The Hearing convened at 6:30 p.m. in the Nan Tucker McEvoy Auditorium of the National Portrait Gallery, 8th and F Streets, N.W., Washington, D.C., Don Edwards, Facilitator, presiding.
A-G-E-N-D-A

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FACILITATOR EDWARDS: My name is Don Edwards. I'm going to serve as your facilitator tonight. I am with Justice and Sustainability Associates and we're part of the Louis Berger team that has been given the technical support to this EIS project.

We want to invite you at the end of the program, the little presentation that's going to be given, to come forward to one of these mikes and provide any testimony that you would like to have entered on the record. The governing laws and legislation require that we take every comment that we're given in written or oral form. It will be entered into the record and become part of the final report after a decision has been made about the study.

At the same time, we will not be doing questions and answers tonight. So, it is a process in which we document your inputs,
comments, questions of any type. But, at a later point, when a decision is made, the final responses will be reflected in that decision document. So I do want you to prepare yourselves to do that. We've essentially allotted three minutes for individuals and five minutes for organizations. And at some point towards the end of the presentation that you'll be given prior to our testimony period, I will come back and talk about some of the ground rules, which are very elementary and very simple, and I'm sure you'll have recognized them from all the other kinds of efforts like this you've participated in already. But I'll do that at the end.

Before I get to that, I want to tell you that, of course, here tonight we have a very nice venue. And so we have restrooms out front and hopefully you've signed in. There will be some refreshments, I believe, later that you can get, as you want to stay
here. We're going to be here until 9:00, because we're actually obligated to be here in case anyone comes in at anytime between the published period for this testimony.

So, those of you are so inclined to be here until 9:00, we welcome you to do that and we will provide some refreshments, very light refreshments, to sustain you as you're here.

I want to say that I have two colleagues who will be working the mic to help you. But at the point where we give the ground rules, you can begin to line up and I will basically alternate in talking and asking you to say your name, if you want to give your address and your organization, we will welcome that.

As you can see, we have a court reporter here whose job and task it is to capture those inputs. And of course, again, if you have any written testimony, you may hand that to any one of my associates or
myself and they will become part of the written record. Any questions about that? Yes, Dick?

MR. WESTBROOK: How am I going to be able to show my air photos?

FACILITATOR EDWARDS: I think for the purposes of this meeting, you'll just have to hold them up or my associate can hold them up for you. But, if you will, after this, send us electronic copies and they'll be entered into the record with your testimony or your comments.

I want to now introduce Beth Cohen?

MS. GARCIA: Garcia.

FACILITATOR EDWARDS: Garcia. Who is our sign language interpreter. And if anyone needs sign language interpretation services, she is here to help you provide that, if you want to raise your hands and let her know where you are.

MS. GARCIA: Thank you sir.

FACILITATOR EDWARDS: Thank you
Beth.

Okay. Let me say a little bit about what's going to happen. This is a milestone in a continuing process. And you will hear more about that process. But tonight, we are here to make a presentation to you about the findings, the Environmental Impact study that's been conducted over the last few months have produced.

And you will get, first all, a kind of introduction to the whole project from Curtis Davis, who is the Project Executive, working for the National Museum of African American History and Culture and the Smithsonian Institute.

And he will be followed by Jess Commerford who is the Project Manager and Lead Consultant with the Louis Berger Group to actually walk you through a PowerPoint presentation that will help ground you in the background of the project, where we are and where we're going to go next. And as I said,
that will be followed by the public testimony period.

In order to receive your testimony, you're going to see Curtis Davis, who I've just introduced and I will say more about. And he will be sitting up here along with Gene Keller. Gene is a Project Manager and the person who is representing the National Capital Planning Commission, which is the part of the government that is actually responsible for the production of this EIS study. He and Curtis will be sitting here, but they won't actually be responding to you in the audience. So I don't want you to be confused when they come up here and sit after the production. You shouldn't think that when you talk, they're going to talk back. Okay?

So are there any questions about that? Yes.

UNIDENTIFIED SPEAKER: Do you have a copy of PowerPoint?

FACILITATOR EDWARDS: I think the
PowerPoint is actually going to be available on the website for the project. And that address will probably be a part of the PowerPoint, so you'll be able to see it there. But it's -- I'm pretty sure that will be the case.

UNIDENTIFIED SPEAKER: Thank you.

FACILITATOR EDWARDS: Any other questions? Anything? Okay. Very good. Now what I would like to do, is bring up Curtis Davis, who is the Project Executive for this project and he will begin the process of talking about the project and he'll be followed by Jess Commerford from the Louis Berger Group.

MR. DAVIS: Good evening.

On behalf of the National Museum of African American History and Culture's founding Director, Dr. Lonnie Bunch, let me thank all of you for coming out this evening and giving your time and to provide valuable input to this important process.
We have come to this point in a deliberative process that has benefitted from the consultations and guidance of numerous organizations and individuals.

From the members of the museum's council to members of Congress and from the president's commission to the Section 106 consulting parties. Equally important, has been an array of supportive letters and e-mails. We are grateful to all who have written, commented or shared your thoughts.

The museum's leadership is quite sure that tonight's testimony will give us much to think about and act upon. We look forward to continuing the discussions and collaborations that advanced the development of our nation's newest treasure.

