

# Smithsonian Institution

## Architectural History and Historic Preservation

18 December 2006

Mr. Don Klima  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue, N.W., Suite 809  
Washington, D.C. 20004

Dear Mr. Klima,

As you know the Smithsonian is in the early development stages of the proposed National Museum of African American History and Culture (NMAAHC). By the attached letter of 27 March 2006, the Smithsonian initiated consultation with the District of Columbia Historic Preservation Office on the undertaking of the design and construction of the NMAAHC, on the site selected by the Smithsonian Board of Regents on 20 January 2006, as provided for in Public Law 108-184, the "Monument Site," between 14<sup>th</sup> Street N.W. 15<sup>th</sup> Street, N.W., and Constitution Avenue, N.W.

In the letter, we acknowledged that the undertaking would have an adverse effect, under 36 C.F.R. 800, upon the National Mall, a property listed on the National Register of Historic Places. This action was taken pursuant to Public Law 108-72, which requires the Smithsonian to assume responsibilities of a federal agency for compliance with Section 106 of the National Historic Preservation Act for those projects in the District of Columbia requiring approval by the National Capital Planning Commission (NCPC).

Since our initiation of consultation with the DCSHPO, we have begun parallel efforts, assisted by our consultants Louis Berger Group (LBG) to carry out an Environmental Impact Statement under the National Environmental Policy Act (NEPA) and a Section 106 for the project. For the former, the SI and NCPC are acting as joint lead agencies.

For the latter, we are currently engaged with our consultants to involve the public, invite consulting parties, define Areas of Potential Effect (APEs), identify all significant National Register of Historic Places resources within APEs (in addition to the Mall), and assess effects. The National Park Service has agreed to be a consulting party, as is NCPC already, due to their future review responsibilities. Although we are not utilizing the provision of the Advisory Council's current regulations for the direct substitution of NEPA for Section 106, we will carry out both in close coordination, an example of which will be the Public Scoping Meeting for the EIS taking place on 4 January 2007, 6:00pm – 9:00pm at the former City Museum building.

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In accordance with 36 C.F.R. 800.2 (b)(2) we would appreciate the advice, guidance and assistance of the Advisory Council on our consultation under Section 106 about the effects of this project on the cultural and visual resources in the Nation's Capital. Because we are proceeding at an early planning stage in advance of any design for the museum facilities, it is the goal of both the EIS and the Section 106 consultation not only to mitigate adverse effects but to inform the future design.

We appreciated, as always, the participation of Martha Catlin of your staff in our Agency Scoping Meeting on 27 November and look forward to working with the Council. If you have any questions, please do not hesitate to call me at 202-357-2571 (after 26 December the number will be 202-633-6535) or Mr. Larry Earle of LBG at 202-303-2667.

With kind regards,

Amy Ballard  
Historic Preservation Specialist

P.S. After 22 December 2006 our new mailing address will be:

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