



June 15, 2026

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

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

Dear Ms. Nersesian:

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

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

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

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

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

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

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

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

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

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

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

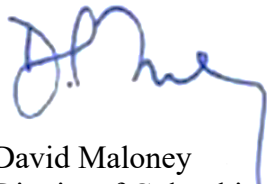
When avoidance of adverse effects is not possible, minimization is usually sought via the review of an initial concept for a new memorial and subsequent design modifications. In this instance, the consulting parties have been presented with a fully developed, CFA approved design for a memorial arch.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

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Maloney', with a long horizontal line extending to the right.

David Maloney  
District of Columbia State Historic Preservation Officer

26-0593

cc: Consulting Parties