In terms of the agenda, that was carried out pretty eloquently by Don and I'm not going to spend much time with that. But I would like to talk a little bit about the vision.
As Lonnie Bunch travels around the country talking about this museum and the stories that it will tell, we have been moved by the excitement and the appreciation that people have about this museum being on the National Mall. There is much excitement that this museum has created. The product of the vision, creativity, resilience, the hopes of many generations will finally have a home on the National Mall.

On these grounds, in the shadow of the Washington Monument, next to the National Museum of American History, we will build a museum that is respectful of both the history and culture of the African-American community and the sacred space that it will occupy.

For while this Mall is America's front yard and gathering place, it is also a site of meaning for Americans who remember Marian Anderson's Easter Sunday concert in 1939, or Dr. Martin Luther King's call for an America that embraces all of its citizens.
Consequently, one of the goals of this museum, is to be a place to help Americans to remember. To remember the names we think we know. Names like, Frederick Douglass, Rosa Parks and Ida B. Wells. But it must also be a place that helps us to remember the enslaved women who refused to let their fields strip her of her family, her humanity and her humor for the family who left the south to rebuild lives on the south side of Chicago.

And it must be a place that helps us to remember to tap our toes, to Louis Armstrong or to Aretha Franklin. It must be a place that allows us all who visit, to revel in the richness, the challenges and the beauty of the African-American experience. But it must also be a place that uses African-American culture as a lens to better understand what it means to be an American.

So much of the African-American experience shapes all of our lives. If one
wants to understand core American values of resiliency, optimism, or our spirituality, where better to look than in an African-American experience.

Further, this museum must be a 21st Century institution that celebrates and embraces collaboration. We must collaborate with a myriad of historical and cultural institutions that explore American history and culture. We will draw people to Washington and then encourage them to explore the history and culture within their local communities. And this museum must help Americans understand their place in a global society.

While this museum will focus on America, it must explore the diaspora from Africa to Europe to South America. Ultimately, the National Museum of African American History and Culture will be a place of meaning, of memory, of reflection, of laughter and of hope for us all. It should be a beacon that reminds us of what we were, what
challenges still remain and points us towards what we can become.

Before I introduce one of the members of our team, Jess Commerford, I'd like to remind everyone of the overall process and for some of you, who have not been engaged in this, give you an overall summary of where the project is going.

Jess is with the Berger Group and is our EIS/106 project director and is here working with the team to guide us through this process.

I would like to note that the museum has retained an architectural programming and exhibition master planning team, the FreelonBond joint venture with Lord Cultural Resources and Amaze Design. They will complete their work in the Fall of this year. Their planning effort will support the selection of a design architect and we will begin that process late this year.

So with that, I'd like to introduce
Jess and again, thank you for taking the time
to come out and to participate in this
process.

MR. COMMERFORD: Thank you Curtis.

I'd like to take a minute. I always have the
unfortunate position in the agenda to follow
the wonderful vision statement with a much
more rudimentary aspects of why we're here
this evening.

But we are in the process of
preparing an Environmental Impact Statement,
which is a Federal requirement for a project
of this nature. And for some of you who were
at the Scoping Meeting, you've heard some
about that already, but let me touch briefly
on what that is and where we are in that
process. And I'll spend the next few minutes
doing that.

In 2001, Representative John Lewis,
Representative J.C. Watts, Senator Sam
Brownback and Senator Max Cleveland led a
bipartisan coalition to establish to establish
a National Museum of African American History
and Culture within the Smithsonian resulting
in the formation of the Presidential
Commission to develop a plan of action to
build the museum.

In January 2003, Congress wrote the
National Museum of African American History
and Culture Act, which established within
Smithsonian, the National Museum of African
American History and Culture. The Act was
signed by President Bush in December of 2003.

Following the Act, three documents helped the
Smithsonian select a site and to find a
preliminary program to inform the gross size
of the museum. Those documents are listed
here and they are on the website as well for
review.

In the Final Site Report, the
Presidential Commission engaged a prominent
museum programming and design firm to develop
a museum-building program. Based on their
professional understanding of museum
functional use organization, they developed a basic museum building program which the Presidential Commission recommends as representing reasonable needs that were neither too conservative or unnecessarily generous. And it's a critical benchmark in evaluating sites for the project.

In its Site Evaluation Study, the Smithsonian and its consultants validated the Presidential Commission overall program while adjusting space categories and associated areas slightly, based on the Smithsonian's long experience in developing and operating museums on a national scale.

The National Museum of African American History and Culture site was selected in accordance with Section 8 of the Museum Act. This section of the act directed the Smithsonian Institution Board of Regents to choose among four identified sites. The site for the museum is a 5-acre parcel that is part of the Washington Monument grounds and the
National Mall. It's a five-acre parcel bounded by Constitution Avenue on the north, Madison Drive on the south, 14th Street, N.W. on the east and 15th Street, N.W.

The Smithsonian Institution and the National Capital Planning Commission or NCPC, are joint lead agencies for the EIS, and as was mentioned, that's because they're the responsible federal agency. The CEQ Regulations, the Council on Environmental Quality Regulations, which are the regulations implementing NEPA state that, "Federal, state or local agencies may act as joint lead agencies to prepare an EIS, as long as they include one federal agency." The National Capital Planning Commission, as I said, is the responsible federal agency.

