



FINDING OF NO SIGNIFICANT IMPACT

National Desert Storm and Desert Shield Memorial

National Mall and Memorial Parks Washington, DC

The National Park Service (NPS) and the National Desert Storm War Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) to evaluate the potential environmental impacts associated with the implementation of the National Desert Storm and Desert Shield (NDSDS) Memorial on the National Mall at the southwest corner of the intersection of 23rd Street NW and Constitution Avenue NW in Washington, DC (all streets referenced in this document are NW unless otherwise specified). The National Desert Storm and Desert Shield War Memorial Act (Public Law (P.L.) 113-291) authorized the National Desert Storm Memorial Association to establish the NDSDS Memorial as a commemorative work in the District of Columbia.

The purpose of the NDSDS Memorial is to commemorate and honor those who, as members of the United States Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The planning, design, and construction of the NDSDS Memorial is needed to carry out the National Desert Storm and Desert Shield War Memorial Act and to address the current lack of a formal place for commemoration of those who served during Operation Desert Storm or Operation Desert Shield in the District of Columbia.

The EA was prepared in accordance with the National Environmental Policy Act (NEPA) (42 United States Code (USC) § 4332) and the Council on Environmental Quality implementing regulations effective September 14, 2020 (40 Code of Federal Regulations (CFR) § 1500-1508); US Department of the Interior NEPA regulations (43 CFR 46); NPS Director's Order 12: Conservation Planning, Environmental Impact Analysis, and Decision-Making; and the NPS NEPA Handbook. The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file.

PUBLIC AND AGENCY INVOLVEMENT

Public Scoping - As part of the NEPA process and to comply with the requirements of Section 106 of the National Historic Preservation Act (NHPA), the NPS provided an opportunity for the public to comment on the proposed project. The NPS held one public scoping meeting during each of the two 30-day public scoping comment periods; the first scoping period (June 23, 2017 through July 24, 2017) addressed site selection and the second scoping period (March 13, 2018 through April 13, 2018) addressed site design. During these scoping periods, the public, agencies, and interested parties were invited to submit comments on the proposed project. The scoping information is available at the NPS Planning, Environment and Public Comment (PEPC) project webpage (<https://parkplanning.nps.gov/documentsList.cfm?projectID=62216>).

EA Public Review - The EA was made available for public review and comment from February 7, 2022 through March 8, 2022, on the NPS PEPC project website (<https://parkplanning.nps.gov/document.cfm?parkID=427&projectID=62216&documentID=118176>). The EA public review period was announced on the NPS PEPC project webpage and by news release. A

total of six pieces of correspondence were received from the EA public review period. Responses to substantive public comments are provided in Attachment B.

National Historic Preservation Act, Section 106 Consultation - Section 106 of the National Historic Preservation Act (543 USC 306101) and its implementing regulations (36 CFR Part 800) requires federal agencies to take into consideration the effects projects have on historic properties. In alignment with Section 106 and the Programmatic Agreement Among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers with compliance for Section 106 of the National Historic Preservation Act (2008), the NPS initiated consultation on with the District of Columbia Historic Preservation Office (DC SHPO) on June 20, 2017 and the Virginia Department of Historic Resources (VDHR) on June 26, 2017. The NPS held two Section 106 consulting parties' meetings, which occurred on November 13, 2018 and November 12, 2019. The NPS submitted a Section 106 Assessment of Effects package to the DC SHPO in a letter dated March 2, 2020, recommending that the Plan will have no adverse effect on historic resources and the cultural landscape. DC SHPO concurred in a letter dated October 14, 2020.

Commission Review - The National Capital Memorial Advisory Commission, National Capital Planning Commission, and the U.S. Commission of Fine Arts reviewed the proposed project a combined total of 19 times during site selection which occurred between January 2016 through June 2018 as well as on design between November 2018 through December 2022. During each of these 19 meetings, the public was offered the opportunity to comment.

Tribal Consultation – Tribal consultation letters were sent to the Delaware Nation, Pamunkey Indian Tribe, Catawba Indian Nation, Upper Mattaponi Indian Tribe, Absentee Shawnee Tribe of Indians of Oklahoma, Rappahannock Tribe, Rappahannock Tribe, Chickahominy Indian Tribe, Chickahominy Tribe Eastern Division, and the Shawnee Tribe, on September 6, 2022 with comments being due by October 7, 2022. (See Attachment C). No responses were received.

Endangered Species Act, Section 7 Consultation – U.S. Fish and Wildlife Service (USFWS) – In accordance with Section 7 of the Endangered Species Act, an official species list was obtained the U.S. Fish and Wildlife Service's Information, Planning, and Consultation (IPaC) System on July 11, 2022 , which identified the potential for the federally threatened northern long-eared bat (*Myotis septentrionalis*). As stated in the IPaC consultation, because the project impacts less than 15 acres of tree clearing, no further Section 7 consultation is required (See Appendix D).

ALTERNATIVES CONSIDERED AND SELECTED

The EA analyzed two alternatives: (A) no action, and (B) action alternative (Establishing the Memorial). Based on the analysis presented in the EA, the NPS selected Alternative B: Establishing the Memorial (the NPS Preferred Alternative) for implementation. The selected alternative is described on pages 6-7 of the EA. The selected alternative will establish a new NDSDS Memorial, as authorized in P.L. 113-291, at the southwest intersection of Constitution Avenue and 23rd Street. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls will contain a central commemorative element, vegetated berms, and seating. The proposed project will also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately four street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed memorial will remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial will also replace the existing noncontributing delineated ball field and

backstop with turf open space. The southwest portion of the site will accommodate informal ball games through the placement of the memorial in the northeast corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle will be planted, consistent with the implemented historic planting plan for the grass panel associated with the Lincoln Circle.

RATIONALE FOR DECISION

The NPS selected Alternative B for implementation because it best meets the purpose and need of the project, as it will establish a permanent NDSDS Memorial as authorized by the National Desert Storm and Desert Shield War Memorial Act (P.L. 113-291).

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT IMPACT

As documented in the EA, the selected alternative has the potential for adverse and beneficial impacts on a cultural landscape and historic districts (see EA pages 8-11) and visitor use and experience (see EA pages 11-12). The NPS has determined that the selected alternative can be implemented without significant adverse effects, as defined in 40 CFR § 1508.27.

Cultural Landscape and Historic Districts. The selected alternative will have adverse impacts on the L'Enfant Plan of the City of Washington, District of Columbia, National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial cultural landscape as a result of the placement of the NDSDS Memorial within a contributing turf panel of the Lincoln Memorial cultural landscape, removal and replacement of four diseased or missing American elm trees along Constitution Avenue and 23rd Street, and a reduction in the area available for active recreation; these changes would not result in an adverse effect under Section 106 of the NHPA. The proposed low height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial, as well as along the existing views along Constitution Avenue and 23rd Street. The replacement of four existing trees in the allées along Constitution Avenue and 23rd Street would be consistent with the historic landscape design implementation. Furthermore, additional trees would be planted on the southern edge of the project site consistent with the Lincoln Memorial's planting plan implementation. The NDSDS Memorial would not alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible.

Visitor Use and Experience. The selected alternative will result in impacts to visitor use and experience. The NDSDS Memorial will replace approximately one acre encompassing turf, an existing ball field, and a backstop with a new memorial. Two new paths from the new memorial will connect to the Constitution Avenue and 23rd Street sidewalks and formalize circulation patterns within the site. The new vegetated berm forms will gently slope up from the open space to the memorial. The construction of these elements mentioned above will temporarily close areas of the park to visitors. The new memorial would remove opportunities for formal permitted recreation at the site through the removal of the ball field and the reduction of the turf area. However, the remaining open space would accommodate informal recreation at the site without the demarcated field lines. Additionally, the placement and grade of the berms would also accommodate recreation uses in the remaining turf open space.

CONCLUSION

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA. Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

Recommended:

**JEFFREY
REINBOLD**

Digitally signed by JEFFREY
REINBOLD
Date: 2022.11.28 08:55:02
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11/28/2022

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks
National Capital Region

Date

Approved:

**KIMBERLY
HALL**

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Date: 2022.11.28 16:29:55
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Kym A. Hall
Regional Director
National Capital Region

Date

Documents appended to the FONSI include:

- Appendix A: Non-impairment documentation
- Appendix B: Public comment responses
- Appendix C: Section 106 coordination letters
- Appendix D: Section 7 IPaC coordination

APPENDIX A: NON-IMPAIRMENT DETERMINATION

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the U.S. Department of the Interior and the NPS to manage units “to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations” (54 USC 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress” (54 USC 100101).

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1.4.3). However, the NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3). An action constitutes an impairment when its impacts “*harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values*” (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate “*the particular resources and values that would be affected; the severity, duration, and timing of the impact...and other impacts*” (NPS 2006 sec 1.4.5).

This determination on impairment has been prepared for the selected alternative described in this Finding of No Significant Impact. An impairment determination is made for the resource topic of the cultural landscape and historic districts. These resources are considered fundamental to the National Mall and Memorial Parks. An impairment determination is not made for visitor use and experience because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act and cannot be impaired in the same way that an action can impair park resources and values. This determination on impairment has been prepared for the action alternative described in Chapter 2 of the National Desert Storm and Desert Shield Memorial EA.

Cultural Landscape and Historic Districts - The APE contains the L’Enfant Plan of the City of Washington, District of Columbia, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial cultural landscape. Implementing the selected alternative will have adverse impacts on the cultural landscape and historic districts as a result of the placement of the NDSDS Memorial within a contributing turf panel of the Lincoln Memorial cultural landscape, removal and replacement of four diseased or missing American elm trees along Constitution Avenue and 23rd Street, and reduction of the area available for active recreation. The selected alternative will minimize adverse impacts on the cultural landscape and historic districts through the proposed low height of the memorial berms that will minimize the visual intrusion on the National Mall and the Lincoln Memorial, as well as along the existing views along Constitution Avenue and 23rd Street. The replacement of four existing trees in the allées along Constitution Avenue and 23rd Street would be consistent with the historic landscape design implementation. Furthermore, additional trees will be planted on the southern edge of the project site consistent with the Lincoln Memorial’s planting plan implementation. These design actions will be undertaken in a manner that is consistent with *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*. Overall, the preferred alternative would not diminish the integrity of the cultural landscape and historic districts. Therefore, there will be no impairment to the park’s resources related to the cultural landscape and historic districts.

Conclusion

The NPS has determined that implementation of the NPS selected alternative will not constitute an impairment of the resources or values of National Mall and Memorial Parks. As described above, implementing the selected alternative is not anticipated to impair resources or values that are essential to the purposes identified in the establishing legislation of the park, key to the natural or cultural integrity of the park, or identified as significant in the park's relevant planning documents. This conclusion is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, the comments provided by the public and others, and the professional judgment of the decision-maker guided by the direction of the NPS Management Policies 2006.

APPENDIX B: PUBLIC COMMENT RESPONSES

Topic	Summary of Concern Statement	NPS Response
Support for Proposed Action	Support for establishing the NDSDS Memorial	Comment noted.
	Support of the design	Comment noted.
Opposition for Proposed Action	The development of the site would reduce green space and habitat within Washington	Comment noted. The site's turf does not provide high-quality wildlife habitat. The removal of green space at the site is limited to 15,250 square feet.
	The celebration of military actions is not needed nor appropriate for the site	Comment noted. The establishment of the memorial is authorized in P.L. 113-291. As noted in the EA on page 11, "the NDSDS Memorial would add an additional military memorial to the western end of the National Mall. However, the National Mall plays a commemorative role, and the NDSDS Memorial would be consistent with that character."
	The design is unattractive	Comment noted. The design has been reviewed by the U.S. Commission of Fine Arts and the National Capital Planning Commission.
	The money for establishing the memorial would be better spent elsewhere	Comment noted. The establishment of the NDSDS Memorial is privately funded.
Design	Trees at the memorial should have adequate soil, maintenance, and species selection. The design should consider trash receptacles and providing interpretation.	Comment noted. The finalized design will consider these features.
	Consider pedestrian routing to and through site, especially in connection to the Vietnam Veterans Memorial	Comment noted. Pedestrian routing to the Vietnam Veterans Memorial will occur through existing established pathways and crosswalks.
Staffing	The EA does not describe staffing at the site	Comment noted. Operations and maintenance are not topics for NEPA consideration.

APPENDIX C: SECTION 106 COORDINATION LETTERS



October 14, 2020

Mr. Jeffrey P. Reinbold
Superintendent
National Park Service
National Mall and Memorial Parks
900 Ohio Drive, SW
Washington, DC 20024

RE: Completion of Section 106 Consultation for the National Desert Storm and Desert Shield Memorial

Dear Mr. Reinbold:

Thank you for continuing to consult with the District of Columbia State Historic Preservation Officer (SHPO) regarding the above-referenced undertaking. We have reviewed your most recent letter and are writing to provide additional comments in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

As you may recall, the Section 106 review of this undertaking was formally initiated in July of 2017. Since that time, we have participated in several agency meetings and at least one consulting parties' meeting to discuss the site selection process and the evolution of the design concept for the memorial.

The proposed site on the southwest corner of the intersection of 23rd Street and Constitution Avenue, NW falls within the boundaries of the National Mall Historic District and is surrounded by many other historic properties, including the Lincoln Memorial. As illustrated in the attached renderings, however, the relatively low profile of the proposed design, the sweeping berms that enclose the core elements, and the lack of any excessively tall elements minimize the visibility of the memorial, allow it to blend into its historic context, and avoid anything that, in our opinion, would meet the criteria of adverse effect found at 36 CFR 800.5(a)(1). We understand that the National Park Service notified the consulting parties of its proposed determination of "no adverse effect" via email on March 2, 2020 and that the NPS received no comments in response.

For the reasons outlined above, we concur that construction of the National Desert Storm and Desert Shield Memorial will have "no adverse effect" on historic properties provided that the NPS will keep us posted on any remaining refinements to the memorial design and consult further with us regarding any changes that may have potential to result in adverse effects on historic properties.

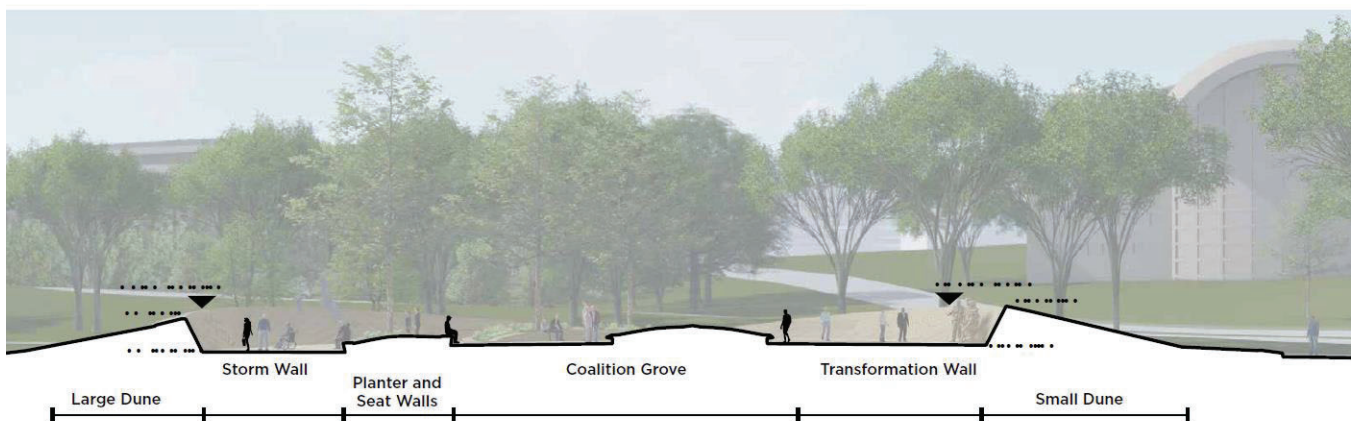
If you should have any questions or comments regarding these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, thank you for providing this opportunity to review and comment.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Lewis". The signature is written in a cursive, flowing style.

C. Andrew Lewis
Senior Historic Preservation Officer
DC State Historic Preservation Office

17-0782





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Frank Adams
Chief
Upper Mattaponi Indian Tribe
13476 King William Road
King William, Virginia 23086

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Adams:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Upper Mattaponi Indian Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey P. Reinbold", with a long horizontal flourish extending to the right.

Jeffrey P. Reinbold
Superintendent

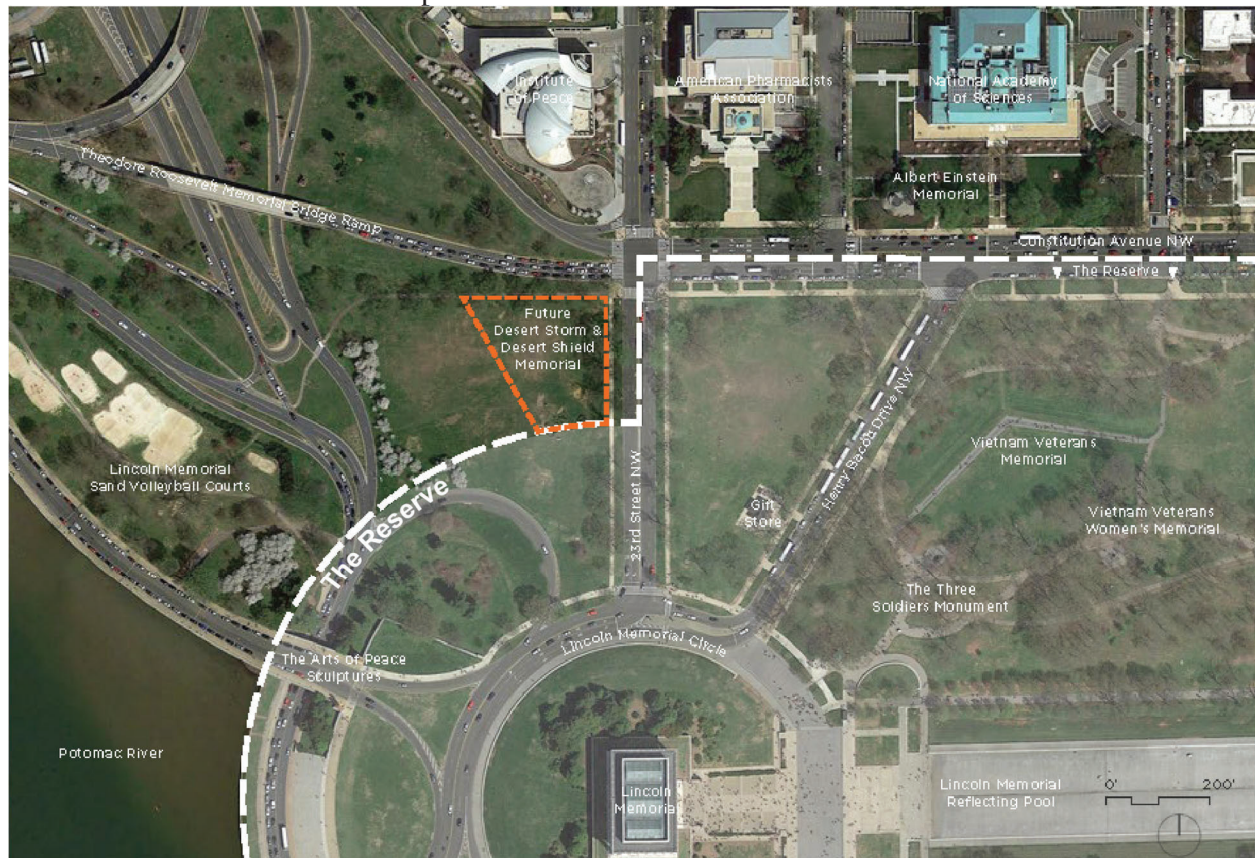
Attachments:

Attachment 1: Site Location Map

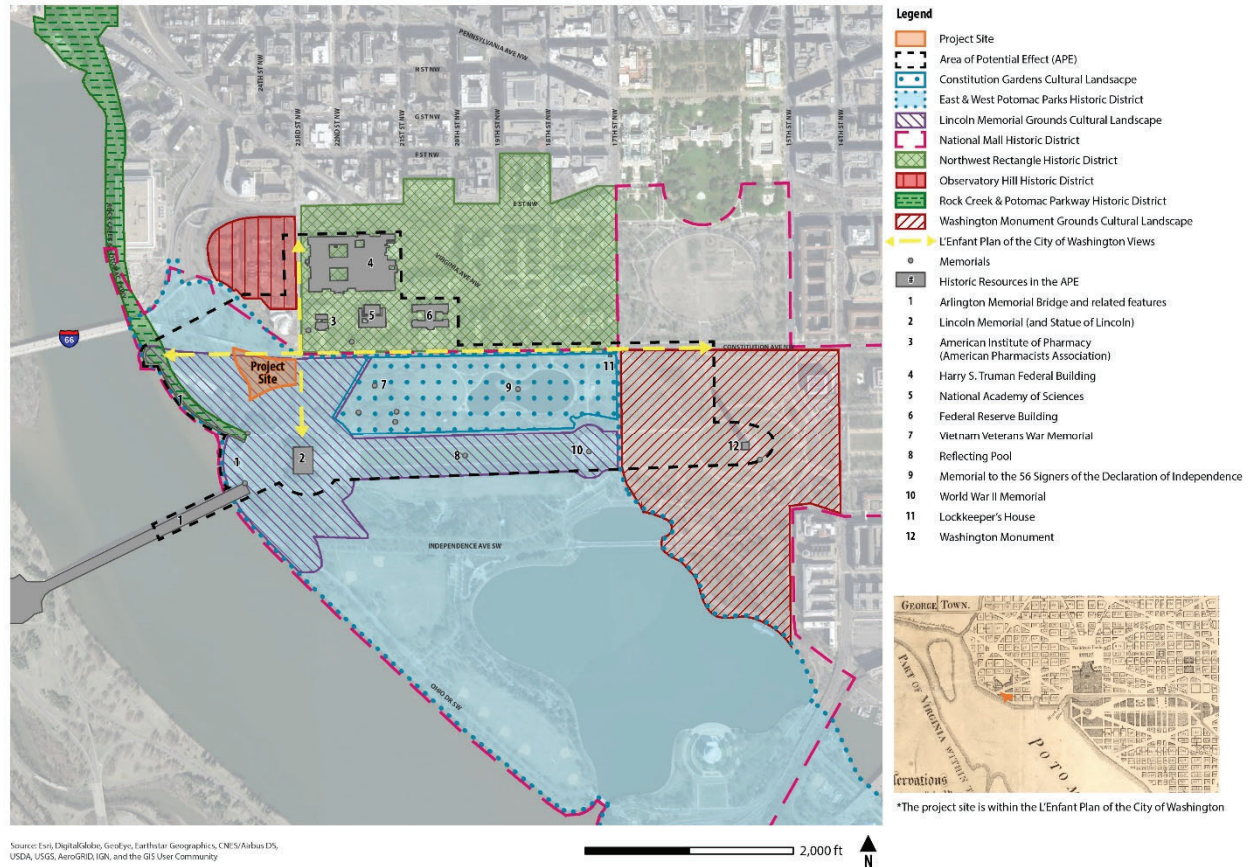
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

