



September 14, 2026

Ms. Tammy Stidham
Associate Regional Director - Lands and Planning
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

RE: Triumphal Arch - Section 106 Assessment of Effect and Draft Programmatic Agreement

Dear Ms. Stidham,

Thank you for the opportunity to comment on the proposed Triumphal Arch that would be built at the western terminus of Arlington Memorial Bridge in Memorial Circle. These comments about the September 9, 2026, consulting parties meeting complement those filed by The Cultural Landscape Foundation (TCLF) on June 15, 2026, July 18, 2026, and August 6, 2026, and again register the foundation's **very strong opposition** to siting a Triumphal Arch in Memorial Circle for the reasons cited below.

The National Park Service [issued an extensive Assessment of Effects report on August 28, 2026](#), which identified dozens and dozens of “adverse effects” the 250-foot-tall Arch would permanently create. Chief among them, the Arch would forever disrupt the visual and symbolically important viewsheds between the Lincoln Memorial and Arlington House, Arlington National Cemetery, and the Kennedy Gravesite and Eternal Flame. The memorial expression from the Lincoln Memorial across Arlington Memorial Bridge and up to Arlington National Cemetery represents the healing of the nation following the Civil War and ranks among the country’s most important cultural landscapes.

A primary function of the agency in a Section 106 review is to identify ways to “avoid, minimize, or mitigate” the adverse effects. NPS not only maintains that the site selection and design are unalterable and non-negotiable, but it also refuses to even consider alternate sites and designs. Startlingly, the NPS representative who presented the proposal refused to say who specifically at the Department of the Interior was responsible for the decision not to consider alternatives. Andrew Lewis, with the D.C. State Historic Preservation Office, said of NPS’ inaction: “The Park Service has failed to meet the most basic requirement of Section 106.”

The foundation for NPS’ obstinance is legally dubious and intellectually contorted. The agency maintains that they “did not evaluate alternative locations outside Memorial Circle because the proposed undertaking is grounded in the historic design intent for the Arlington Memorial Bridge and Memorial Avenue corridor.”

The alleged “historic design intent,” according to NPS, is included in a [1924 report of the Arlington Memorial Bridge Commission](#), which called for erecting two 166-foot-tall “columns [that] were intended to frame, mark, and give architectural emphasis to the transition between Arlington Memorial Bridge, Memorial Circle, Memorial Avenue, and the entrance sequence to Arlington National Cemetery.” NPS claims, “the current undertaking,” that is, the 250-foot tall Monumental Arch, “is intended to respond to and complete that historically contemplated idea at Memorial Circle.”

There are several problems with this scenario and, as [video of the September 9 Section 106 consulting parties meeting](#) demonstrates, NPS cannot provide straight answers. The 1924 Commission report specifically says on page nine: “two stately columns are proposed to be erected ... framing in **but not interfering with the view of the Lincoln Memorial from the direction of [what is now known as Arlington House].**” [emphasis added] If that is the “historic design intent,” then the Monumental Arch, which would permanently interfere with those views and not frame them, does not represent that 1924 commission’s conclusions. When confronted with this, an NPS official deflected.

For the record, the framing columns were never built. So, while they may have been proposed, the final approved design—which reflects the realized historic intent of the designers—removed them.

In addition, the [draft Programmatic Agreement](#) that would memorialize the conditions of the completed Section 106 process states: “The Undertaking will be consistent with *Secretary of the Interior’s Standards for the Treatment of Historic Properties* ...” Here’s the problem for the administration: these [Standards are explicit](#) that **“Designs that were never executed historically will not be constructed.”** [emphasis added] When asked about this discrepancy an NPS representative said: “I’m not sure I have a great answer to that question.”

U.S. Commission of Fine Arts Secretary Thomas Luebke noted a striking contradiction. The purpose of the Arch, according to the NPS representative, is to “celebrate the [nation’s] 250th anniversary.” He asked if celebrating the 250th was part of the purpose of the 1924 Commission report. The NPS representative responded, “I do not believe so.” In effect, NPS is citing a century old action with a different purpose as the intellectual and legal basis for an Arch in 2026.

The NPS representative said one intent of the meeting was to get consulting parties’ feedback about mitigation and minimization options. But she also stated: **“In this undertaking we are unable to avoid the [negative] effects based on the purpose and need of the project ... the project is location dependent and the design is set.”** [emphasis added]

At this point TCLF wishes to cite and align itself with Mr. Lewis’ remarks at the [first consulting parties meeting on June 15, 2026](#) (to which TCLF and several other organizations were not invited):

[T]he Park Service failed to initiate early consultation in accordance with the regulations so that a broad range of alternatives may be considered. And ... they have thus far failed to conduct consultation in a manner appropriate to the scale or nature of the undertaking, taking [into account] its likely effects on historic properties or the scope of federal involvement. All of those, as you well know, are direct quotes from the regulation. And, for these reasons, and perhaps of most concern, the Park Service has not yet developed or evaluated alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties in any meaningful way.

Mr. Lewis also provided a broader and more sobering context with which to consider this current undertaking:

[W]e’re not only dealing with the integrity of a few historic properties here. This is not just about whether the integrity of location, design, setting, materials, workmanship, feeling, and

association of these extraordinarily and significant properties have been diminished. Instead, the integrity of the Section 106 process itself may be at stake here, especially as it applies to the review of future memorials in D.C. Typically, those reviews take years, not just as a result of Section 106, but also due to reviews conducted in a normal circumstance by CFA, NCPC, and those that are conducted in accordance with other laws such as NEPA. That much time is usually required not because of bureaucratic red tape but because these monuments become permanent features in the core of our nation's capital. They have lasting effects on the fabric of the city and because they warrant the level of scrutiny necessary to insure that they accurately represent the ideals they are intended to convey in an inspiring way that is also compatible with the historic setting.

But as we all know Section 106 doesn't just apply to memorials it's also supposed to apply equally to all historic properties that are affected by federal undertakings. So, again, the integrity of the Section 106 process itself may be one of the most important considerations we need to be taking into account in the review of this Arch. If we fail to protect that integrity we stand to diminish not only one of the most important designed features of the historic plan of the city of Washington, but also the legal process we all rely on to protect what's important to us at the city, state, and national level.

What happens next is up to the National Park Service, which could either observe and respect the Section 106 process, as it has for decades, or continue to pervert it citing the flimsiest of justifications, as it has with the Arch. TCLF urges the agency to pursue the former and uphold the integrity of the process and seek alternatives to citing an Arch in Memorial Circle.

Sincerely,

A handwritten signature in dark ink, consisting of a large, stylized 'C' followed by a smaller 'A' and a long, horizontal flourish extending to the right.

Charles A. Birnbaum, FASLA, FAAR
Founding