The National Park Service is a cooperating agency and the regulations, the CEQ Regulations also mandate that federal agencies responsible for preparing NEPA analysis and documentation do so in
cooperation with state and local governments and other agencies with jurisdiction by law or special expertise. And in this instance, National Park Service is participating because they are transferring the land to the Smithsonian Institution for the museum use.

What you see here is the slide that illustrates the major milestones of the NEPA process, that we have completed six of the nine major steps to prepare an Environmental Impact Statement, the draft EIS Notice of Availability was published in the Federal Register on December 21st, 2007. The regulations require a 45-day comment period.

I would like to mention that the public comment period has been extended from February 4th to February 18th, 2008. The primary reason for extending it a couple of extra weeks was the fact that this was released over the holiday period.

The Smithsonian Institution expects the Tier 1 analysis and the document to lead
to a Tier 1 preferred alternative, which is expressed as a narrative of design principles outlining opportunities, boundaries and constraints for the project.

A Smithsonian Institution Record of Decision will formalize the findings as far as decisions that are able to be made now.

Concurrently, we are engaged in the Section 106 process, addressing historic resources. We have completed five of the seven major steps within the Section 106 process pursuant to the National Historic Preservation Act Regulations.

We are in the process of working with consulting parties to further evaluate any adverse effects associated with the project. In the Spring of 2007, pursuant to Section 106 regulations implemented by Advisory Council and Historic Preservation that encourage early coordination with groups or individuals who have a demonstrated interest in historic properties that may be
affected by a proposed project, the Smithsonian Institution invited a number of constituents to participate in the Section 106 process as consulting parties.

And on this slide, I won't read through all of these, but this is a list of the consulting parties which can also be found in the document.

The consulting parties have been continuously involved in an open dialogue with the Smithsonian Institution and NCPC to shape concept alternatives and determine effects on significant culture resources associated with this project.

We are engaged here in what is referred to as a tiered EIS. The visual resources and historic preservation effects have been the most complex and difficult to define and analyze for this project.

Following Smithsonian review and understanding of the current point and alternatives development, the CEQ Regulations
noted before, the NCPC final environmental and historic preservation policies and procedures, and the discussion with the consulting parties, the Smithsonian Institution and the NCPC have determined that strategies to avoid, minimize, or mitigate any adverse effects, might be premature without a more definitive design development.

Since the final design will not be complete until 2010 or beyond, the Smithsonian Institution may utilize the assessment of environmental impacts for the majority of research topics and the EIS process, when they resume NEPA for the assessment and resolution of effects for historic resources in the future.

What you see here is an outline of the draft EIS, which again, can be found on the website, if you don't already have a copy of that.

We'll talk a little bit more about a couple of these sections, the purposes and
needs statement, which is really the backbone of the EIS document. The proposed action is the construction and operation of a permanent facility for the Natural Museum of African American History and Culture within the Smithsonian Institution on the five-acre parcel that is part of the Washington Monument Grounds on the National Mall, as mentioned.

The need for action is to provide a museum that can provide a national meeting place for all Americans to learn about the history and culture of African Americans and their contributions too in relationship with every aspect of our national life. To respond to the interests and needs of diverse racial constituencies who share a common commitment to a full and accurate telling of our country's past as we prepare for our country's future. It is the only national venue that can really serve as an educational healing space to further racial reconciliation.

What you see here, are the resource
sections which are addressed in the Environmental Impact Statement. Again, I won't read through all of those. They are listed here. And we'll talk a little bit about the overarching principles that drove the draft EIS Alternatives Development, which had been shaped by a extensive coordination with the National Capital Planning Commission, the National Park Service and the consulting parties. And they adhere to the following overarching principles.

For physical character, physical character should convey an image that is clean, impressive and monumental.

For the mission and program, the range of alternatives will fall within 350,000 and 450,000 gross square feet of space.

For monumental context, to provide a place to reflect on the connection to symbols of freedom and democracy.

For urban design, surrounding heights massing and setbacks will be respected.
and enhanced.

Culture resource protection, respect and enhance the district's historic legacy of planning and reinforce key viewsheds.

For visitor use, public use of the site will continue and public amenities will be enhanced.

For visitor experience, it will enhance connections to the National Mall, monuments and other museums.

And finally, for museum functions and operations, the operations will meet desired standards of excellence, appropriate for symbolic spaces on the Mall.

During the consulting party's meeting on November 16, 2007, a discussion of how the various alternatives might inform the design architects in the future was held. The following ideas relative to these four topics were put forward to be considered as elements of a set of Section 106 principles.
For physical character and quality, the building forum should respond to and respect the unique shape of the site and avoid projecting into sensitive viewsheds. The architectural expressions should complement the Washington Monument.

For monumental context, enhance the monumental context of its site on the monument grounds and its adjacency to significant historical properties in and around the Mall.

For urban design, the building should respect the open feeling and freedom of movement of the site and the adjacent Federal Triangle Complex.

And finally, cultural resource protection, the architectural expression should not overshadow or detract from the Washington Monument.

Using these several alternatives were developed for the purpose of the draft Environmental Impact Statement. NEPA requires
that the analysis of a No Build Alternative as a baseline in the document. In addition to the No Build, we analyzed six build alternatives in the draft EIS. It's extremely important to stress that these alternatives do not represent design concepts. These diagrams are meant to represent an approach to the distribution of building mass on the site, the maximum potential volume is represented by height and building footprint. This maximum volume includes potential building projections like mechanical penthouses, but may not include potential architectural embellishments and features, like domes.