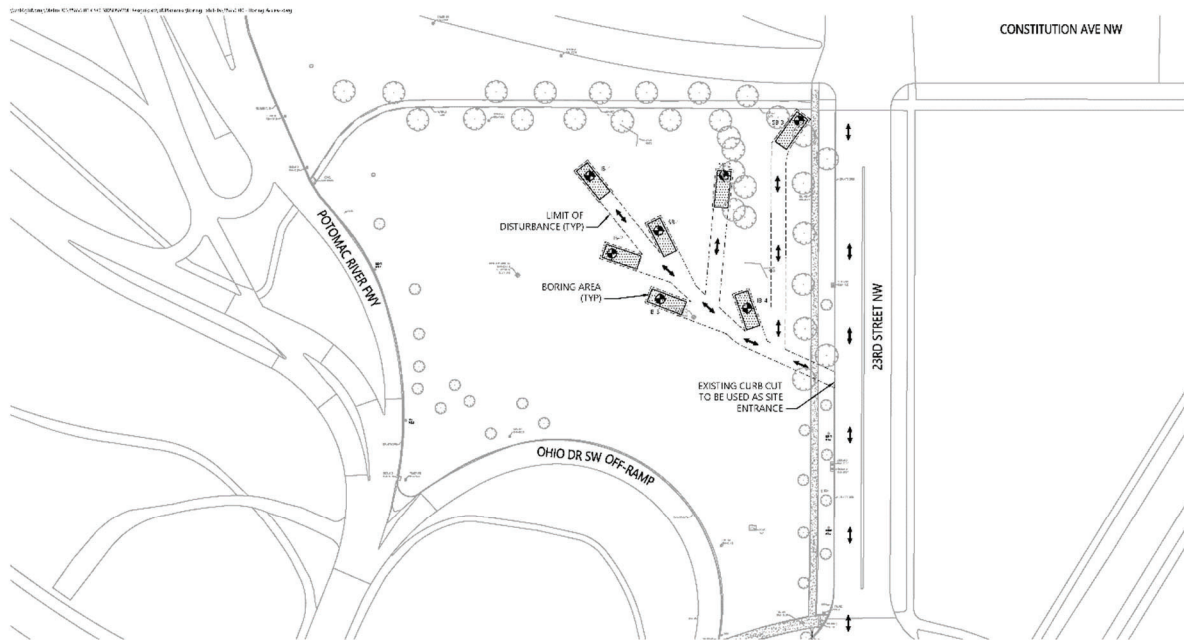
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Attachment 3: Proposed Boring Locations



Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Robert Gray
Chief
Pamunkey Indian Tribe
1054 Pocahontas Trail
King Willam, Virginia 23086

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Gray:

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We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

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Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

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Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

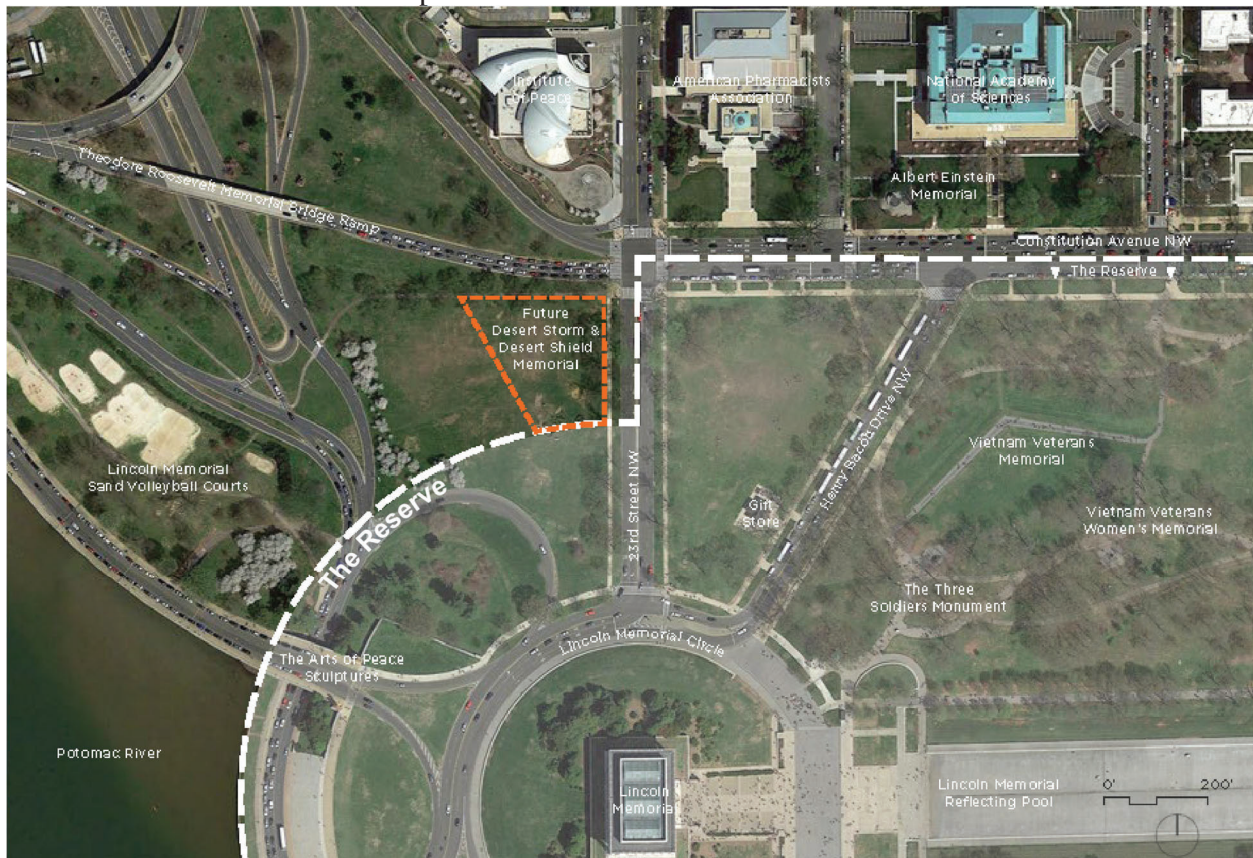
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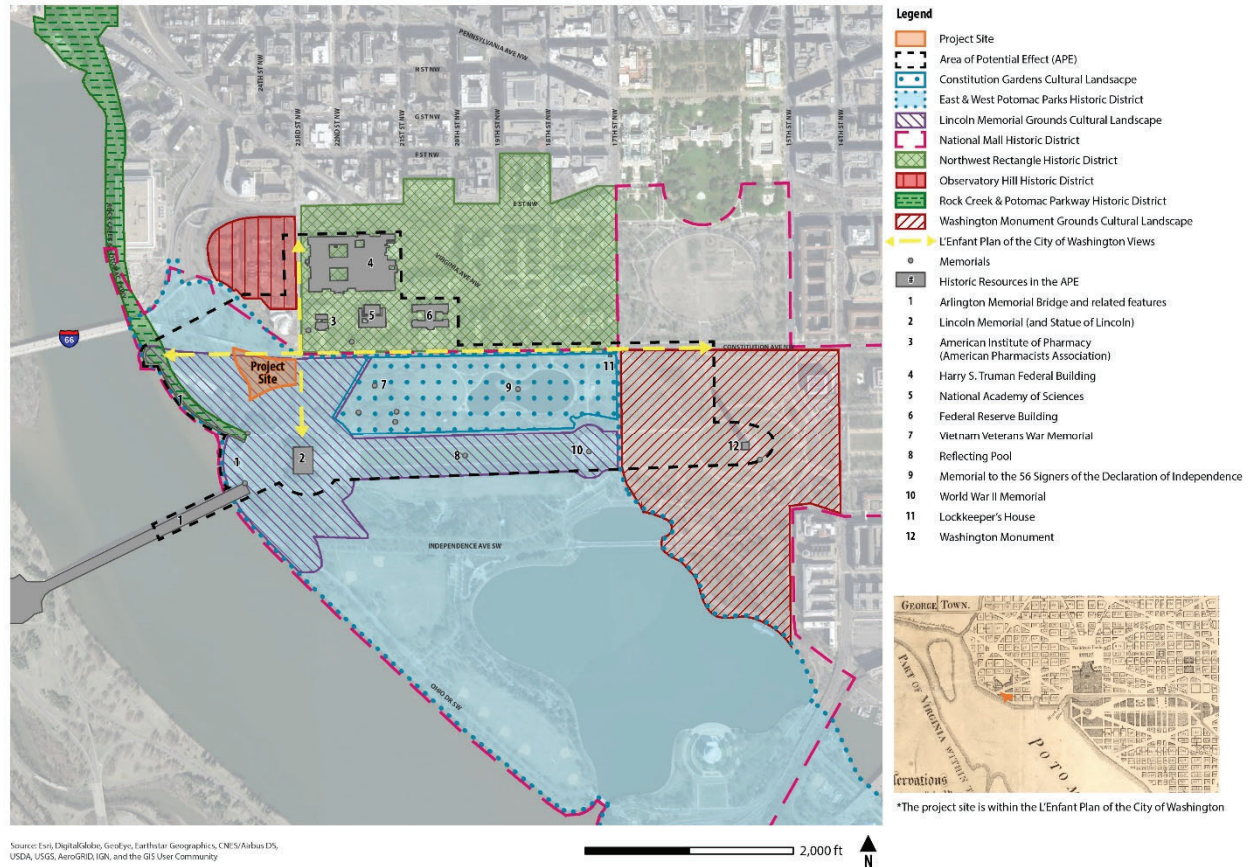
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

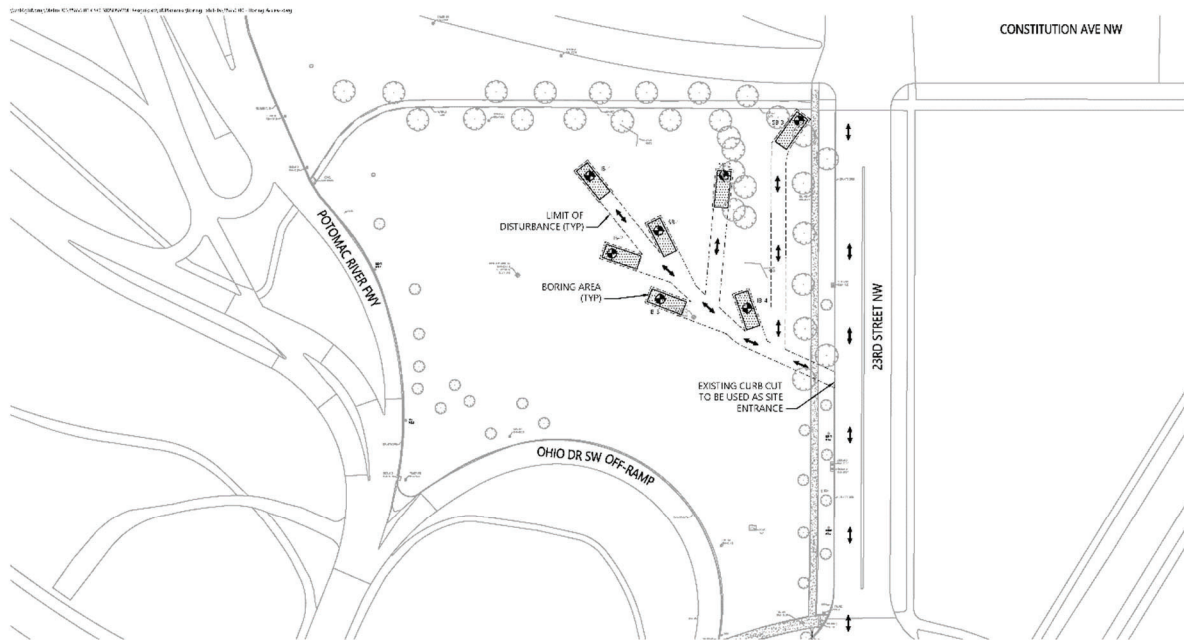
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Dr. Wenonah Haire
Tribal Historic Preservation Office
Catawba Indian Nation
1536 Tom Steven Road
Rock Hill, South Carolina 29730

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Dr. Haire:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Catawba Indian Nation has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

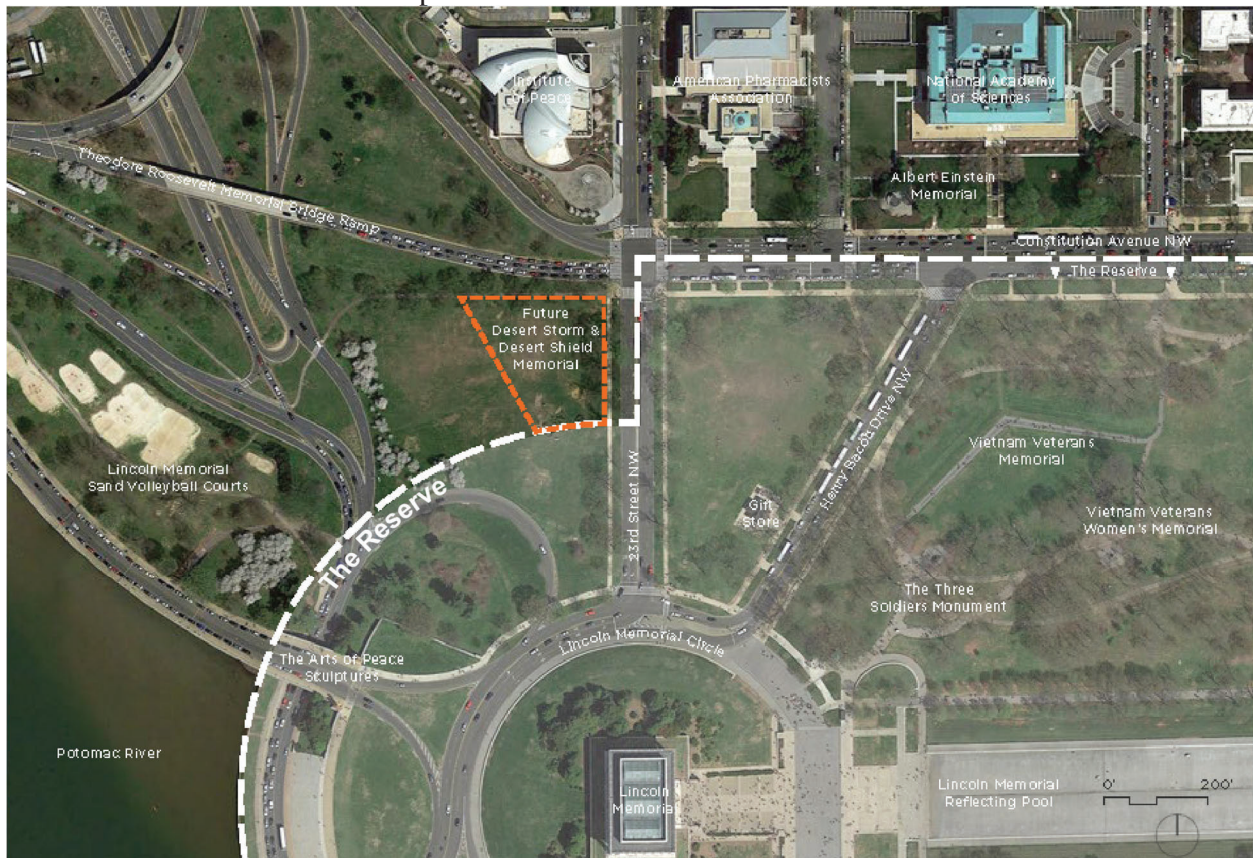
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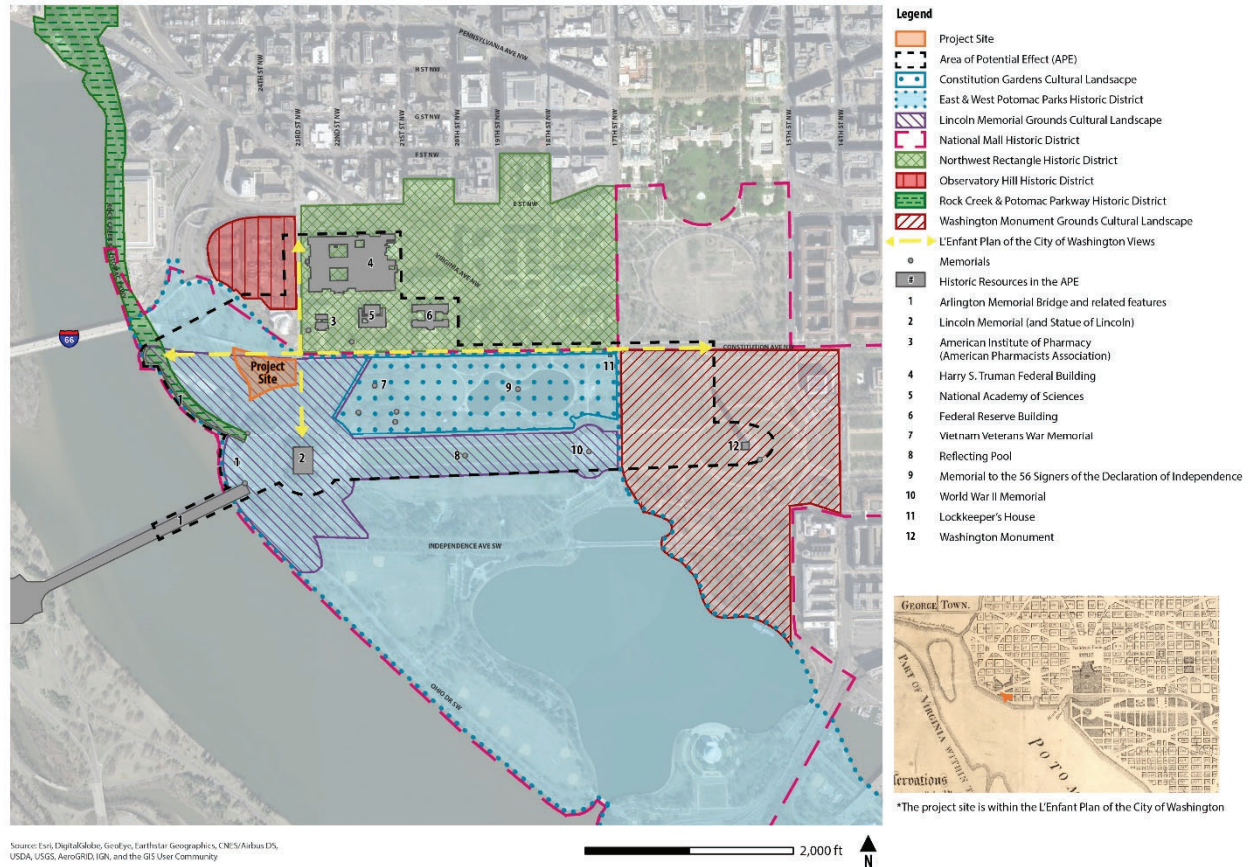
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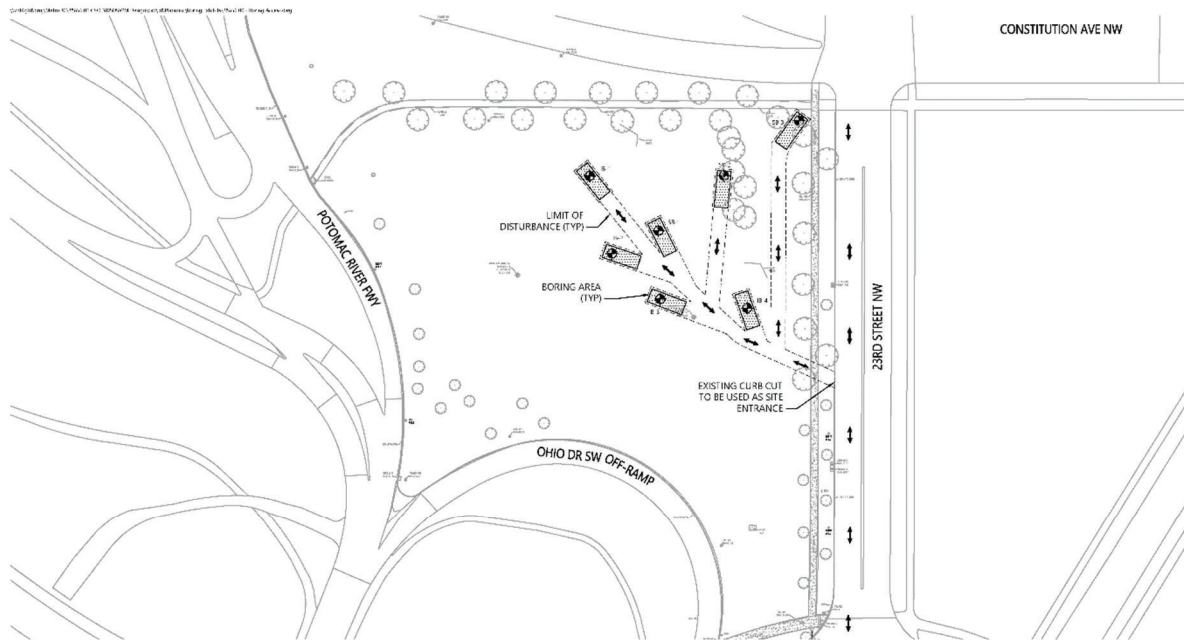
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United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. William Harris
Chief
Catawba Indian Nation
996 Avenue of the Nations
Rock Hill, South Carolina 29730

