of S106 consultation and is not an empty exercise. Rather, the process is a matter of thoughtfully taking into consideration the views of those who have dedicated much time and thought to the project. MC requested DA to identify for the Consulting Parties those elements of the competition design that are critical and essential. SP suggested that this be part of the January forum.

Judy Scott Feldman (JF), National Coalition to Save Our Mall, pointed out the significant features of the Mall landscape including open space, views, and symbolism. JF stressed that Save Our Mall was interested in the ideals of the McMillan Commission plan for the Washington Monument and distributed a booklet on “A Vision for the National Mall.” JF was concerned about the size of the design and asked that the open space characteristic of the site be given preference. JF requested clarification of the “lens” concept, questioning if the corona blocked views from the building. JF acknowledged the National Park Service CLI and noted that Save Our Mall recently completed a five-year study of the Mall from the citizen’s perspective.

Andrew Lewis (AL), D.C. Historic Preservation Office, noted that he found the front porch element exciting and echoed the comments previously made by MC about Section 106 compliance.

Patsy Fletcher (PF), Afro American Historical and Genealogical Society and D.C. Historic Preservation Office, was concerned about the design’s massing and suggested that it could be less intrusive. PF echoed the comment made earlier by DW that the design seems monochromatic.

Judd McIntire (JM), Smithsonian Institution, indicated that he enjoyed the “fly through.”

Felicia Bell (FB), U.S. Capitol Historical Society, indicated that she is warming up to the design, although it makes her think more about Africa than America. FB reiterated earlier comments about the water features, suggesting that it be agitated and not complacent. FB noted that she would like to see the design be open and welcoming and not convey power and authority.

Kenny Walton (KW), National Capital Planning Commission, was concerned about the issues of setback, height, and views. KW indicated that the “corona” blocks views of the Washington Monument from the intersection of 14th Street and Constitution and urged the architectural team to minimize this effect as best as possible.

Christine Saum (CS), National Capital Planning Commission, reinforced the comments that the Consulting Parties want to see alternatives and that the site is not a “hinge,” but on the Washington Monument grounds. CS suggested a less formal approach on the Washington Monument side of the building. CS was concerned that the project was already a well-developed “house of cards” and questioned if elements could be changed or modified in the alternatives.

Nancy Witherell (NW), National Capital Planning Commission, indicated that she was struck by the agreement heard among the comments. NW agreed with earlier comments that there should be a less formal water element. NW reiterated the importance of the vernacular character of the Washington Monument grounds.

Sarah Batcheler (SB), U.S. Commission of Fine Arts, was excited to be engaging with the design team. SB noted that the design felt insular and did not agree with the characterization of the building as engaging. SB urged the design team to identify the essence of the building that could not be changed.
PF presented the architectural team’s next steps and indicated that they will continue with the NEPA/S106 review process, continue with program verification, and start with conceptual design and three alternatives.

DA indicated that the architectural team sought to make a humanist architecture and concluded that, as they proceed, the team will wrestle with the concerns brought forward by the Consulting Parties.

3. Closing
SP announced that the Tier II Scoping Meeting would be held on December 10, 2009, from 5:30 to 8:30 at the Smithsonian Castle. SP noted that there would not be a Consulting Parties Meeting in December, but the group would reconvene on January 20, 2010, with a review of the public meeting and a progress report on the development of alternatives.

The meeting adjourned at 11:45 am.