These alternatives are presented in more detail in the space outside the auditorium before you came in. If you would like more information, please feel free to visit the alternative station during the public testimony where a Smithsonian staff member or a member of our consultant team will be available to answer any questions for
clarification.

With that, I'll briefly review the alternatives that were presented in the draft EIS. Alternative one, responds to the goal of representing an aesthetic worthy of and equal to the other surrounding landmarks by aligning both the building facade lines and building height with adjacent buildings.

Contextual massing that explicitly relates to the patterns of buildings fronting the National Mall. To form a building massing perspective, the museum will appear as another building in a family of buildings. And the development of architectural concepts and style that will eventually lead to either a reinforcement of this contextual alignment or the introduction of distinct developments to differentiate the building from its neighbors.

Alternative two represents a more literal approach to the contextual massing strategy of alternative one with the addition of a massing relationship that responds to its
most prominent neighbor, the Washington Monument. The aesthetic is more varied with the opportunity for an exceptional facade treatment oriented towards the monument. This orientation, unique to the surrounding buildings, will possibly create the impression of a building that not only continues the progression of landmark Mall buildings, but also ends the progression. The less conventional building form with further architectural development, can provide an aesthetically appropriate transition that bridges the access of the National Mall with the north south access of open spaces leading to the White House.

Alternative three, represents a strong aesthetic impact through contrast which differentiates its form from that of the adjacent buildings. The freeform example shown in the illustration is merely a diagram of a single potential iteration of this idea. The concepts of non-alignment of building
frontages and multi-directional orientation, may extend upward into a more complex three-dimensional form that is illustrated here.

The aesthetic effect is generally a more complex nature, with a potential for a building that looks very different from a variety of locations. The overall mass, shape and size will be more difficult to discern from a single vantage point, unlike alternative one.

Alternative four incorporates landscape features into the overall building environment. The building is configured to maintain strong building facade edges along Constitution Avenue and 14th Street, while stepping down with terraces, slopes and other techniques towards the Washington Monument. The aesthetic effect is that of a gradually rising plain, perhaps with an amphitheater or terrace seating facing the Washington Monument that emerges from the ground and culminates down a high point at the intersection of
Constitution Avenue and 14th Street. The terraced areas maybe used for programed outdoor space for green roof elements or other integrated landscape solutions.

The overall effect will contain two distinct aesthetic experiences. Blending into the landscape towards the monument and more traditional vertical building facades at the intersection of Constitution Avenue and 14th Street.

Alternative five incorporates outdoor public space into a centralized area and framed by two separate building wings. The enframed open space is directionally oriented towards the Washington Monument. In orienting towards the monument, a key view corridor looking towards the monument from the intersection of Constitution Avenue and 14th Street is preserved.

The main aesthetic effect is of a bifurcated structure with varying heights, the relationship to contexts through building a
spacial orientation, rather than building or height alignment.

   Alternative six responds to the goal of complimenting this site and deferring to the presence of the Washington Monument. This alternative has a minimized visible mass and a soft edge along the southwest facade that is aligned with Madison Drive. The minimum functional building footprint, along with a significant percentage of below grade space allows for a lower building, that when pushed as far east on the side as possible, seems to pull back from the monument while still maintaining the facade aligned with the row buildings along Constitution Avenue. This mass results in more open space on the site with a direct relationship to the remaining open space of the Washington Monument grounds and Madison Drive.

   In terms of the next steps, once the public comment period concludes, we will be working towards the preparation of the
final Environmental Impact Statement or FEIS. At the outset of the final Environmental Impact Statement, the Smithsonian will be required to select a preferred alternative. The products of the two processes are a record of decision for the Environmental Impact Statement as I mentioned before, and a memorandum of understanding or MOU for the Section 106 process.

The public comment period began on December 21st with the Notice of Availability Publication in the Federal Register and the public release of the draft Environmental Impact Statement. As I mentioned previously, due to the fact that the NOA and the draft EIS were released over the holidays, we have extended the comment period an additional two weeks, until February 18, 2008.

There are several ways to comment, both in the future on the draft EIS and in the meeting this evening. And I’m going to turn it back over to Don at this point to
facilitate that and take comments from you this evening. And I thank you for coming out tonight.

FACILITATOR EDWARDS: All right. Great. Thank you so much Jess. So let me just kind of go over what it is that we'd like for you to do. We have two microphones. We're going to open our period of public testimony now. We have a court reporter here. And I am going to call first on the people who signed up and you may go to either microphone. And your comments, questions will be placed on the record. I'd also like to invite Gene Keller and Curtis Davis to come and sit here to represent the Smithsonian Institute and the National Capital Planning Commission.

We will take public comment orally or in written form until 9:00 p.m. Because that was our published period of comment. And you may stay as long as you want and participate as long as you want, but we will
end at 9:00 p.m.

So, the people who signed up, and I'm going to ask them to come to the microphones, Robert L. Wright, Robert Wilkins, George Oberlander, Floyd Coleman, Richard Westbrook and Chris Ziemann. If you will come to the microphones on either side. I will repeat that -- where is my colleague Sharon Cowey? Sharon Cowey is sitting here in the front and she is going to give you a notice when you have a minute or so left. We have asked you to, as individuals, keep your comments or testimony to three minutes. And if an organization, to limit them to five minutes.