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Harris:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Catawba Indian Nation has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7 22, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

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NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

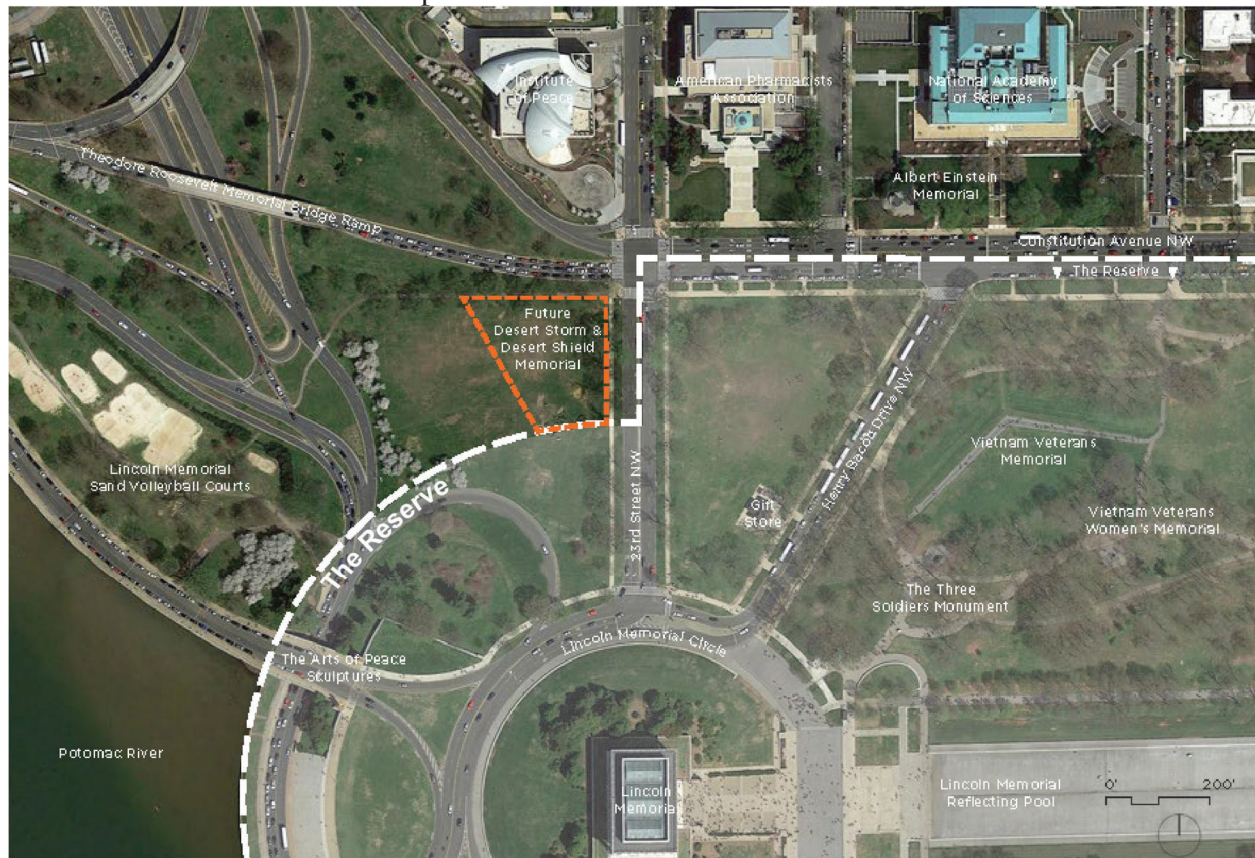
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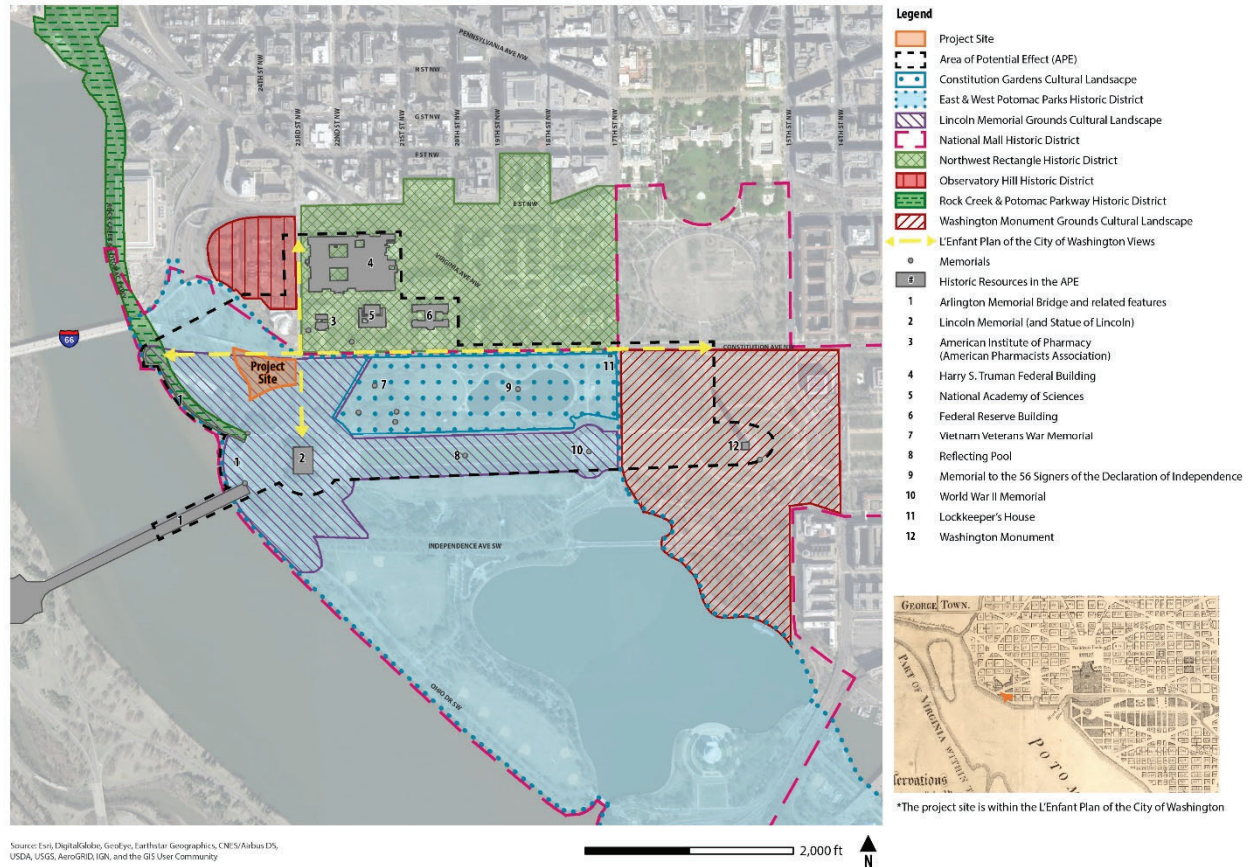
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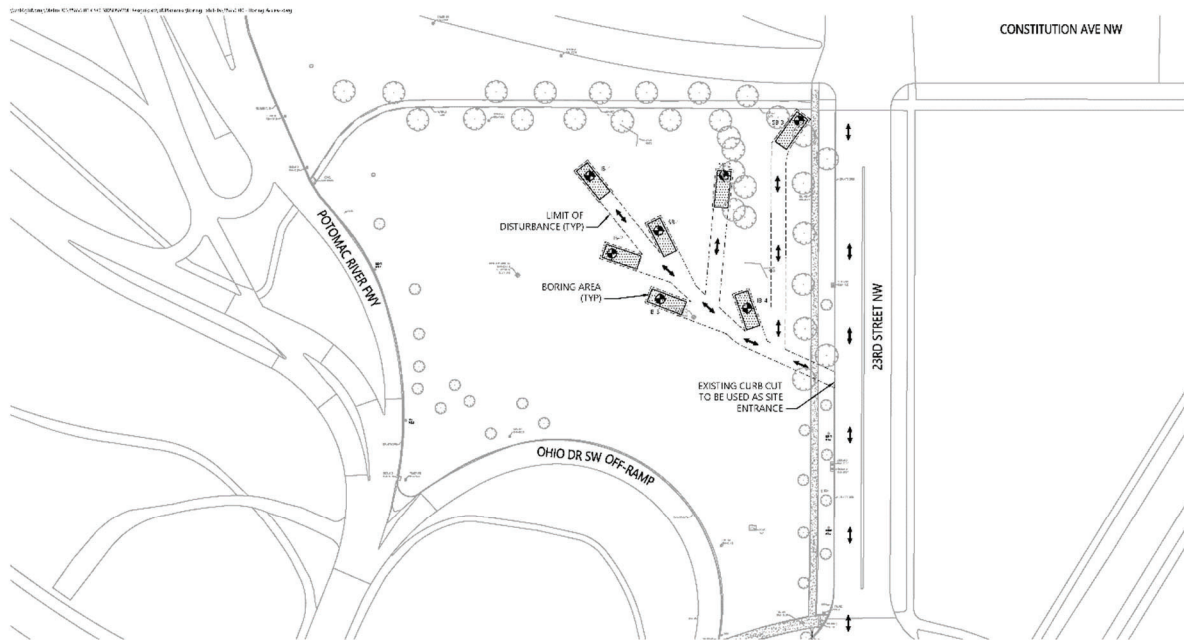
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. John Johnson
Governor
Absentee Shawnee Tribe of Indians of Oklahoma
2025 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Johnson:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Absentee Shawnee Tribe of Indians of Oklahoma has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

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Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed National Desert Storm and Desert Shield War Memorial involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

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If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

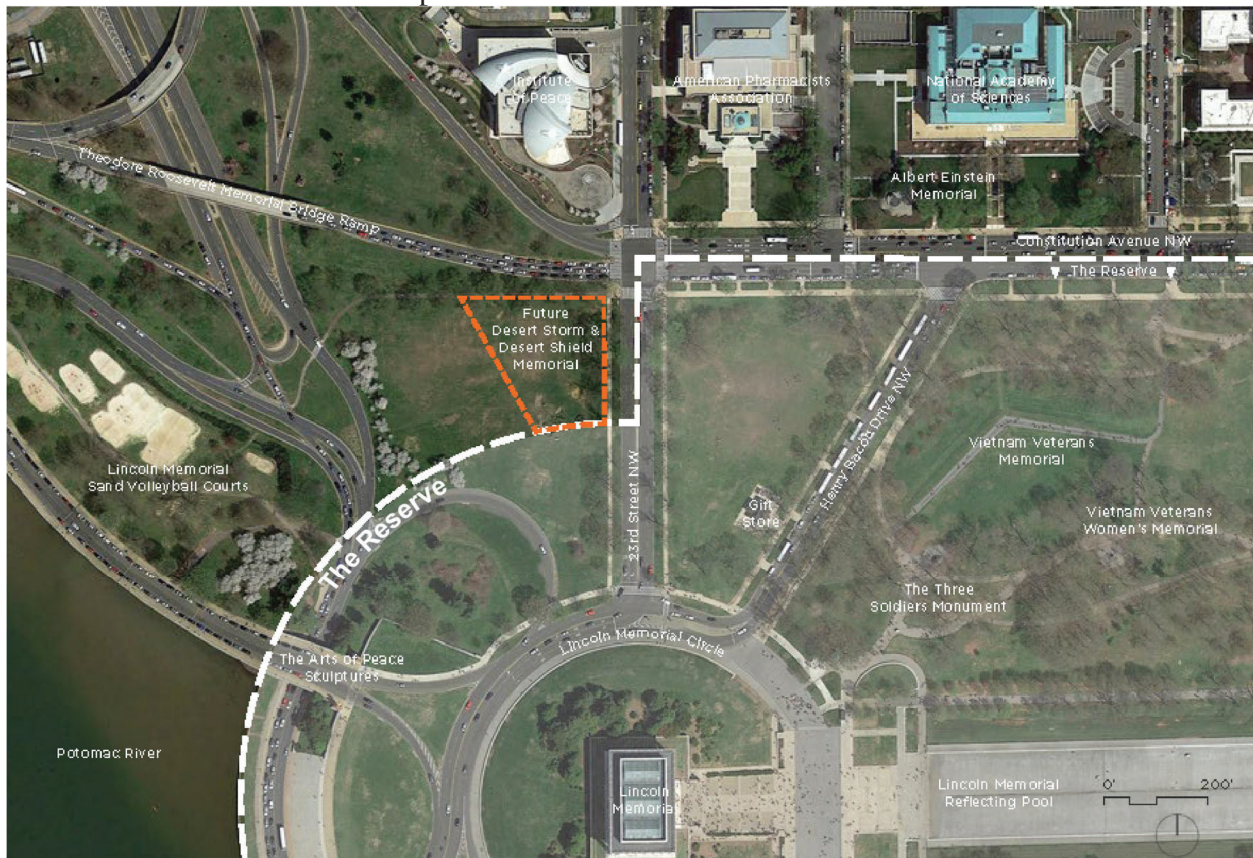
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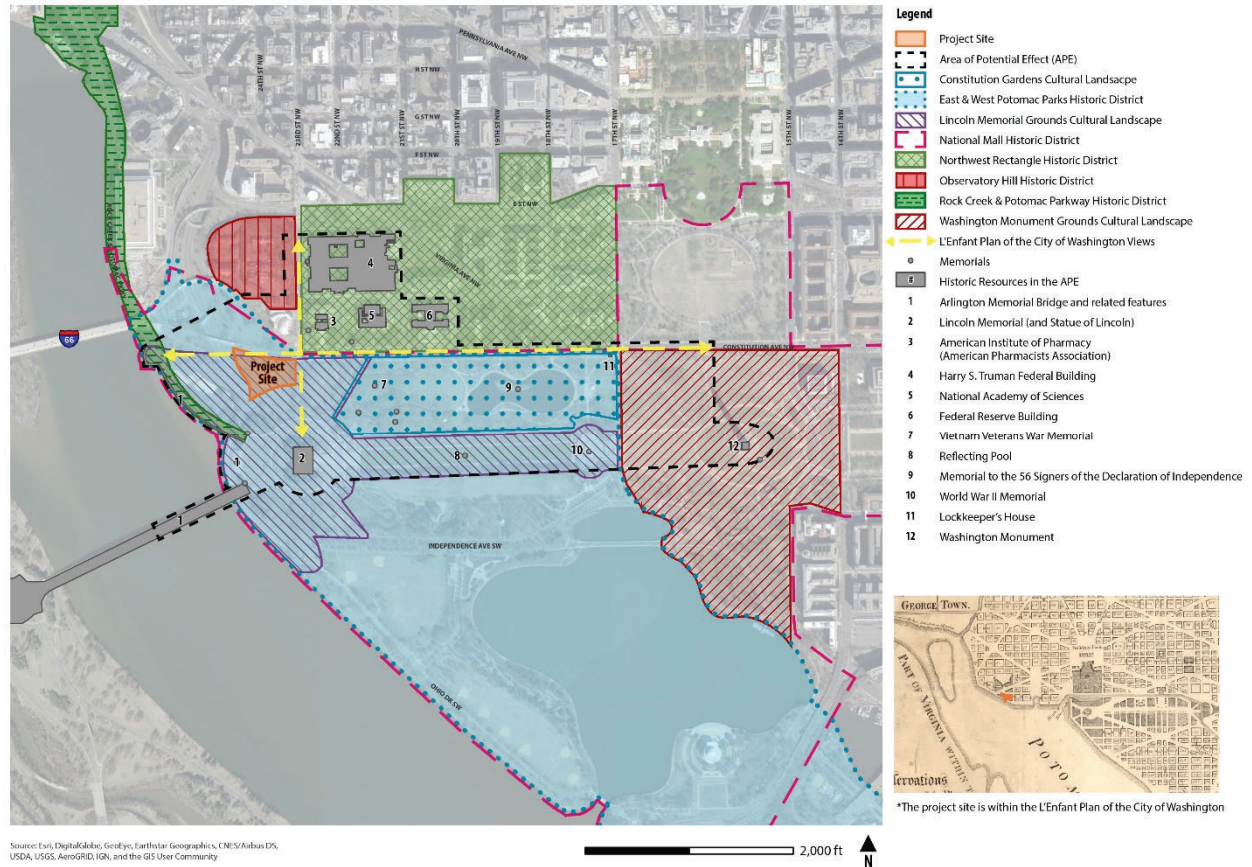
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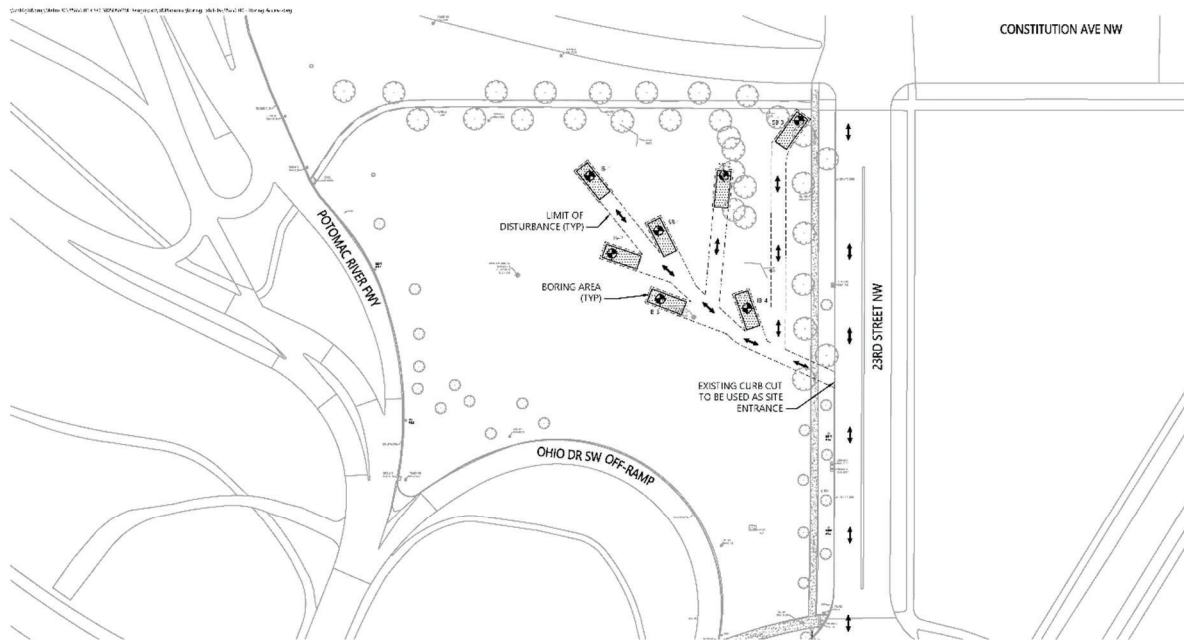
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Anne Richardson
Chief
Rappahannock Tribe
5036 Indian Neck Road
Indian Neck, Virginia 23148

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Richardson:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Rappahannock Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

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The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

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Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

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Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

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If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

