



August 6, 20206

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

Dear Tammy:

I am writing to express the DC Preservation League's (DCPL) comments on the most recent Assessment of Effects (AOE) issued by the National Park Service for comment. The AOE correctly identifies that this structure will inflict severe, irreversible adverse effects on more than 200 historic properties and cultural resources across the nation's capital. Furthermore, the project directly flouts federal statutory height restrictions.

The Adverse Impacts to Historic Sites include irreparable losses to the viewshed and permanent damage to the sacred visual axis connecting the Lincoln Memorial, Arlington Memorial Bridge, Arlington House, and Arlington National Cemetery. In addition, over 200 historic sites—stretching as far as the Washington National Cathedral—suffer compromised integrity of setting and feeling from this out-of-scale insertion. DCPL believes that there is no Programmatic Agreement or mitigation measure that can adequately minimize this structure, which violates the very nature of the National Park Service's mission, and will violate the Height of Buildings Act of 1910.

The Height of Buildings Act of 1910 is a comprehensive, standalone statute enacted by Congress on June 1, 1910. It is an independent regulatory framework, not a mere procedural tweak or amendment dependent on the narrower 1899 statute cited by applicants attempting to bypass caps. The 1910 Act explicitly limits all buildings and structures in the District of Columbia. At 250 feet, the proposed arch nearly doubles the legal ceiling authorized by Congress.

The Executive Branch, the National Capital Planning Commission, or the National Park Service cannot unilaterally waive or reinterpret a century-old statutory height limit enacted by Congress to reshape the DC skyline.

The National Park Service is violating its core mandate to conserve park scenery, natural and historic objects, and wildlife, while ensuring public enjoyment in a way that preserves resources for future generations. Sacrificing the integrity of more than 200 historic resources for a single project is not in the best interest of the NPS or the public. NPS is also attempting to amend, for its own purposes, a federal law enacted in 1910 that has shaped the very character of Washington, DC. This change will precipitate the unraveling of more than 120 years of careful planning and design, intended to ensure that our Nation's Capital retains its identity as a city defined by landmarks, neighborhoods, and a celebrated skyline unlike any other in the world. It's not too late to change direction, and we urge you to do so.

Finally, let's stop calling this a proper Section 106 process. The Consulting Parties, who were denied initial party status, know what the general public may not; there is nothing normal about how this consultation is taking place – no avoidance, no minimization, no mitigation – just adverse impacts on the whole of our federal city. Trying to convince anyone otherwise is just insulting to those of us who have participated in these undertakings in good faith for decades.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca Miller". The signature is fluid and cursive, with the first name "Rebecca" being more prominent than the last name "Miller".

Rebecca Miller
Executive Director