And Sharon, if you will stand up so people know that when you act, they are to follow your instructions. Okay. So this is where you will know when your time has begun to run out.

So, if whoever -- let's start over here on my right. If you will introduce
yourself and if you want to add your address
and/or organization, we'll appreciate that.

You sir?

MR. COLEMAN: Good evening. My name
is Floyd Coleman, that's F-L-O-Y-D, C-O-L-E-M-
A-N. Although I belong to many different
organizations and so forth here in the City,
I'm representing myself.

This is a very important project
and I just want to underscore that fact
tonight. The African American struggle must
be told and it certainly must be told from our
National Mall.

The struggle for black liberation
has been going on, as you know, for centuries.

But it is also important for our young people
and others who visit this city and visit our
country to know that it has only been a few
years, really some 43 or 44 years, that black
people have been full citizens of this
country. I underscore the 1965 Voting Rights
Act. When you think about that, how recent
that was, this museum must tell that story and
the myriad, the many, many other stories that
exist.

Vincent Harding, the historian,
who, of course he, along with many other important
African-American historians have dealt with
the black American struggle. And if I may add
a personal point, I entered that river in 1956
in Montgomery, Alabama. And there, of course,
Rosa Parks, Martin Luther King and others and
someone who needs to be more well-known was a
professor at Jackson -- at Alabama State
University, Jo Ann Robinson, a book has been
written about her. But, more needs to be
known about a very brave professor there at
Alabama State who led marches against lynching
in the 1950s and of course, was an aide to Dr.
King in the bus boycott and many of the other
things that took place.

I just want to again, say that the
African-American story must be told and it
must be told here on the Mall. Thank you.

FACILITATOR EDWARDS: Thank you very much. Sir, if you will introduce yourself.

DR. WRIGHT: Yes. My name is Dr. Robert L. Wright. That's R-O-B-E-R-T, W-R-I-G-H-T. My address is 6369 Brampton Court, Alexandria, Virginia 22304.

I was Chairman of the Plan for Action Presidential Commission for the National Museum of African American History and Culture. The Commission was established by Public Law 107-106 and was created to provide the president and Congress with an implementation plan to create a National Museum of African American History and Culture in our nation's capitol. It was this Commission that prepared the report to the president and Congress entitled, "The Time Has Come".

Among other things, the legislation directed the Commission to look at possible
sites, a possible location for the museum on
or adjacent to the Mall in Washington, D.C.
The legislation also directed us to explore
the cost and the feasibility of converting the
Smithsonian's Art and Industries building into
a modern museum with requisite temperature and
humidity controls.

The site selection process was
thorough and extensive as outlined in the
Preferred Site Analysis Report that was
prepared on the direction of Attorney, Robert
Wilkins, who was Chairman of the Site and
Building Committee of the Commission. A site
criteria was established. From there, we
identified 11 sites on or adjacent to the Mall
that met the preliminary criteria. The
Commission toured all sites. After the site
visits, the Commission presented preliminary
thoughts and pros and cons on each site
toured. From there we narrowed the list down
to four preferred sites. The Capitol site,
the monument site, the Liberty lawn site and
the Overlook site.

The site on the Mall that we're talking about, near the Washington Monument is highly visible from the Mall and several business streets, readily accessible to the Washington Monument, the National Museum of African American History, the crossroads between the White House, the National Mall and the Washington Monument.

The Commission has town hall meetings in several cities throughout the country. The common thread throughout the town hall meetings, was that this museum should be in the front yard of America. That means on the Mall in the nation's capitol. The Monument site is that front yard. Thank you.

FACILITATOR EDWARDS: Thank you sir. Sir, if you will introduce yourself.

ROBERT WILKINS: Thank you. My name is Robert Wilkins. I am speaking as the chair of the Site and Building Committee of the
Presidential Plan for Action Commission that Dr. Wright so ably chaired and just spoke of.

I would like to say a few things. First of all, as Dr. Wright explained, the Presidential Commission considered all of the site issues and came to the conclusion that this site, adjacent to the Washington Monument, was an appropriate site after very careful deliberation and after consulting with Congress, the Smithsonian, the Architect of the Capitol, the National Park Service, the National Capital Planning Commission, the Commission of Fine Arts and various civic groups and individuals.

We employed a prominent architectural firm to assist us with this. We had public meetings and forums here in Washington and all over the country, as we were deliberating. We studied all of the relevant planning documents, from the L'Enfant Plan to the McMillan Plan to the 1966 Mall
Master Plan to the more recent plans by the NCPC and others. And we developed a 200-page final site report which analyzed all of this information and which came to the conclusion that this site was appropriate.

It was appropriate for several reasons. And some of those reasons are important for us to discuss as we are talking about the various alternatives.

One reason is that from the very beginning, from the L'Enfant Plan, it was envisioned that a building would be at that location. So make no mistake, if anyone comes here and says tonight or at any other time, that putting a museum at this location would be contrary to some plans for the Mall, tell them to look at the original plan for the Mall, done in over 200 years ago, and you'll see a building right there.