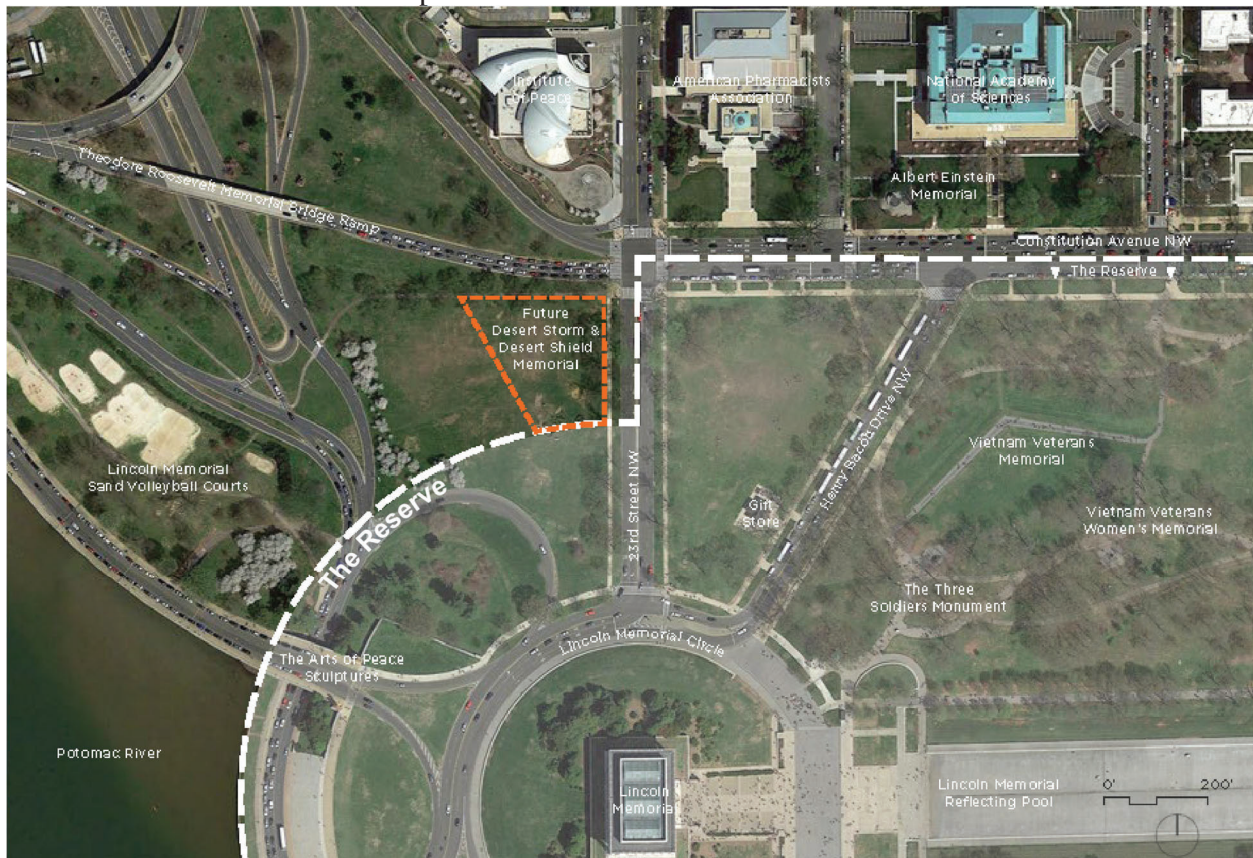
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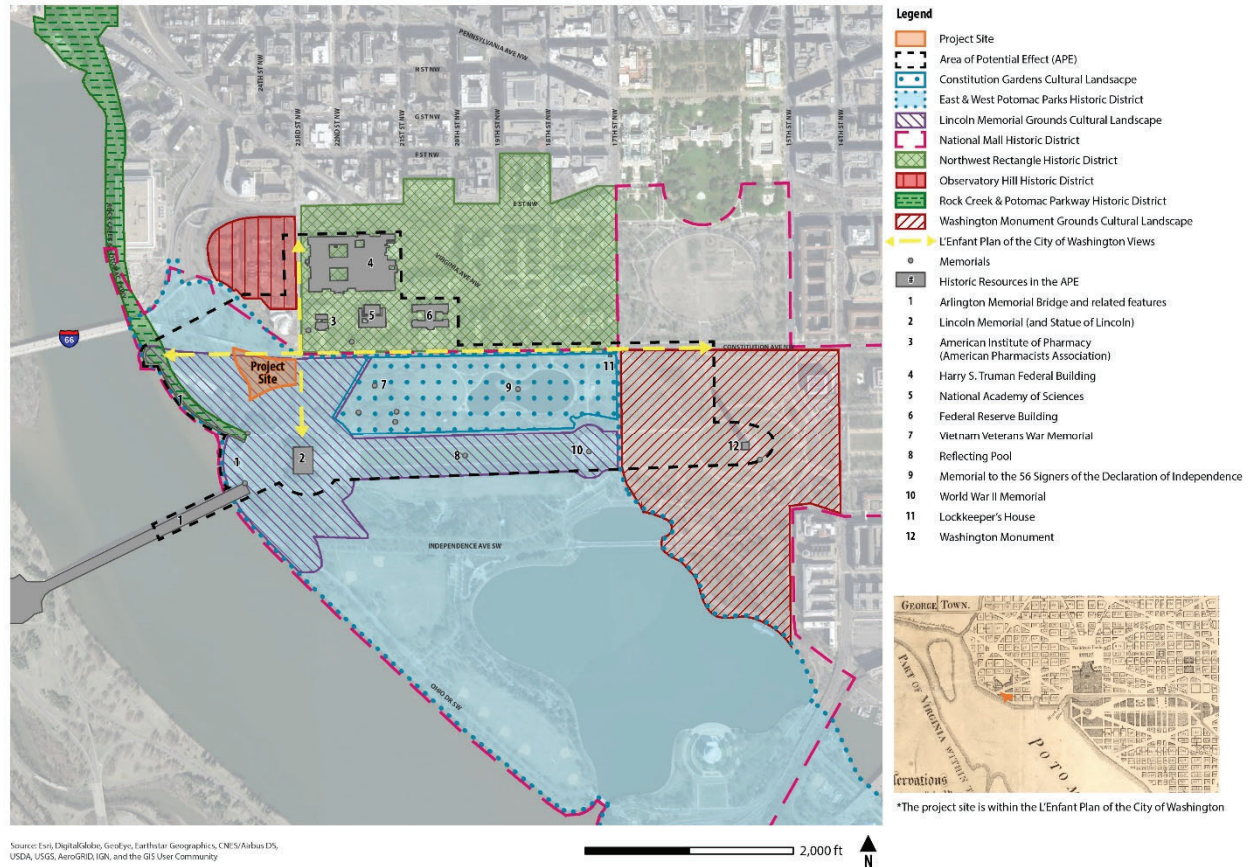
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

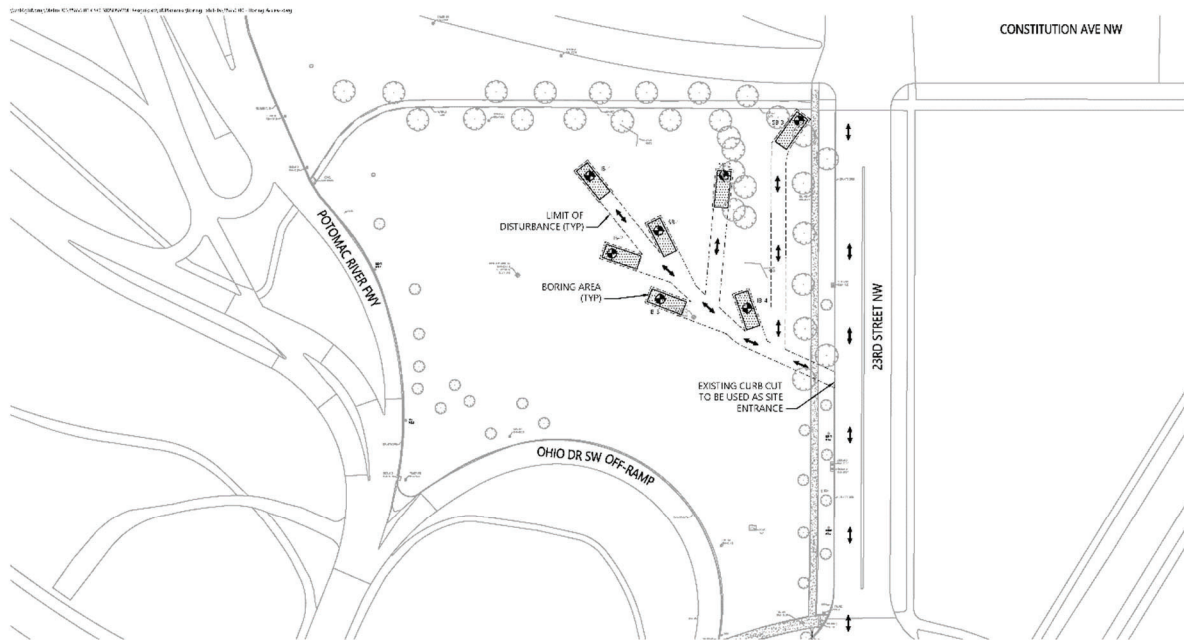
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United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Stephen Adkins
Chief
Chickahominy Indian Tribe
8200 Lott Cary Road
Providence Forge, Virginia 23140

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Adkins:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Chickahominy Indian Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by September 22, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, D.C. are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

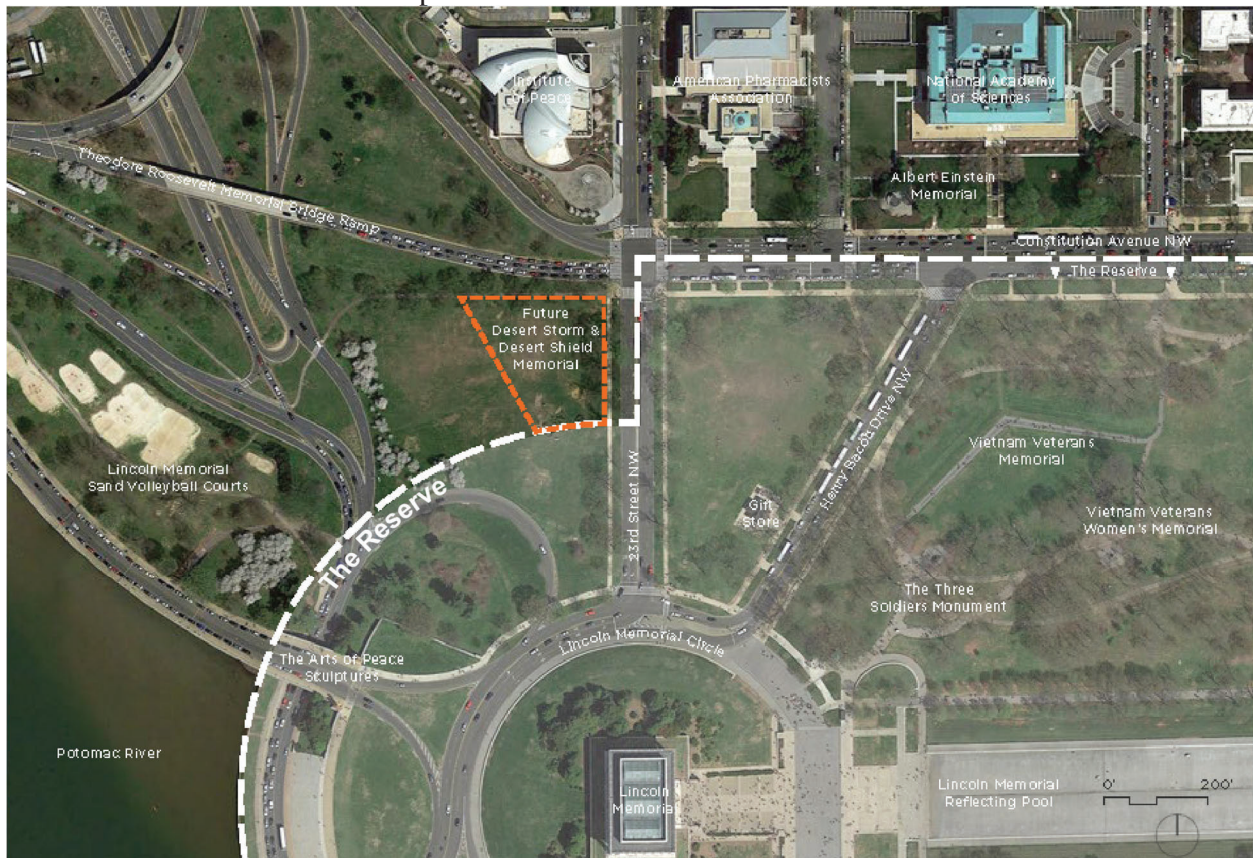
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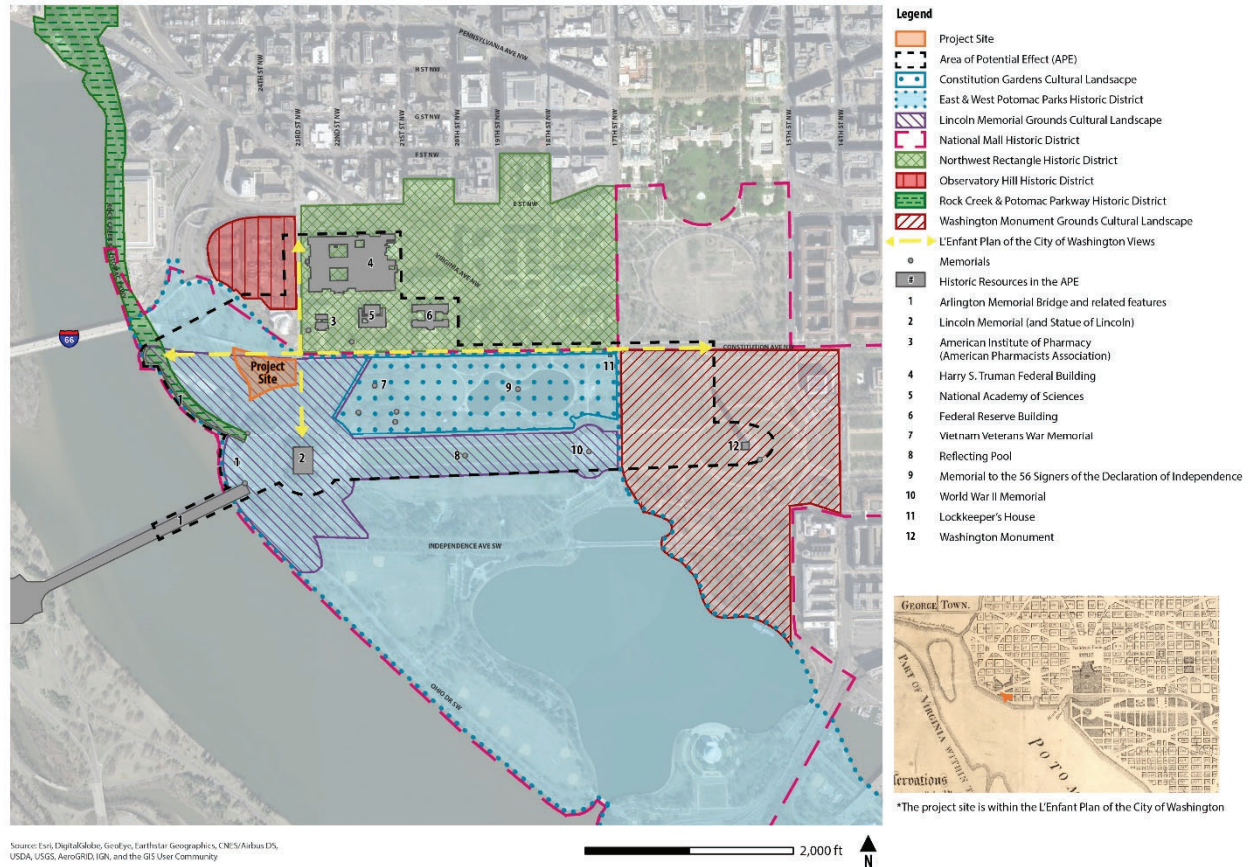
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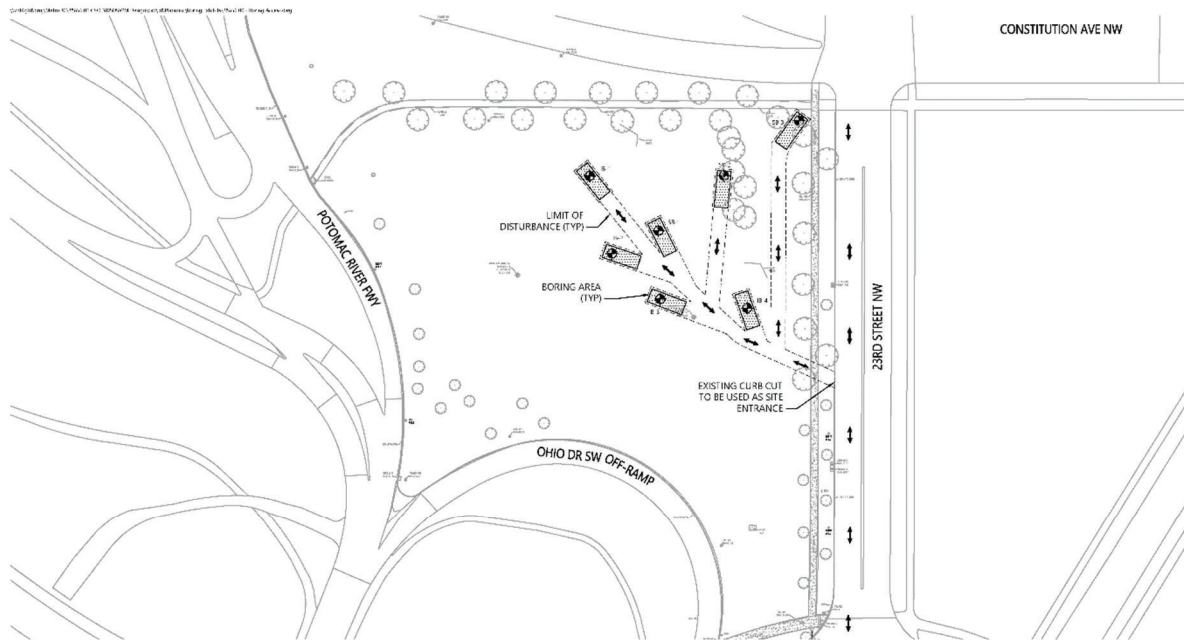
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United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Carissa Speck
Historic Preservation Director
Delaware Nation
P.O. Box 825
Anadarko, Oklahoma 73005

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Speck:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Delaware Nation has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey P. Reinbold", with a long horizontal flourish extending to the right.

Jeffrey P. Reinbold
Superintendent

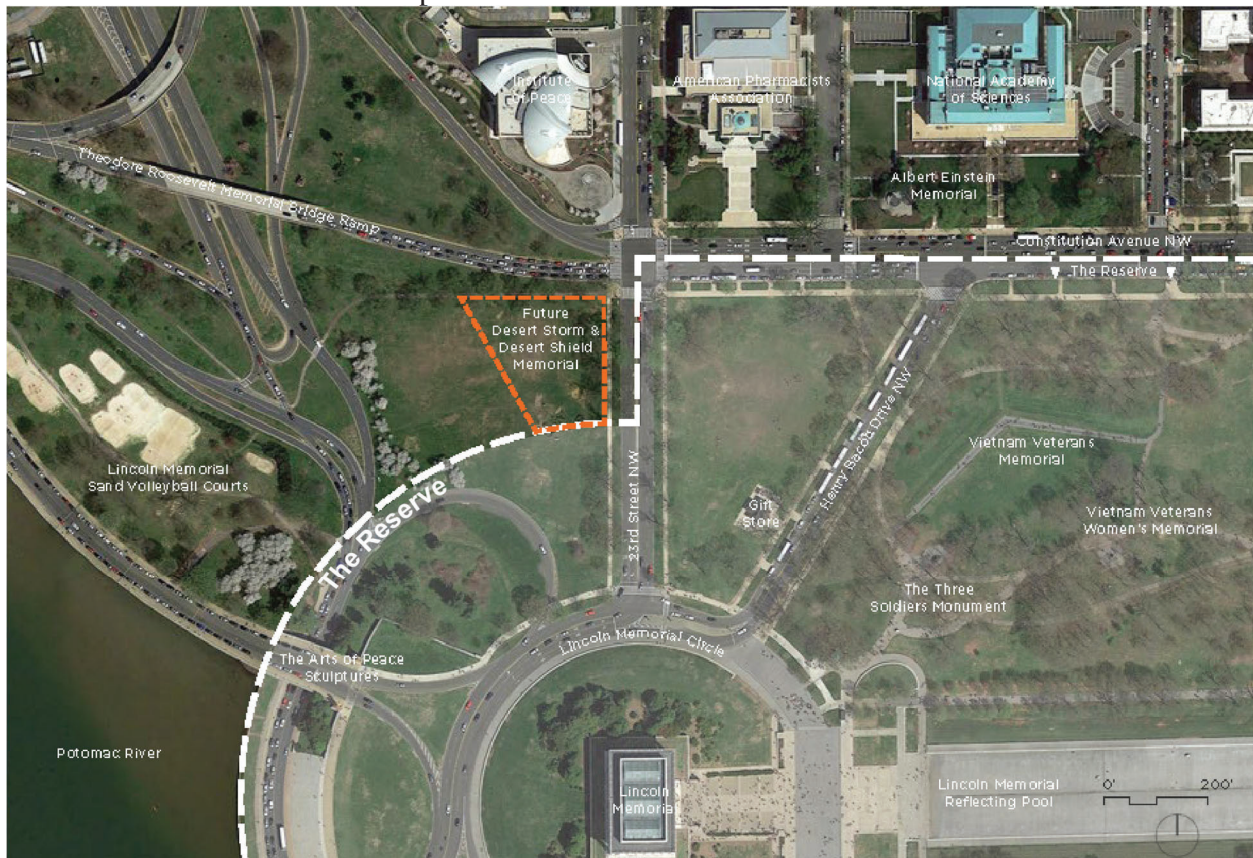
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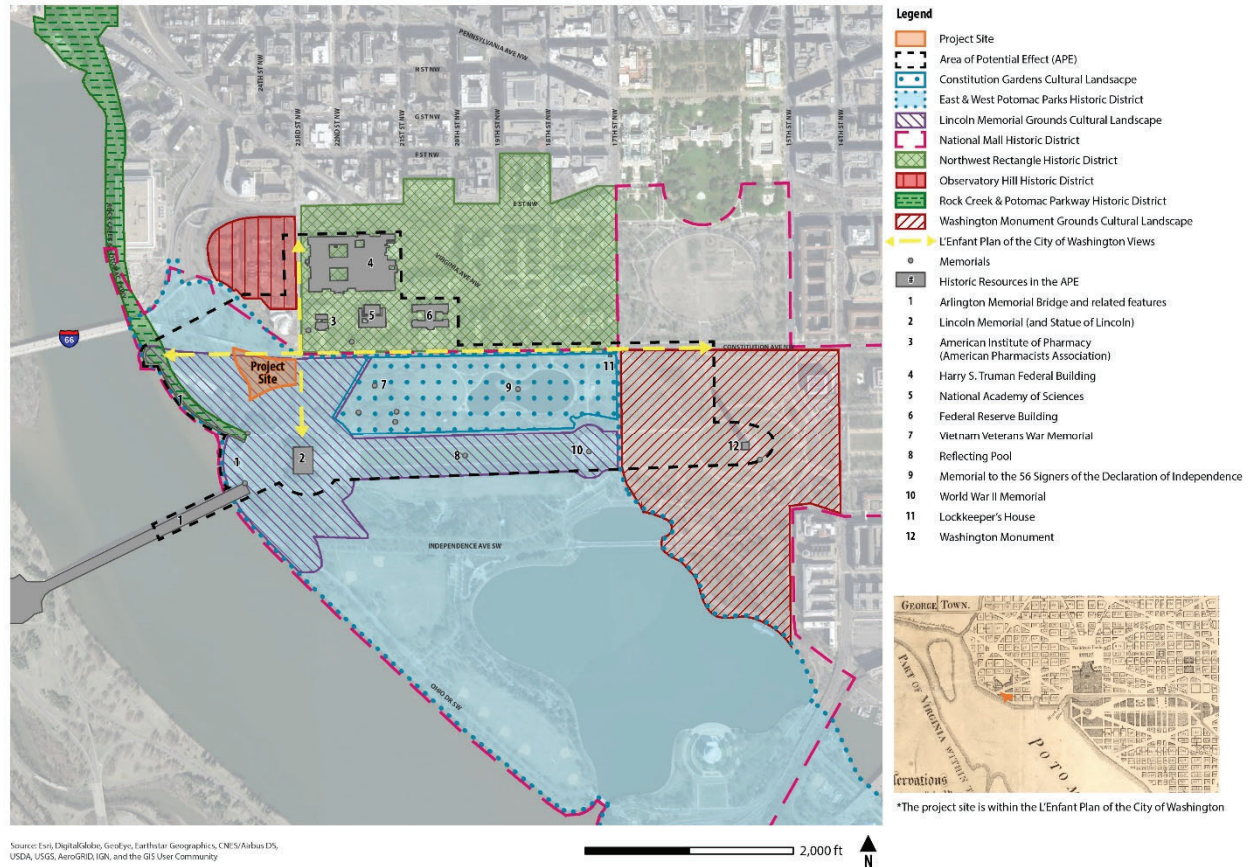
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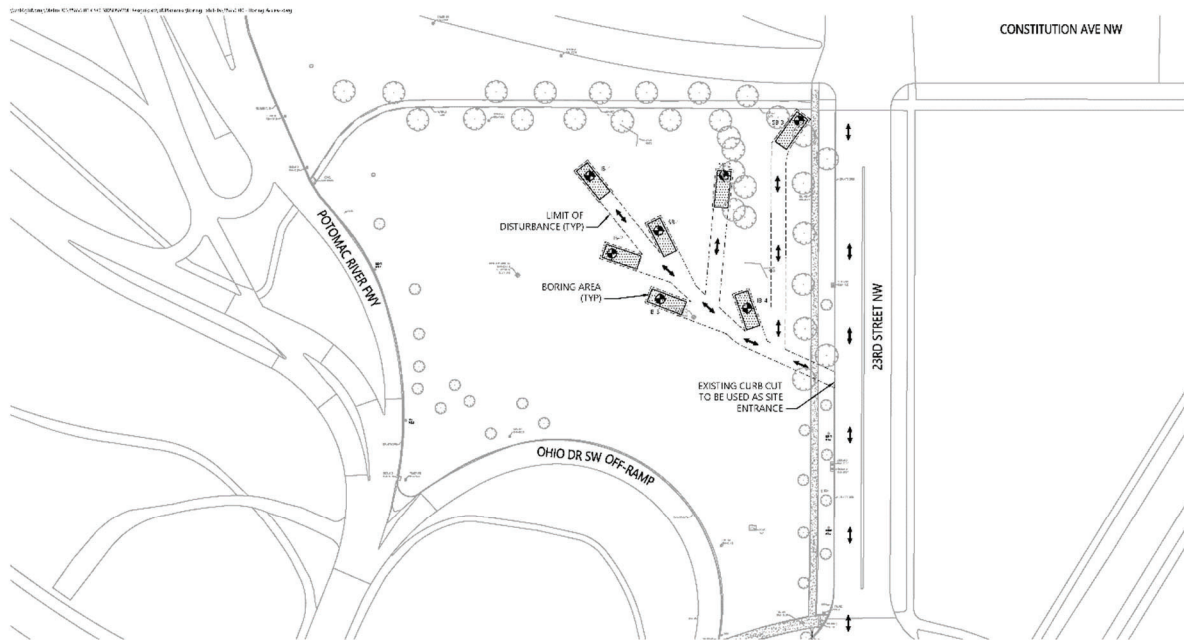
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Gerald Stewart
Chief
Chickahominy Tribe Eastern Division
1191 Indian Hill Lane
Providence Forge, Virginia 23140