***DT STOP 7:08:45***

Furthermore, the McMillan Plan which is seen as the key blueprint for the
Mall places a building right there at that site. And indeed, the Commission of Fine Arts approved a building at that site back in 1910, which was to be a new headquarters for the State Department, but for bureaucratic and other reasons, the building was never constructed. The plans were drawn up and they actually approved those plans. So, this site is completely appropriate for a building. It's appropriate for a monumental building and not just a building that's a bunker, where the primary space is below ground and there's just a small amount of space above ground. A building can be constructed at that site that would be no closer to the Washington Monument than the Annex of the Holocaust Museum, which is on the south side of the Mall there at 15th Street. And so, all of that should be taken into account when evaluating the various alternatives and there should not be some unreasonable restrictions placed on the potential design of this building, when no
such restrictions were placed on the design of other buildings on the Mall.

The buildings on the Mall are quite varied. From the East Wing of the National Gallery of Art to the National Museum of American Indian to the National Museum of American History, you'll find a wide range of design styles, architectural styles and the way that they fit within the Mall context and the buildings were allowed to be designed with a reference to the story that the museum itself was intended to tell. Well, this museum ought to have that same flexibility to be designed in accordance with and with an ability for that design to reflect the story and the history and the culture which a museum was designed to tell.

We titled our report, "The Time Has Come," as Dr. Wright just explained, because the quest to build this museum is over 90 years old. It began back in 1916. Congress actually approved this museum in 1929, but
they didn't fund it and it never got built.
So, we've been talking for a long time. And
if there's anything on the Mall in Washington
or anywhere else that's grandfathered, this is
literally grandfathered. Because grandfathers
of people living today and grandmothers of
people living today, were working on this and
were trying to get Congress to approve it and
fund it many, many years ago.
So, as we move forward, all of that
should be taken into account and considered
and thank you for this opportunity to do so.
I would like to place within the public
record, two documents. One called "The
Forgotten Museum" and one, which was a letter
that I wrote on behalf of the Presidential
Commission to the Smithsonian as they were
deliberating on which site to select, because
they provide further background for the
historical and cultural analysis and context.
Thank you.
FACILITATOR EDWARDS: Thank you.
I'm going to go over to this side. Sir, if you will step up and introduce yourself.

RICHARD WESTBROOK: I'm Richard Westbrook. I reside at 505 H Street, S.W. You can see my house on the bottom of that air photo, but that's -- we are long overdue to have a museum to African Americans. Way overdue. The problem with this site, and I'm looking at it from the Licensed Tour Guide for the District of Columbia for the Metropolitan Area.

Tour guiding is getting to be an absolute chaotic operation. Especially if there's a little bit of rain and you hit the congestion of the peak, afternoon peak hours. This site, in my opinion, it should be absolutely left open. We are having more outdoor temporary events that are so impacting the Mall. And by the way, the Mall goes from 14th to 3rd Street. It is the grass and tree panels of that area that, you know, there's a constant need to be refurbishing the grass.
So if you could have one of these temporary events on the Washington Monument grounds, that would be an alternative. We are getting more and more of these events.

You know, this is a National Register landmark, the Washington Monument. Reservation Two of the L'Enfant-Ellicott Plan.

Over decade after decade, from 1966, we have always kept that site open. And by the way, I was an employee of the National Capital Planning Commission for 20 years, when we approved Constitution Gardens, Vietnam Memorial, east wing of the National Gallery, the Aerospace Museum. I had gone back to Arlington County planning before the Indian Museum was opened up.

I am recommending still, that the Banneker Overlook site be considered. This will help the city. It will help tourism, a proposed garage, a tour bus garage and visitor parking, 75 tour busses, 1,150 temporary for visitors. It's a short walk to the Mall. And
put on the top of this garage, the African American Museum.

Am I over? I don't know why they limit people to three minutes. Really, Don, this is -- you don't need to limit anybody.

FACILITATOR EDWARDS: Dick, we'd like for you to make sure that your images are entered into the record. And if you'll make sure that I get a copy of them electronically, we'll have that done.

MR. WESTBROOK: Yes.

FACILITATOR EDWARDS: Thank you for your comment.

MR. WESTBROOK: Your office has it now.

FACILITATOR EDWARDS: Okay. I'll speak with you after the meeting. Sir, if you'll introduce yourself.

MR. OBERLANDER: Yes, I will. My name is George Oberlander. I represent the National Coalition to Save the Mall, a coalition of professional and civic
organizations and other concerned historians, artisans and citizens to provide a constituency dedicated to the protection and preservation of the Mall and National Capital.

Our mission is to defend our national gathering place and symbol of constitutional principles against threats posed by proposals for new museums, memorials, security barriers, service buildings and roads that would encroach on the Mall's historical and cultural integrity, its open space and sweeping vistas in significance in American public life. And we therefore support the Congress's moratorium on no more buildings in the Mall area.

Last February -- we are consulting parties in the Section 106 process for historic preservation, which is going on at the same time the EIS is being prepared. And as I say, it's still going on. Last February the coalition submitted nine major comments and concerns regarding the EIS by our
Chairman, Judy Feldman. And I will resubmit those three pages dated February 1, 2007. In our opinion, the draft EIS does not discuss any of the concerns adequately or directly. And we hope that the final EIS will more adequately and specifically address those concerns. I will not read them, because of the shortage of time. I believe I have five minutes, or whatever is left of five minutes.

What I will discuss now, is the coalition's real concern over the improper process undertaken and the EIS being used as justification for the Smithsonian's decision.

The EIS has been developed after the site location had been decided by the Board of Smithsonian January 30th, 2006. The CEQ Regulations specifically state, and I quote, "The primary purpose of the EIS is to serve as an action-forcing device" and to be used by Federal agencies, "to plan actions and," and I emphasize, "make decisions" at Section 1502.1 of the CEQ Regulation. The
Smithsonian Board decided on the location before the required EIS was prepared to evaluate alternatives.

In other words, tonight's hearing is after the site decision has already been made. So why discuss alternatives, including the no-action alternative. The EIS is now being used to justify the earlier decision. That's all it is being used for. This is contrary to CEQ Regulations, which seek documentation upon which a site location decision can be made. We are very disappointed about the cause of events and further unhappy that a review agency, like NCPC, that has disapproval authority from each of the alternatives, is party to such an after-the-decision fact justification.

The EIS and 106 process are responsible for identifying appropriate mitigation measures on adverse impacts not already included in the proposed action or alternatives. There is no coverage of that
requirement in Section 1502.14(F). It is
difficult to understand that the proposed
action of placing a building on the northeast
corner of the Washington Monument grounds is a
possible mitigating measure on the impacts on
historic resources. Rather, we believe that
action is a major environmental consequence on
urban quality, historic cultural resources and
the design of the Washington Monument and this
grounds. And that is what CEQ tries to
prevent from happening.

In our opinion there should not be
a building on the preferred site, even though
some plans many years ago may have shown it,
but a site has never been formally considered
for a public building. It is rather doubtful
that all of the major impacts on historic
resources can be mitigated.

And since my time is running out, I
will e-mail the rest of the plans. We are not
opposed to the creation of the National Museum
of American History and Culture. Indeed we
supported and I personally, on behalf of the coalition, testified in Congress to that effect.

We oppose the site selection for the museum and the processes Smithsonian has followed to get the required approval. We realize much time and effort has been spent on the project and concerns that Congress has identified only four sites the Smithsonian was to choose from. We realize, to the extent that we are -- we realize the reality of the situation and that the Smithsonian is going through the review process to obtain approval of the preferred site and it can be termed as a done deal.

Since it is a done deal, we would like to make one further comment on the -- for the record, and that is the tiered approach that the EIS is taking in our opinion, is flawed. If we do not agree with that, then the document that we'll submit through e-mail will give further information.
Last, but not least, an item that's not mentioned in the EIS, and when the museum is built on the preferred site, we believe a definite program be included for day and night activities outside the structure to help animate this part of the Mall and the monument grounds. We have mentioned this several times, but no reference to the EIS or any analysis of it in the documents so far. Thank you very much.

FACILITATOR EDWARDS: Thank you, sir. Sir, if you'll introduce yourself?

MR. ZIEMANN: Hi. My name's Christopher Ziemann. I'm the Ward 2 Planner for the District Department of Transportation. We just have a few comments. We'll also submit these written as well, but I thought I'd bring them up now.

One is the -- well, these are basically comments that were comment to all of the alternatives. The first is the loading access off of 14th Street. DDOT is
particularly concerned with the amount of
volume and the importance of 14th Street as a
commuter corridor and also as a very important
street in the District transportation network.
We think that loading access off of 15th
Street would be a better option.

There's also no mention of where
tour buses would drop off or pick up visitors.
And the last comment is that the -- it
sounded like, in the EIS, that during
construction, it said the site would be closed
to pedestrian traffic. We wanted to make
sure, or we wanted to push that, if, as long
as the site is closed to pedestrian traffic,
at least the sidewalks remain open,
considering the amount of visitors that travel
from that part of the, the eastern part of the
Mall to the Washington Monument.

FACILITATOR EDWARDS: All right.
Thank you very much. I think all of the folks
who signed up to provide testimony have
spoken. I want to invite anyone who wants to
come forward now. You need not have any written testimony to submit. You can simply stand up and state your opinion. And if no one comes up right now, you can come back any time between now and about ten minutes to nine.

I want to just encourage you to take this opportunity to go on the record. And I will be here, and the rest of us will be here, until such time that someone comes up and we'll check back in with you at about ten minutes to nine.

And my colleague is telling me that there are refreshments upstairs, as I mentioned earlier that can sustain you until perhaps you figure out what you want to say. Thank you very much. We'll be here.

And, if you decide not to come and stay, thank you for coming out and we will continue to keep you involved in this process, especially if you have signed in and we can stay in touch with you.
The Smithsonian Institute is here and then I'll ask you to introduce yourself. And if you are standing to take a seat. We are going to take some more public testimony. While you are getting seated, let me talk about the process a little bit for those who are going to be making the testimony.

Essentially tonight you are offered an opportunity to make written and/or verbal testimony. For individuals, you have three minutes and for representatives of organizations you have five minutes. My colleague Sharon Cowey here will hold up a card. Sharon, if you will hold up a card. You will be given a cue as to how much time you have remaining and when your time has run out. My colleagues here at the microphones will be there to assist you in recognizing and keeping our rules in mind.

So, if you will, sir, introduce yourself and you may give your address and/or organization that you are representing.
MR. TINNIE: Thank you. I can't remember when I felt so important. My name is Gene Tinnie. I am from Miami, Florida, specifically 80 N.W. 51st Street. I signed in with my mailing address.