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Stewart:

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Jeffrey P. Reinbold
Superintendent

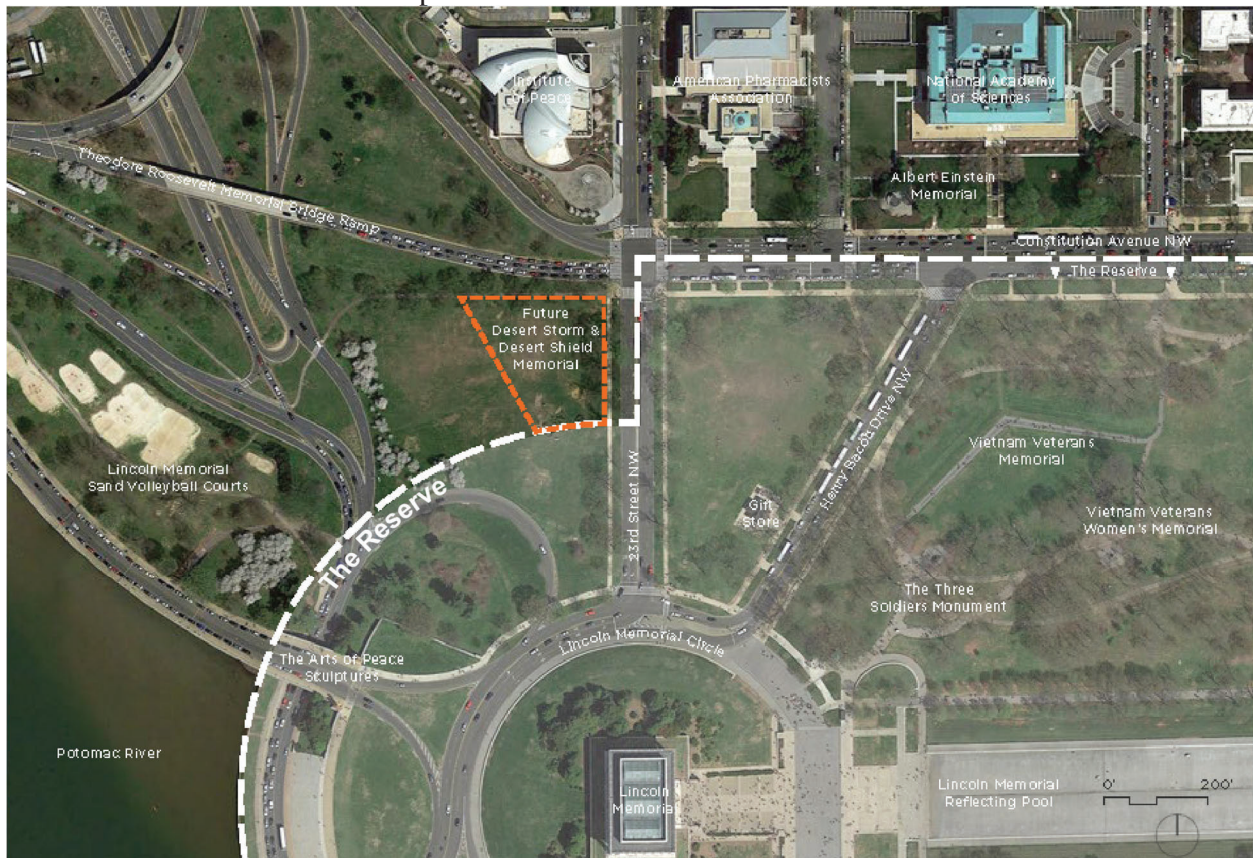
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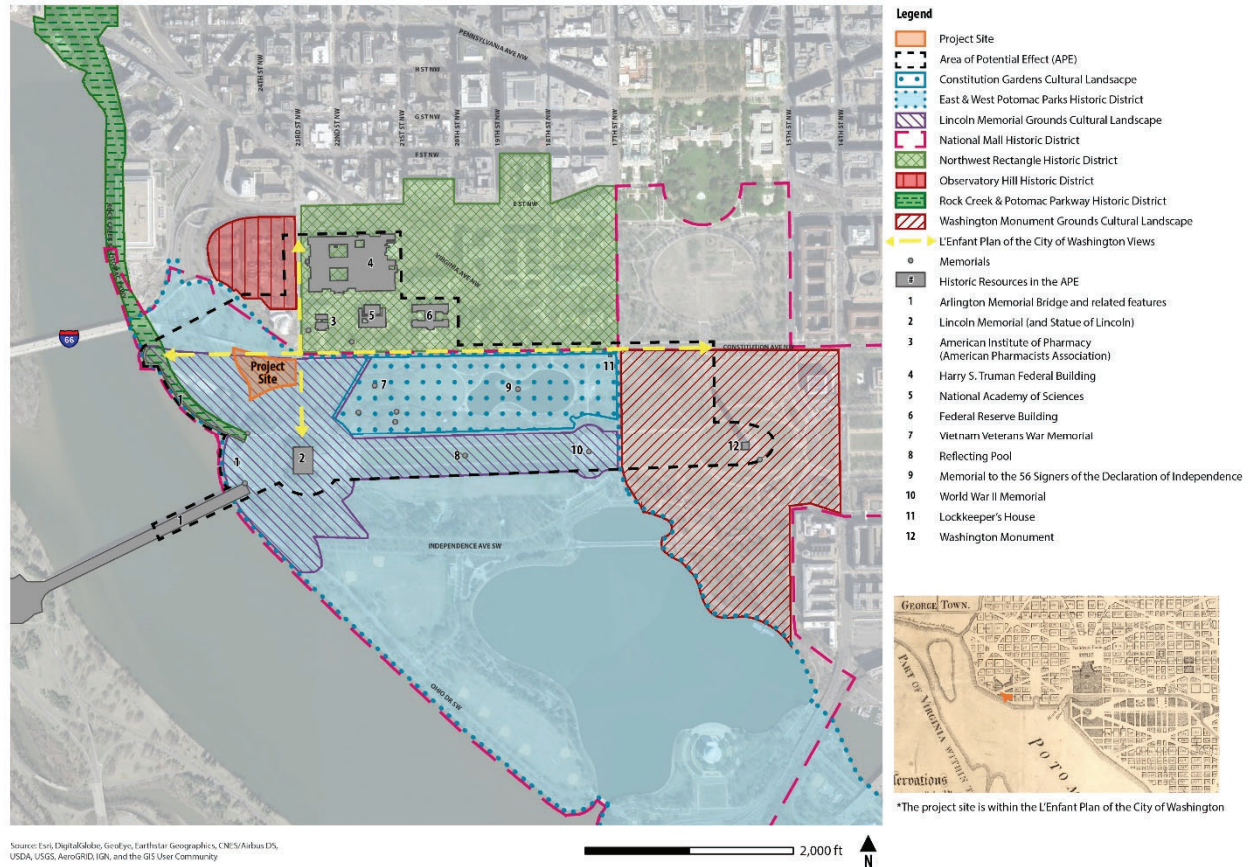
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Attachment 3: Proposed Boring Locations

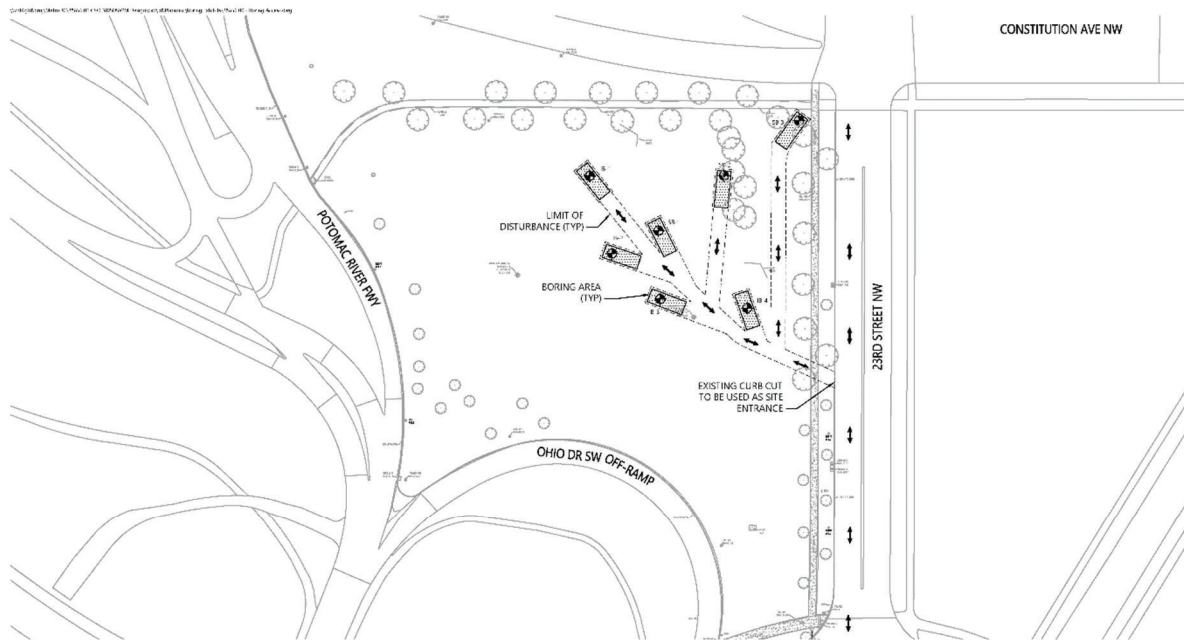
Attachment 1: Site Location Map



Attachment 2: Area of Potential Effect



Attachment 3: Proposed Boring Locations



Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave

Source:
Prepared for: DCKA, DDEE, NPS
Date: May 2, 2022





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Tonya Tipton
Tribal Historic Preservation Office
Shawnee Tribe
29 South Highway 69 A
Miami, Oklahoma 74354

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Tipton:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Shawnee Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and

another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed National Desert Storm and Desert Shield War Memorial involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

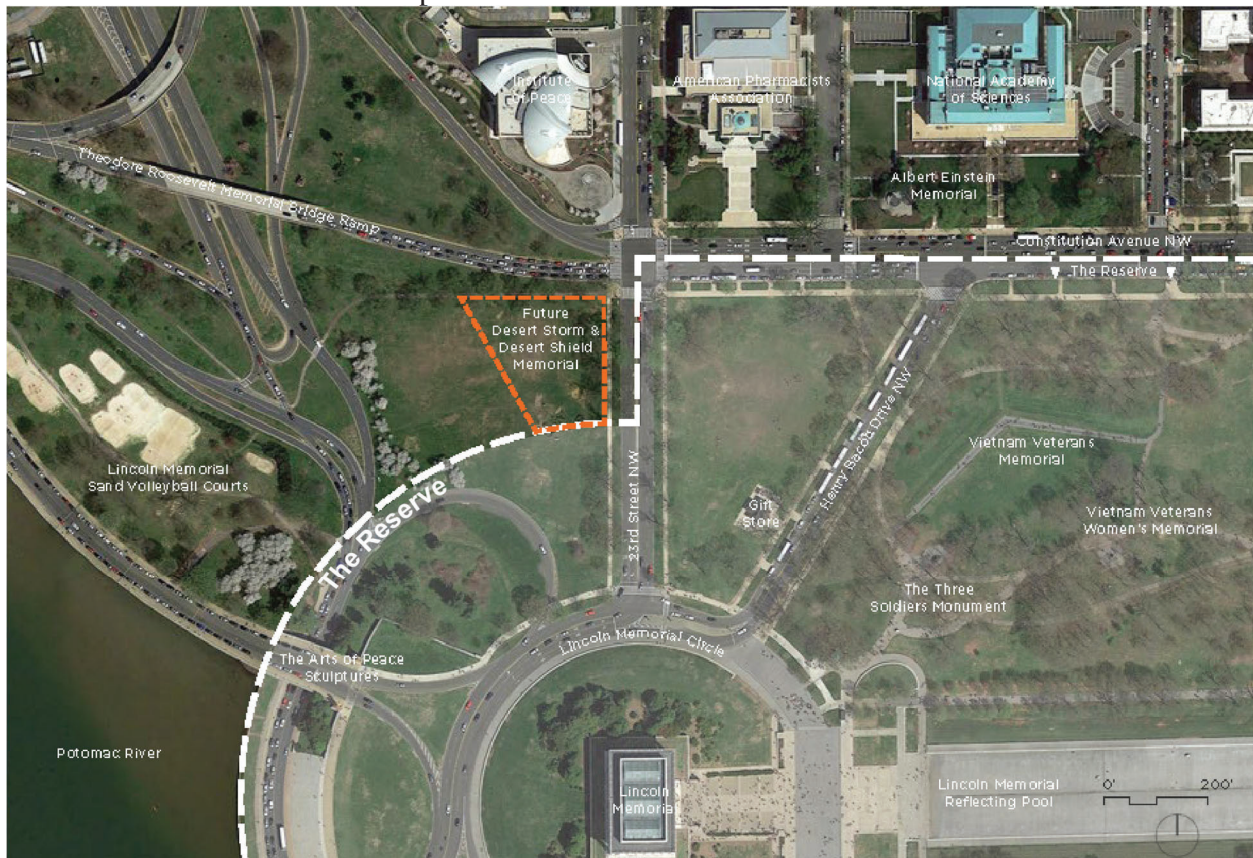
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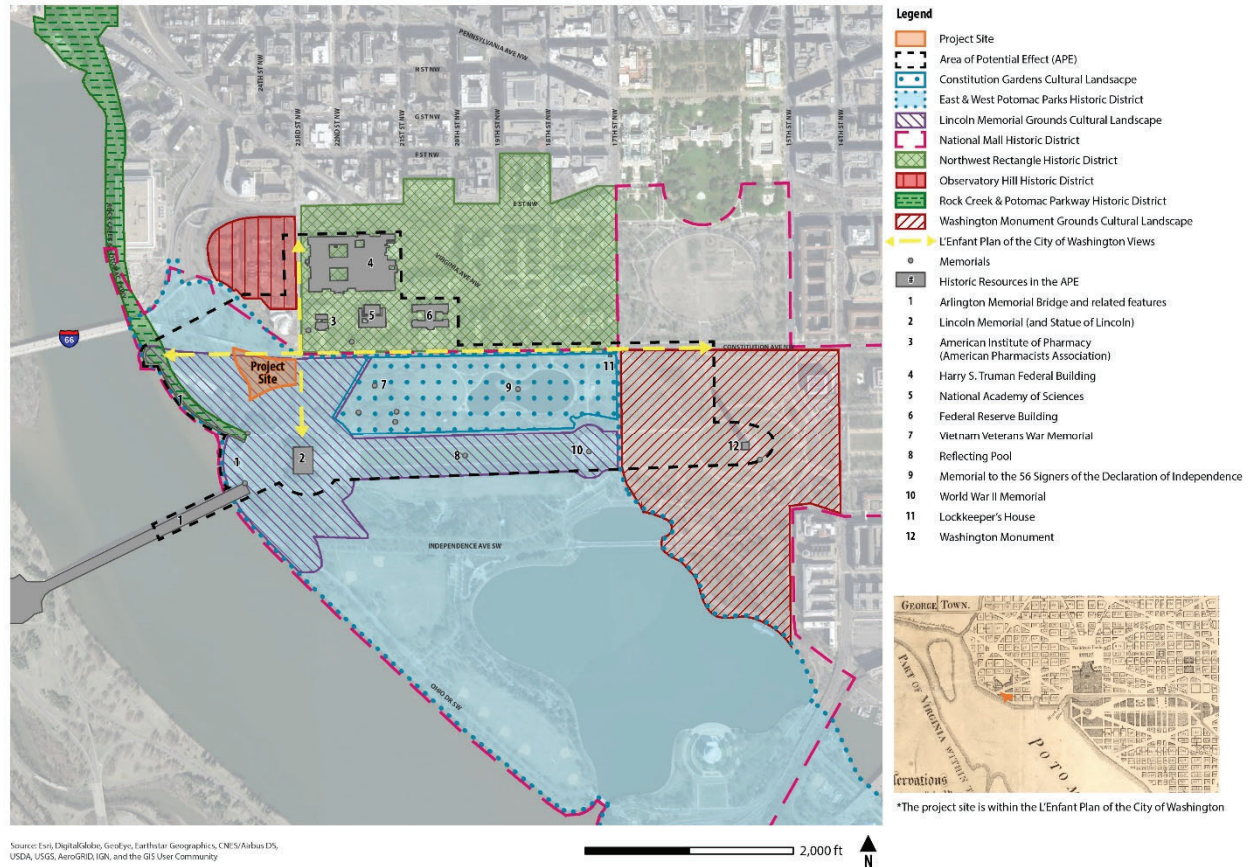
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Attachment 3: Proposed Boring Locations