I'm actually representing semi-officially two entities. One is the City of Miami, Virginia Key Beach Park Trust. I'll explain that and how it relates to this. And the other is an ambitious slave ship replica project that I happen to be in town for. Some of us were participating in a very stimulating session over at the National Archives commemorating the 200th anniversary of the abolition of the slave trade, which, of course, relates to this project quite directly.

Much of what - I just got the word on this and I would just like to share some thoughts for the record, which I think are probably mostly preaching to the choir, but if it helps to underscore some things that we all...
already know, then so be it.

I think the - certainly the primary concern and almost by definition of this gathering, would be to have a very intelligent and informed decision-making process as it pertains to the impact of the future museum on the environment.

The Virginia Key Beach project that I mentioned is a project we have in Miami, Florida. It is the old, basically the colored beach from the segregation era, which is being restored into a combination indoor/outdoor museum experience, but it happens to be located in a very sensitive barrier island ecology. And it's something that we foresee as maybe a pilot for many other projects where human history and natural history are presented in a seamless way, right along with just having fun and recreation.

We are aware of the fact that having that kind of environmental concern, although it seems like something new in our
social experience, it's something that really
goes back to ancient traditions and certainly
African traditions so that we would -
certainly I would just add my name to those
who would have the concern that the new
museum, however it is constructed and
configured is done so in a way that's very
harmonious with the ground on which it stands.

In addition to the natural
resources to be preserved, naturally we have
concern with the cultural resources and
something that simply does not get mentioned
enough is the fact that all of these
discussions that we have here in the nation's
capital and elsewhere are taking place on land
that was occupied by other populations, first
nation's for centuries and that doesn't get
enough recognition.

And I would hope that the future
museum demonstrates some sensitivity to the
significance of the site in terms of what
could be discerned as to what significance it
might have had to the native populations before that.

In my other incarnation of the slave ship replica project is something that I and my colleague Harmon Carey from Delaware have been working on for a number of years. We are in the process of having conversations with the museum about possibly incorporating it and that would naturally involve having an adjunct location on the water. And I just wanted to mention that as a possible point of interest of that and other replicas that might be considered as part of the museum experience. And in considering that we would also want to be as sensitive to the environment. So, since I'm in town and have the opportunity, I'm grateful for it and I thank you very much.

MR. EDWARDS: Thank you very much. And I want to remind us all that the period for public comment after tonight is open until February the 18th. Any written testimony may
be sent by e-mail or by letter to that address. Is there anyone else who would like to make public comment or testimony? If you will introduce yourself.

   MS. RUFFIN-COLBERT: Good evening. My name is Vanessa Ruffin-Colbert. I'm a native Washingtonian and did quite a bit of historic study, but most of all, I've been here and born in southwest and living in and around the Southwest, Northwest, Northeast area all of my life.

   One of the things that I asked when this project was first announced in 2006, I became aware of it over at the -- another museum here in the Mall. My concern was with flooding and I know what very comfortable is people with being along the river's edge and in the flood plain. But this is the one area remaining historically. That even though we've been through a dry season, still has that concern in my mind. And I know we, architecturally, can do a lot of things that
we have all kinds of superman powers to beat nature. But I want to make sure, if we choose this site, and we're insistent on building on it, that the monies are available to keep this museum intact and dry and representational of what it should be.

We've made many attempts in this city, but I've seen every one of these organizations that alleges they can beat it this time at this location. Still have to rebuild the locks in Georgetown. Still, those tour buses during a rainy season, and when we get a lot of water, that's the one place down there that you still run into pools of water.

So these are my concerns and consideration as we, as a people, who are used to being along the river's edge and in the flood plains insist upon and are getting comfortable with a location where this national treasure is to be placed.

And I really just wanted to go on record asking that real consideration be given
to the original water flows, the patterns in
the area that what of engineering geodesic
studies, things that are needed are current
and that the monies, the monies and the
technology to beat them come into place. Army
Corps of Engineers still hasn't quite decided
the way and I'm real leery about washes, as
far as keeping us dry. Thank you.

MR. EDWARDS: Thank you very much.

Is there anyone else who would like
to provide testimony or comment at this time?

Okay. I am going to do a check
here. We are at 7:58. We are going to be
here until 9:00. I will probably ask the
cutoff testimony or comment at about ten
minutes to nine. But, you again, are welcome
to stay. We do have refreshments upstairs.
This is an opportunity for you to look at the
boards and to speak with the technical
consultants and representatives of NCPC and
the Smithsonian to your heart's content. We
will be here and at any point that someone
wants to make comment or testimony, please
bring it to my attention. Thank you.

(Whereupon, the foregoing matter
went off the record at 7:47 p.m. and resumed
at 8:50 p.m.)

FACILITATOR EDWARDS: I'd like to
have your attention. It's 8:50 and that is
when I said that we would see if there were
any folks in the audience who wanted to make
comment tonight. This is the last opportunity
for oral comment.

You will have until February the
18th to make written comment and you can send
your public comment or testimony to any of
these, via any of these media.

So I will ask, is there anyone in
the audience who wants to go on the record
tonight with their oral testimony? Okay.
Hearing no one, I will now formally bring to
close, the public testimony period for this
project and thank you for coming out tonight.
Have a safe trip home.

(Whereupon, the foregoing matter went off the record at 8:50 p.m.)