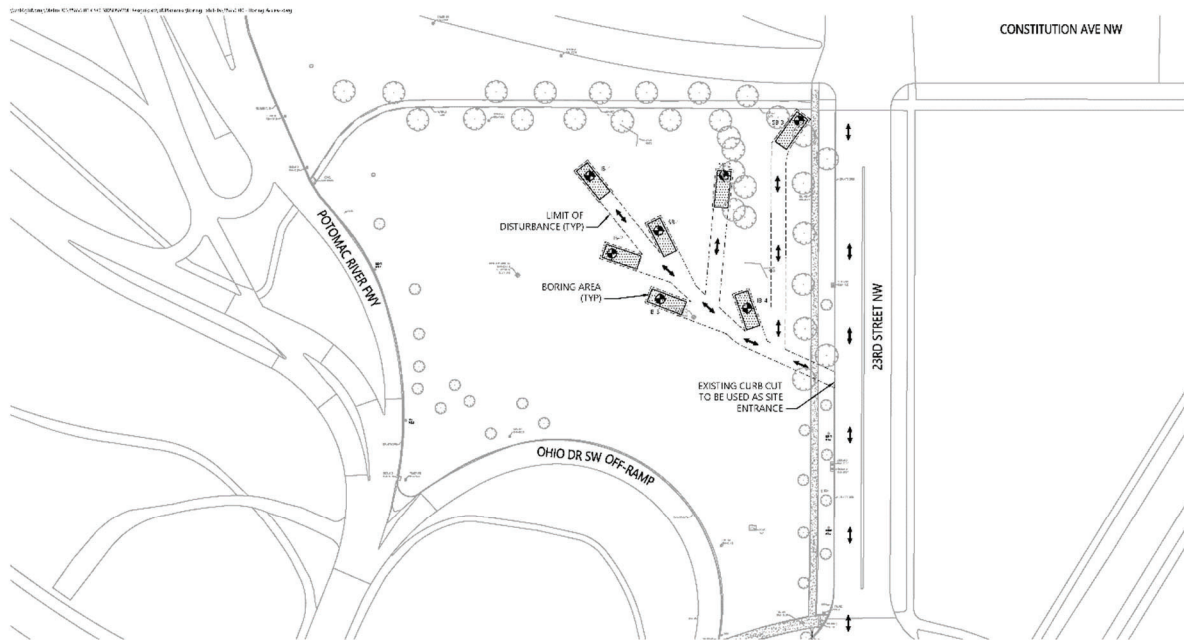
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave

Source:
Prepared for: DCKA, DDEE, NPS
Date: May 2, 2022





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Reggie Tupponce
Tribal Administrator
Upper Mattaponi Indian Tribe
13476 King William Road
King Willam, Virginia 23086

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Tupponce:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Upper Mattaponi Indian Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

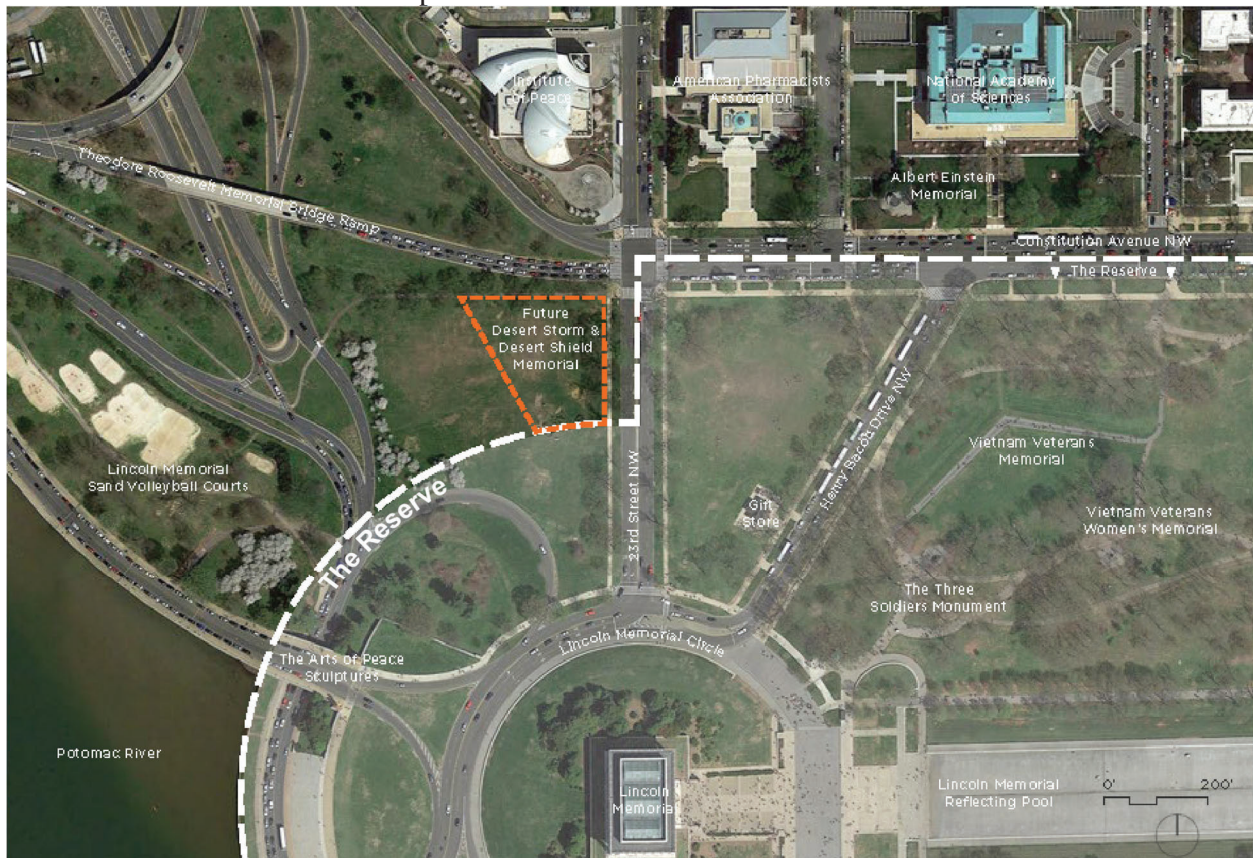
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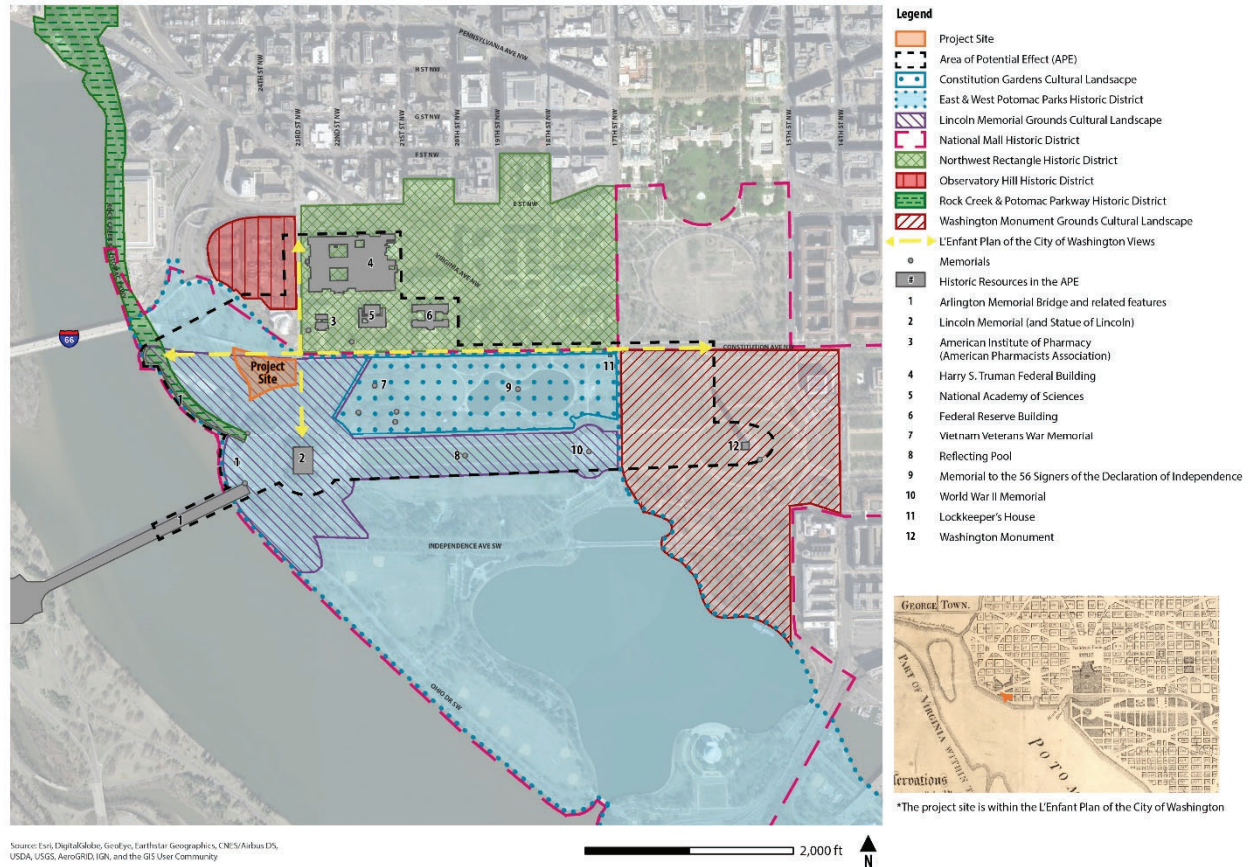
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

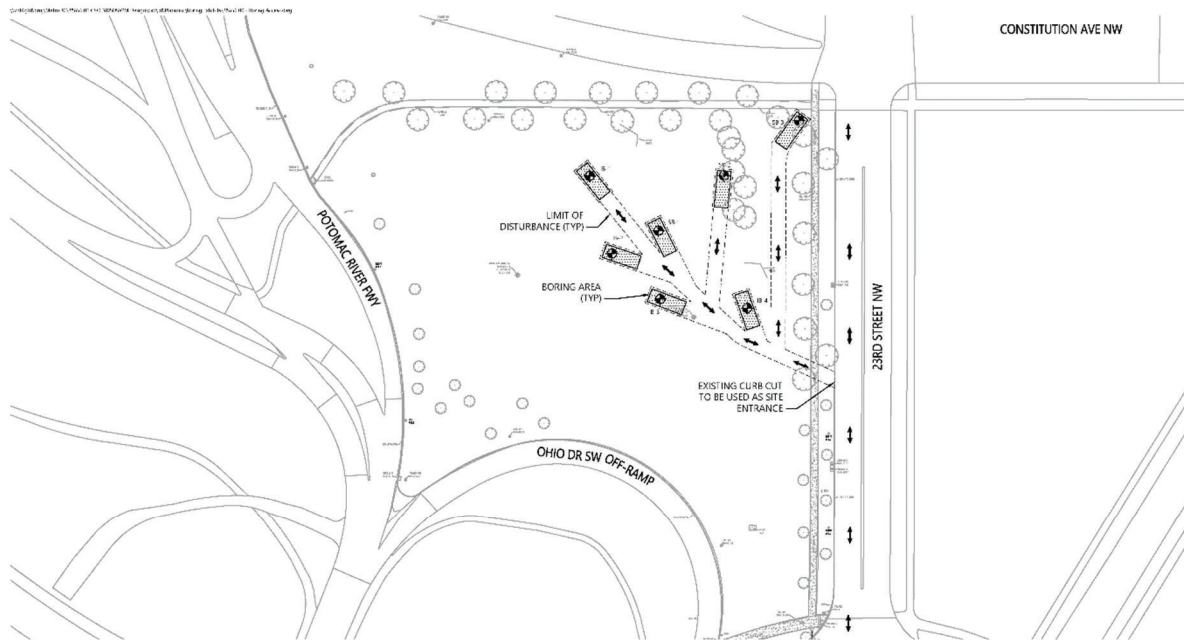
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Devon Frazier
Tribal Historic Preservation Office
Absentee Shawnee Tribe of Indians of Oklahoma
2025 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Frazier:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Absentee Shawnee Tribe of Indians of Oklahoma has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed National Desert Storm and Desert Shield War Memorial involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

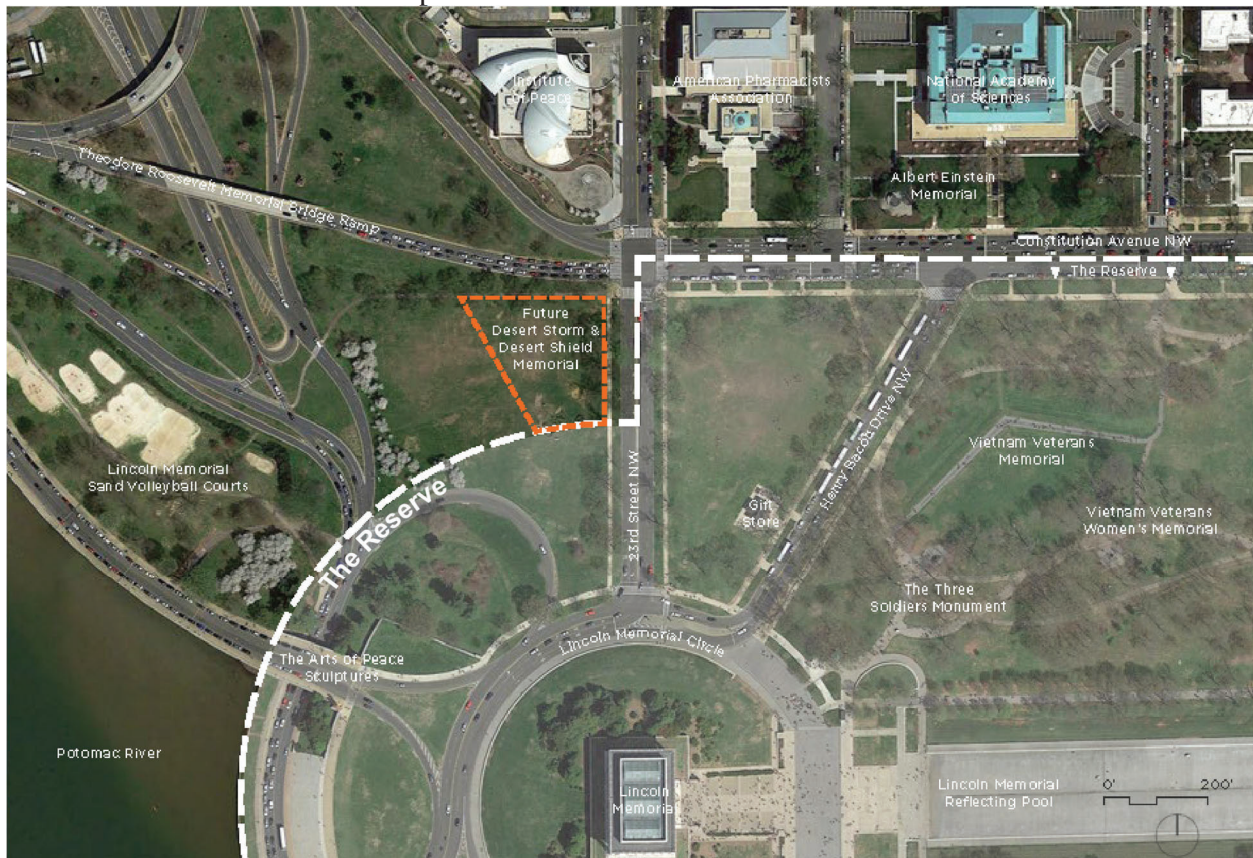
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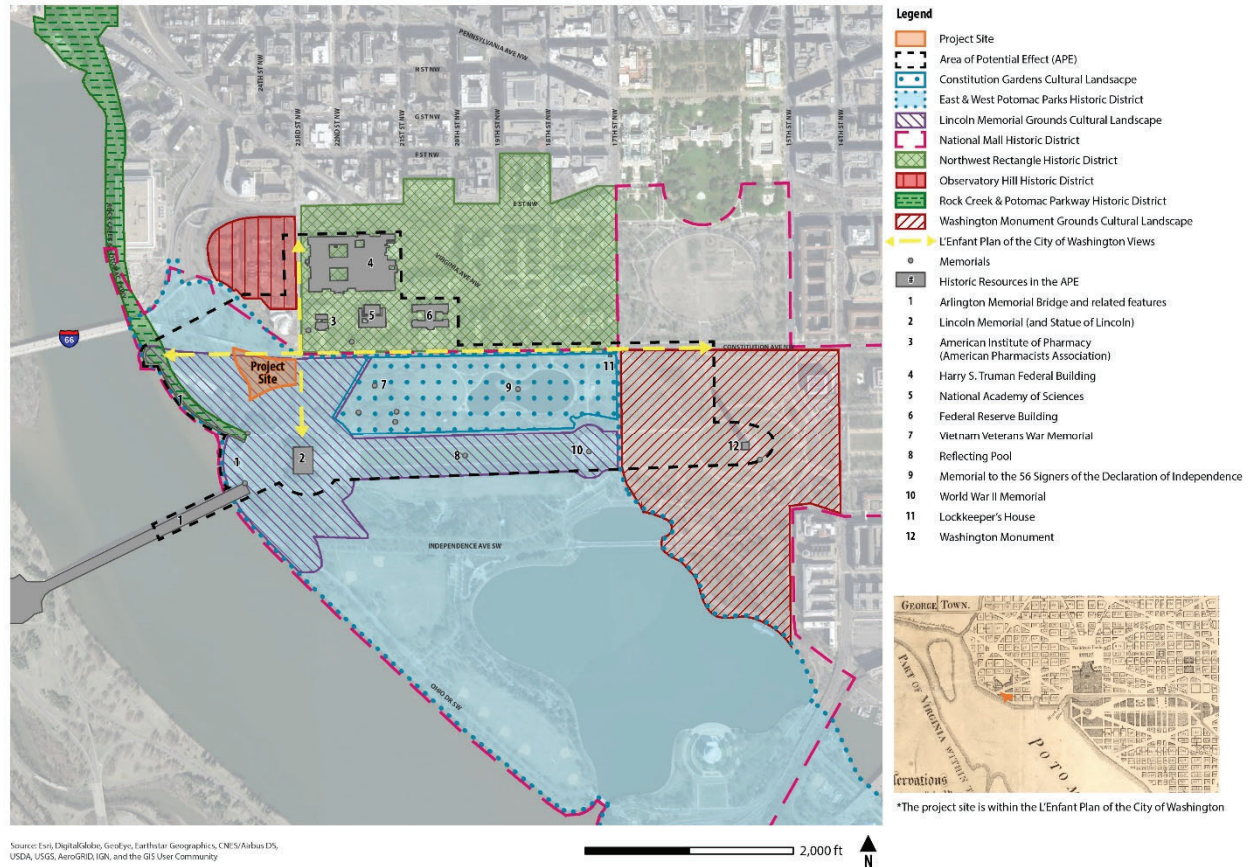
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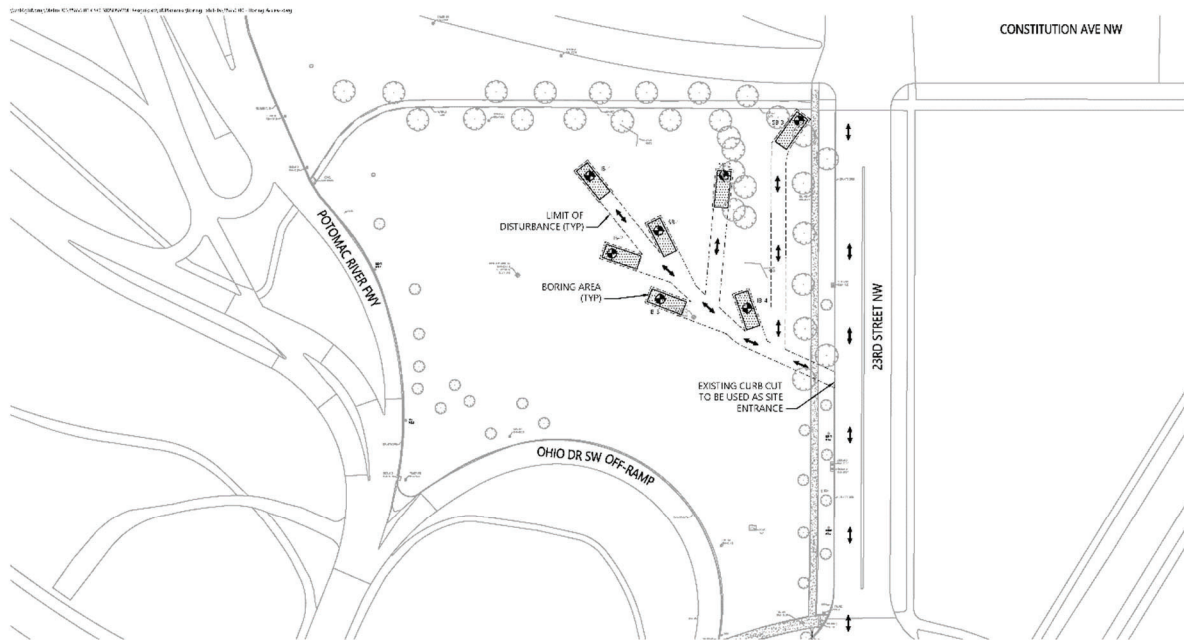
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Robert Gray
Chief
Pamunkey Indian Tribe
1054 Pocahontas Trail
King Willam, Virginia 23086

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Gray:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Pamunkey Indian Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

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Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

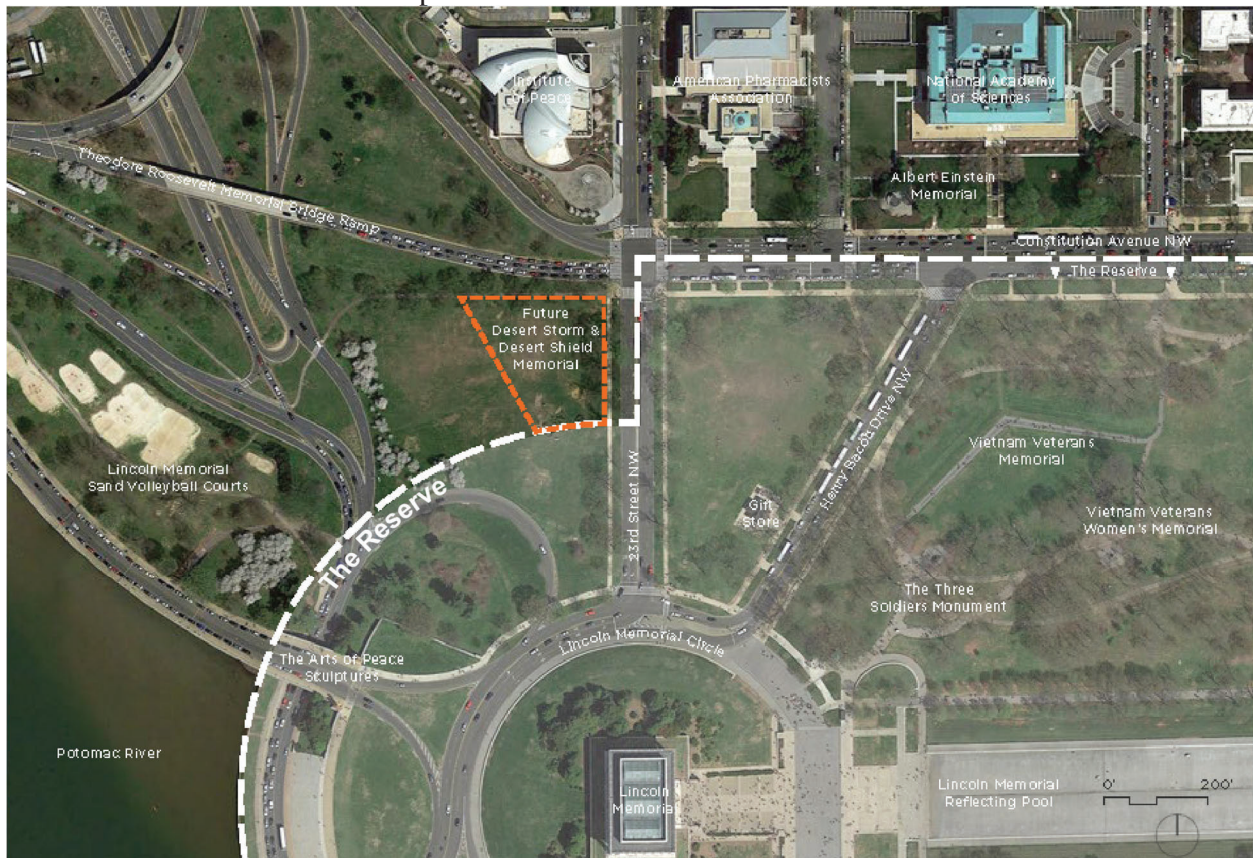
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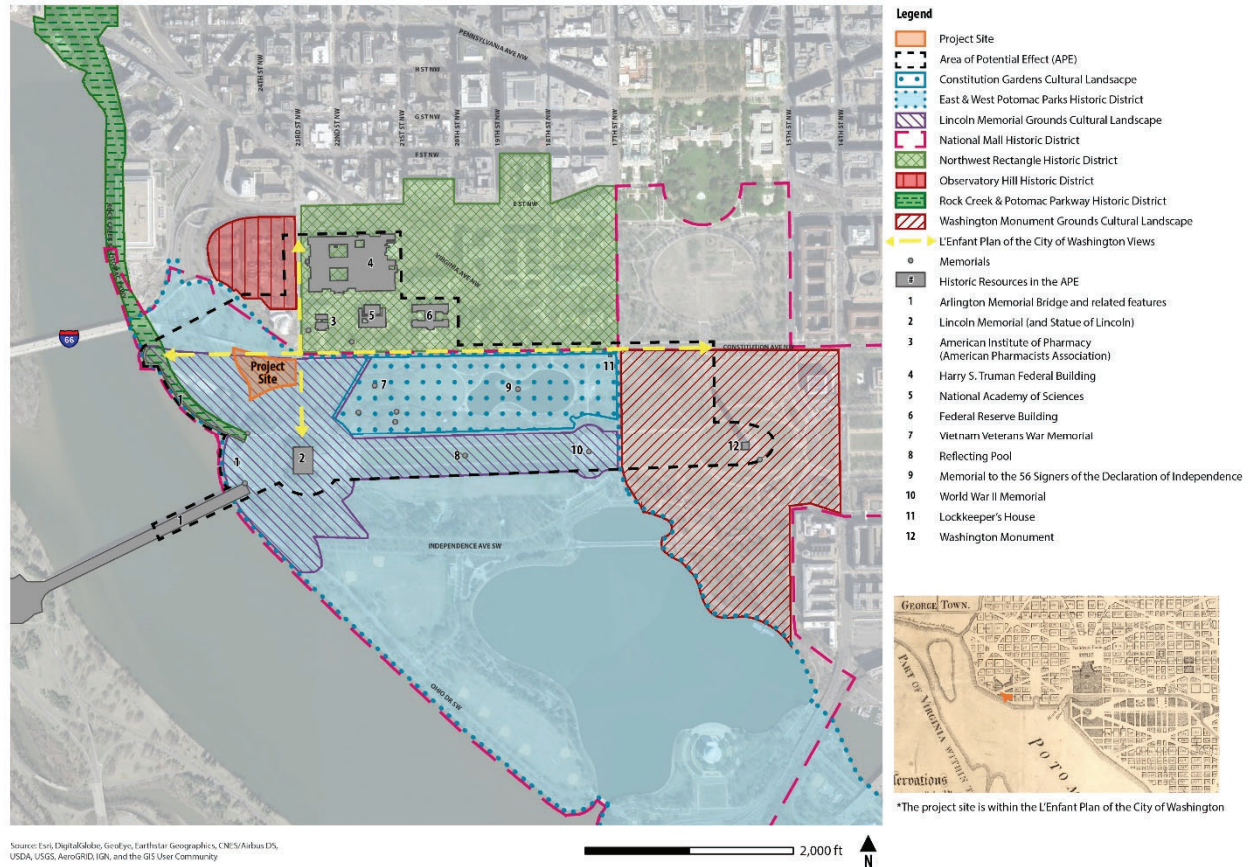
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

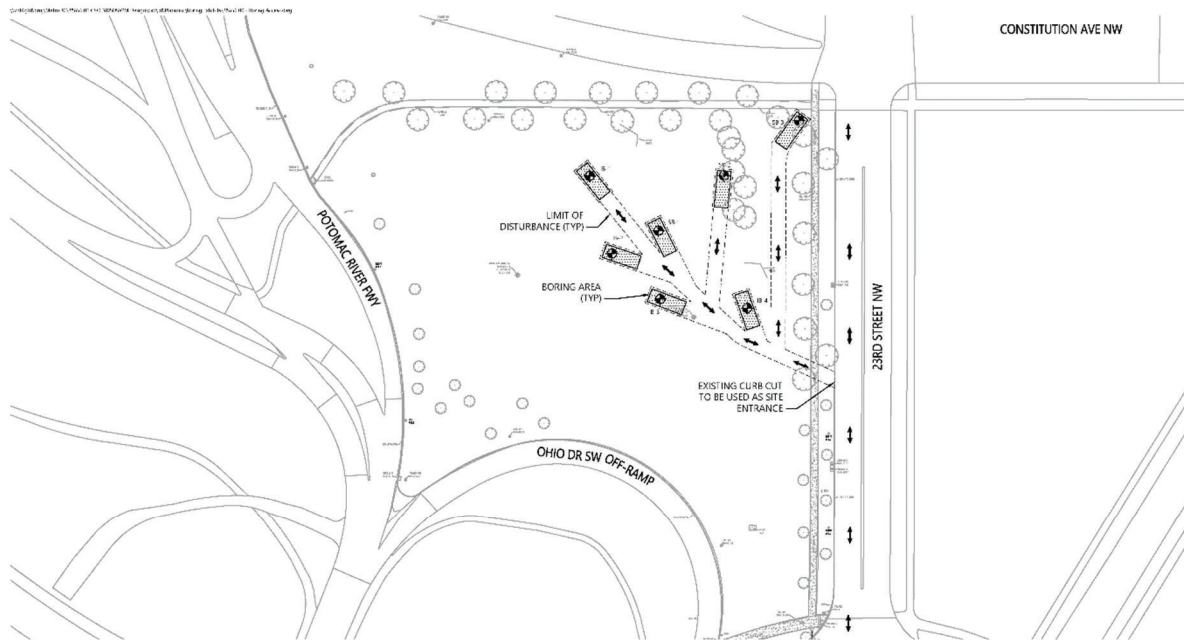
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave

Source:
Prepared for: DCKA, DDEE, NPS
Date: May 2, 2022





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Dr. Wenonah Haire
Tribal Historic Preservation Office
Catawba Indian Nation
1536 Tom Steven Road
Rock Hill, South Carolina 29730

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Dr. Haire:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Catawba Indian Nation has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

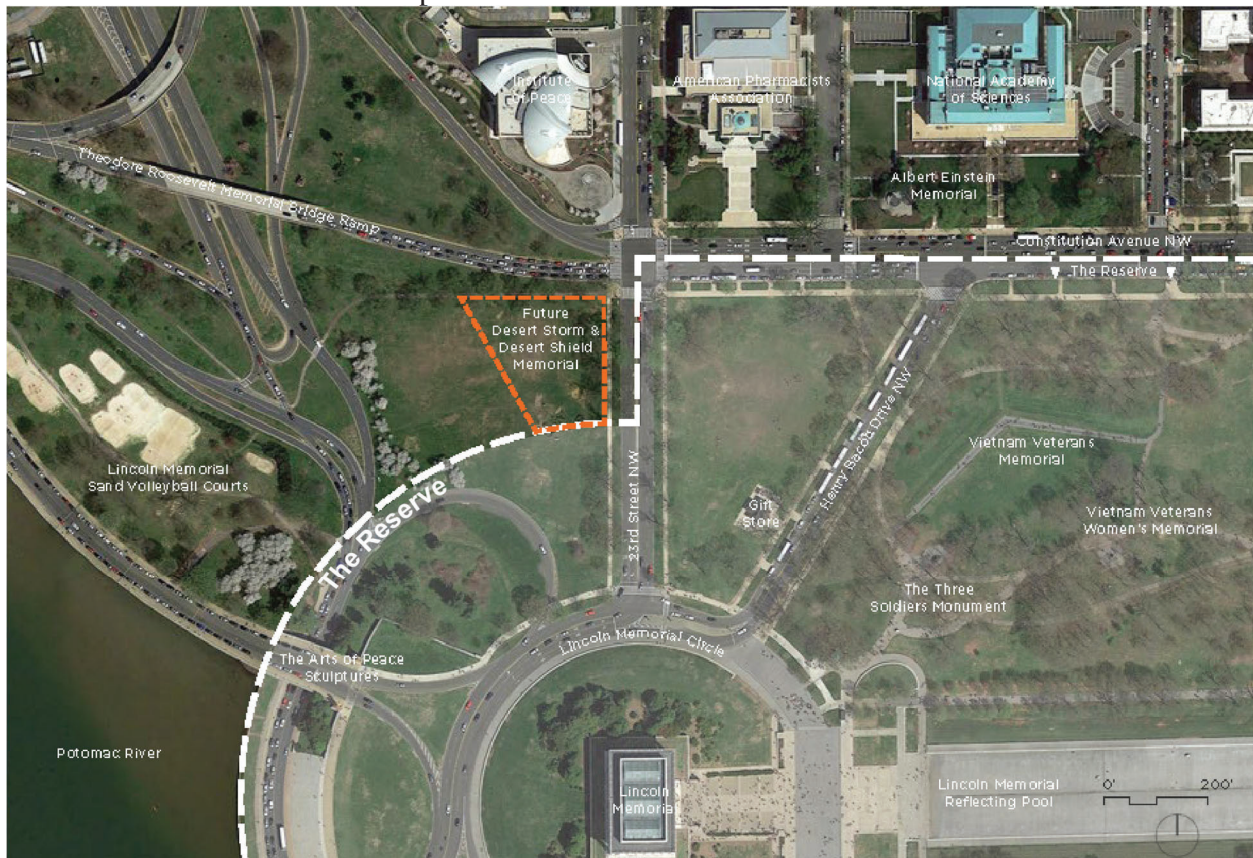
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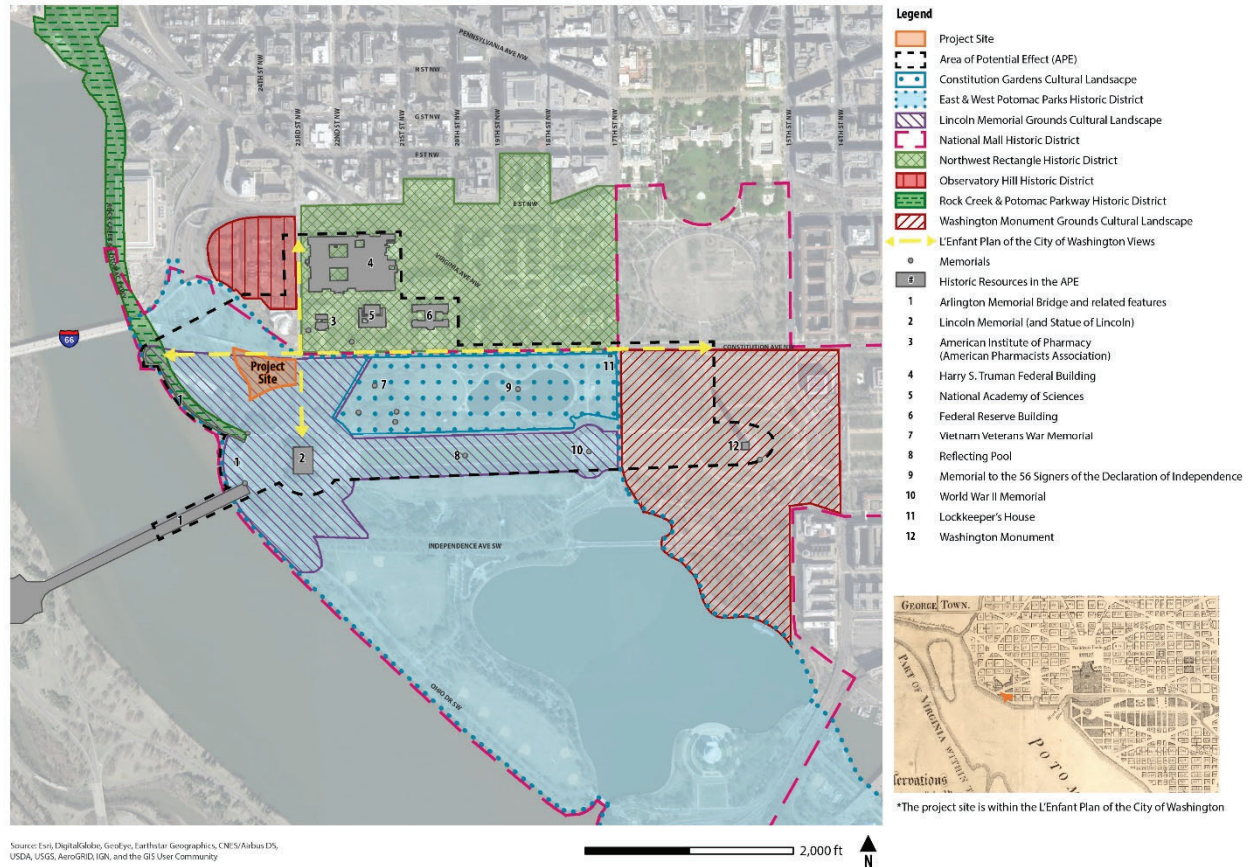
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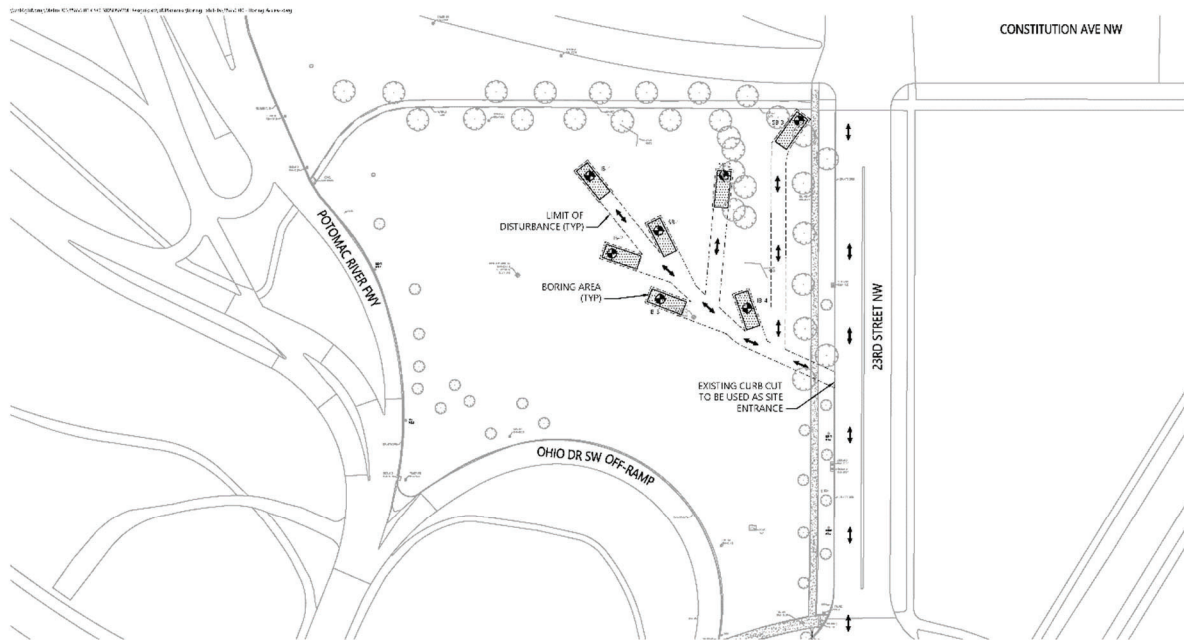
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. William Harris
Chief
Catawba Indian Nation
996 Avenue of the Nations
Rock Hill, South Carolina 29730

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Harris:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Catawba Indian Nation has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7 22, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

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If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

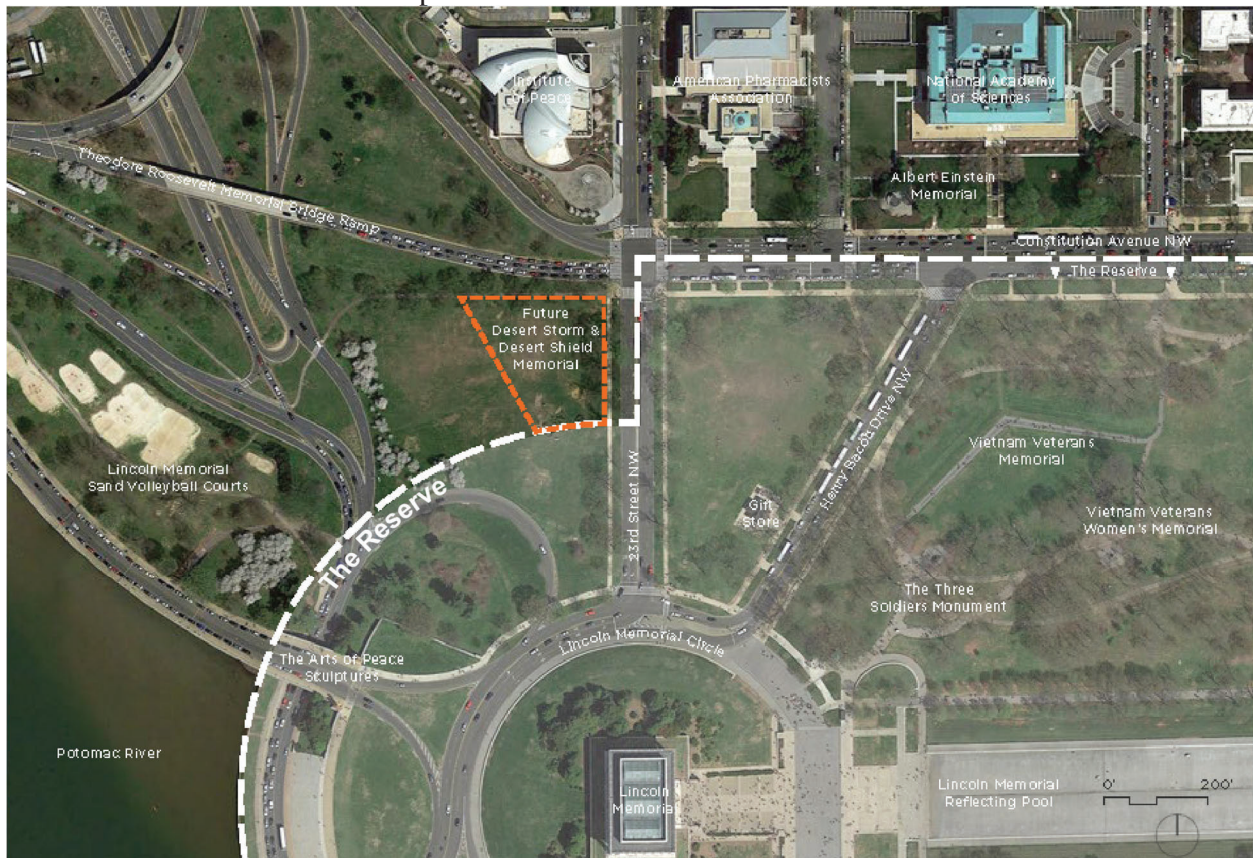
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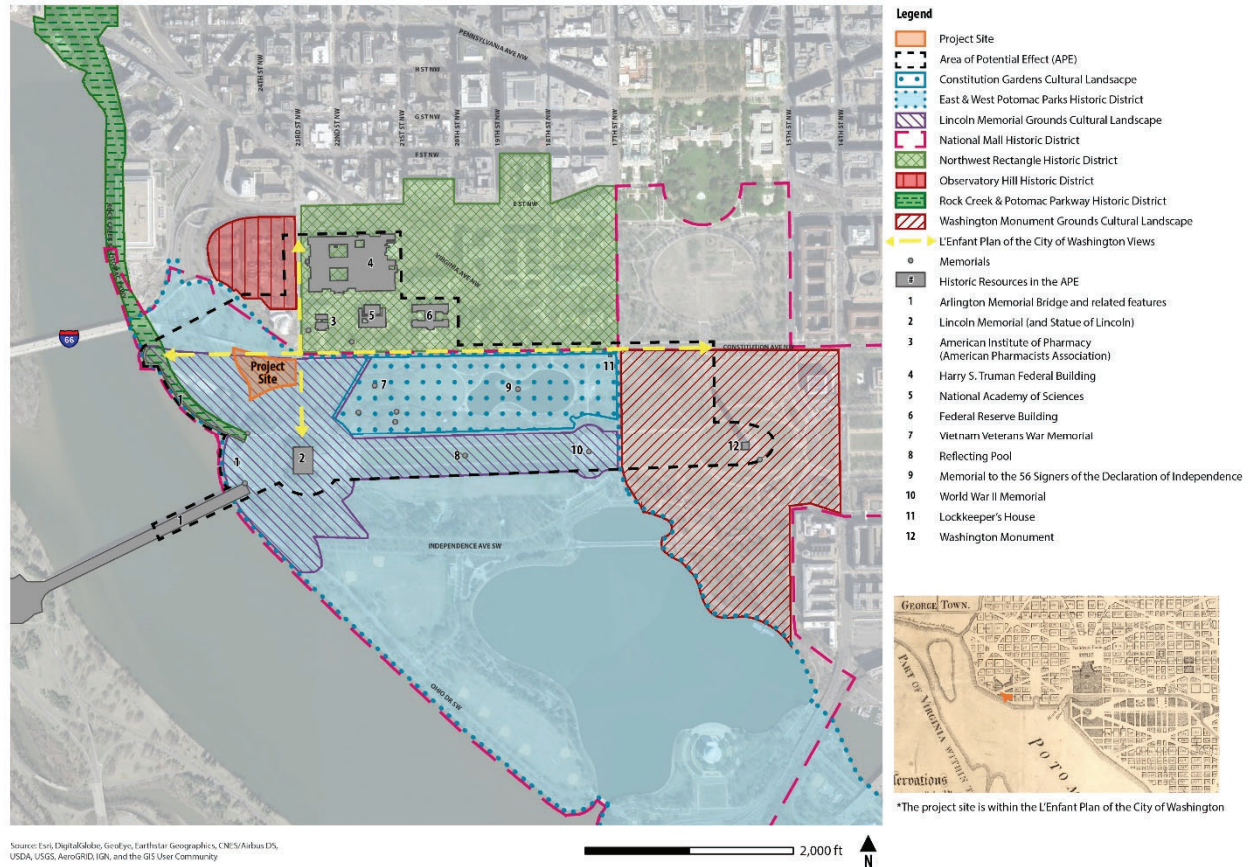
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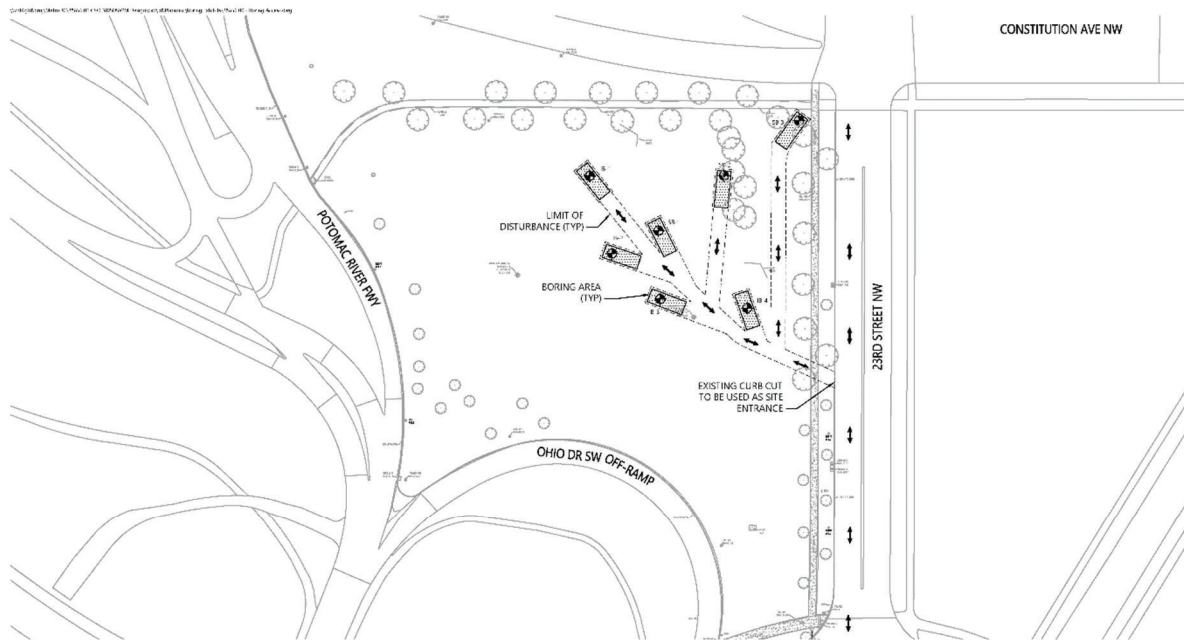
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. John Johnson
Governor
Absentee Shawnee Tribe of Indians of Oklahoma
2025 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Johnson:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Absentee Shawnee Tribe of Indians of Oklahoma has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

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in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

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Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed National Desert Storm and Desert Shield War Memorial involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

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If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

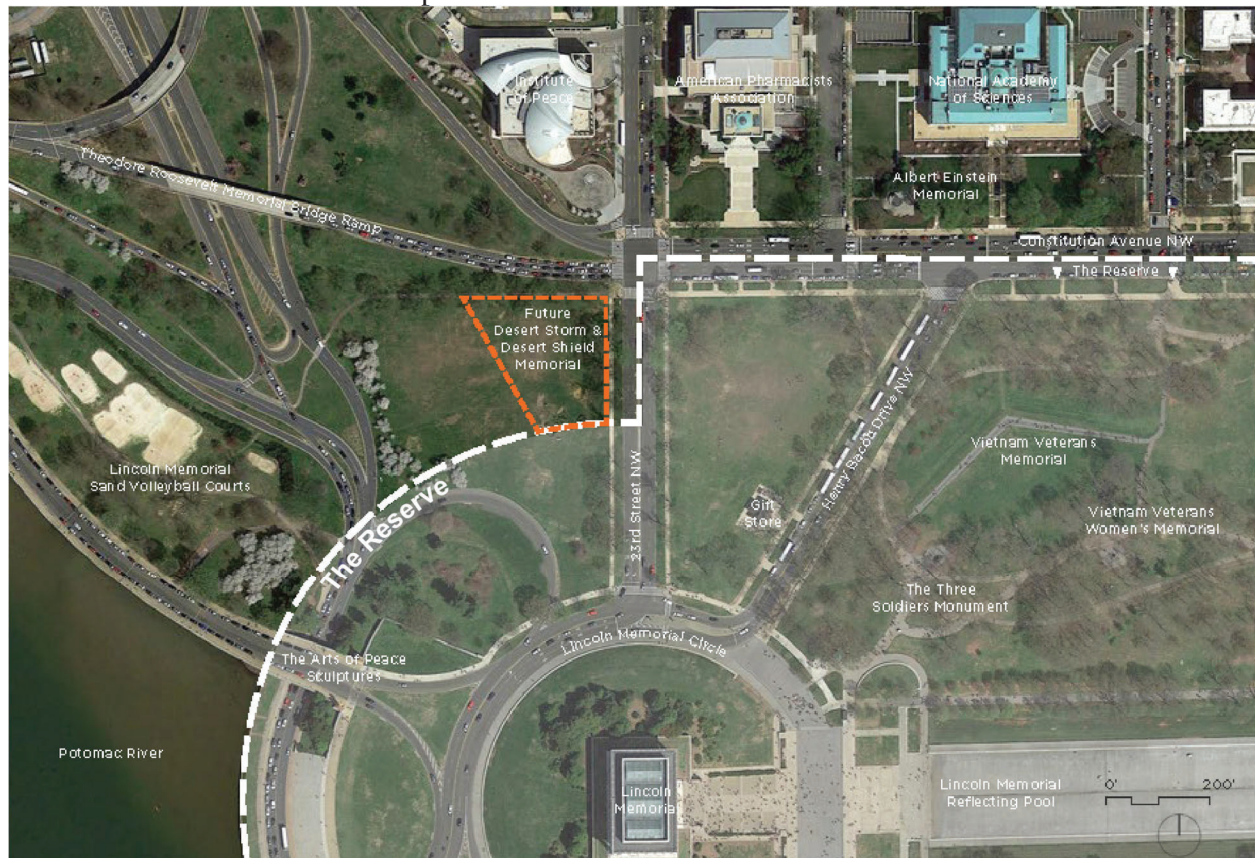
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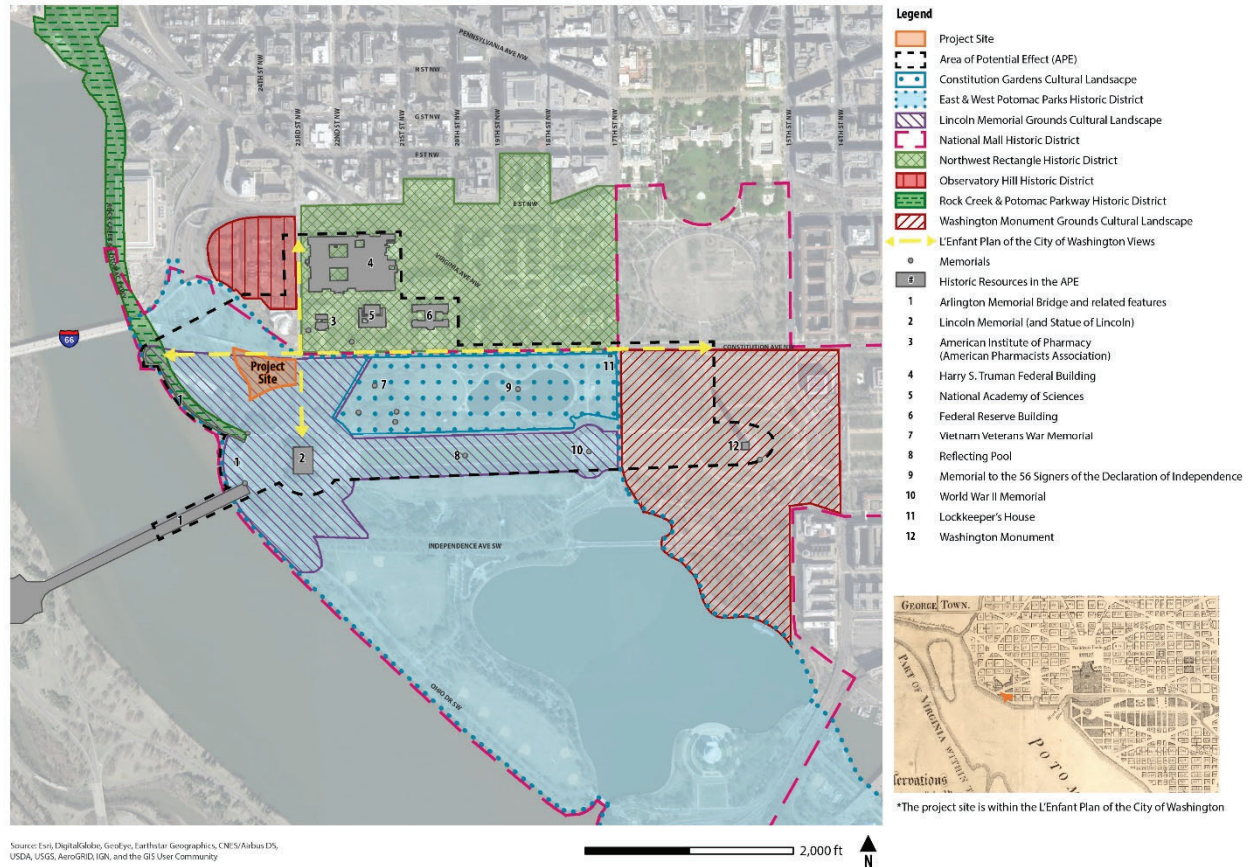
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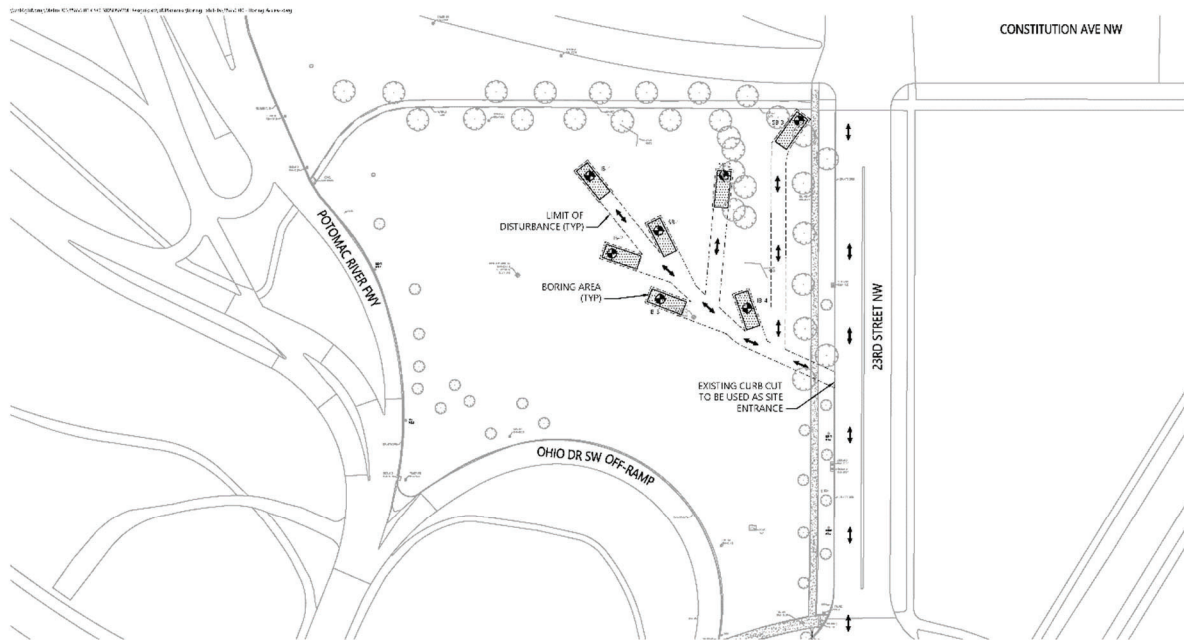
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Anne Richardson
Chief
Rappahannock Tribe
5036 Indian Neck Road
Indian Neck, Virginia 23148

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Richardson:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Rappahannock Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

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Consultation and Potential Effects to Historic Properties

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

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If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

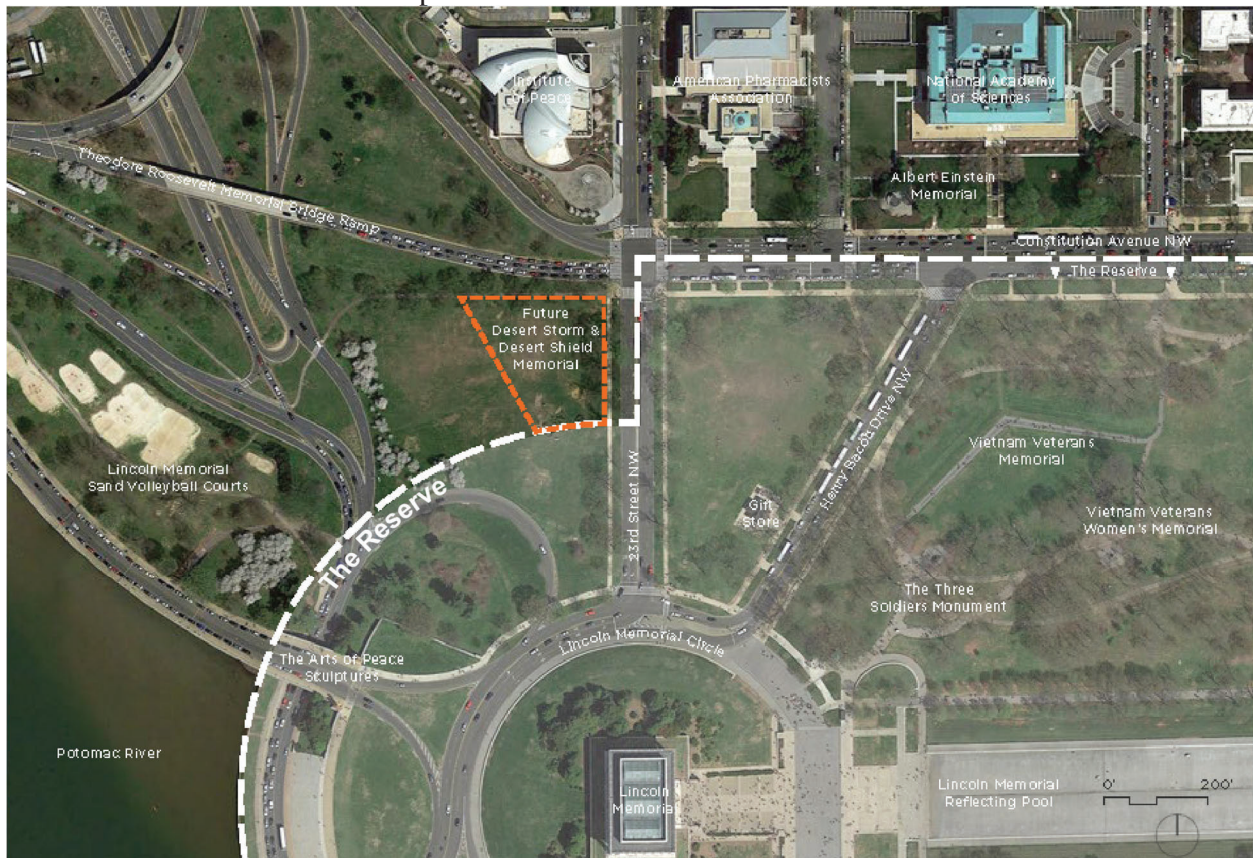
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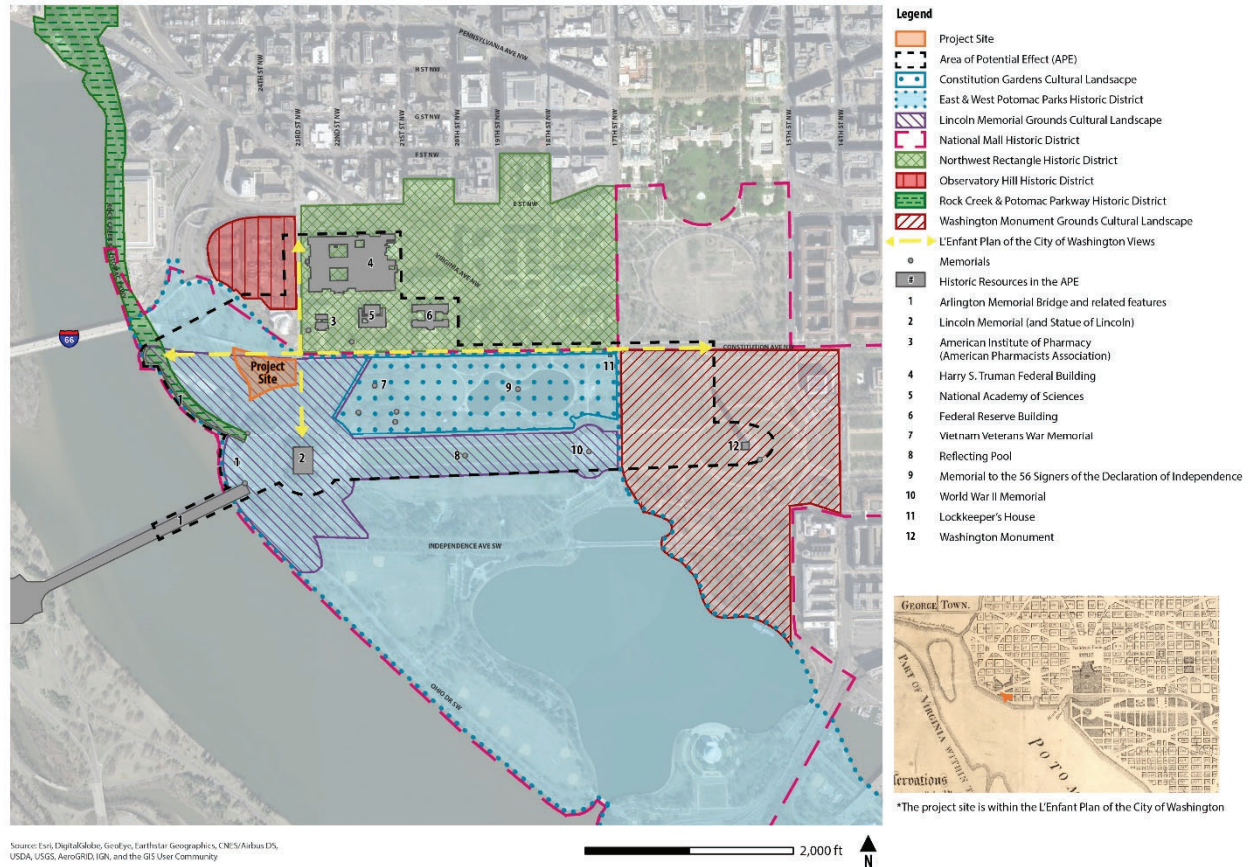
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

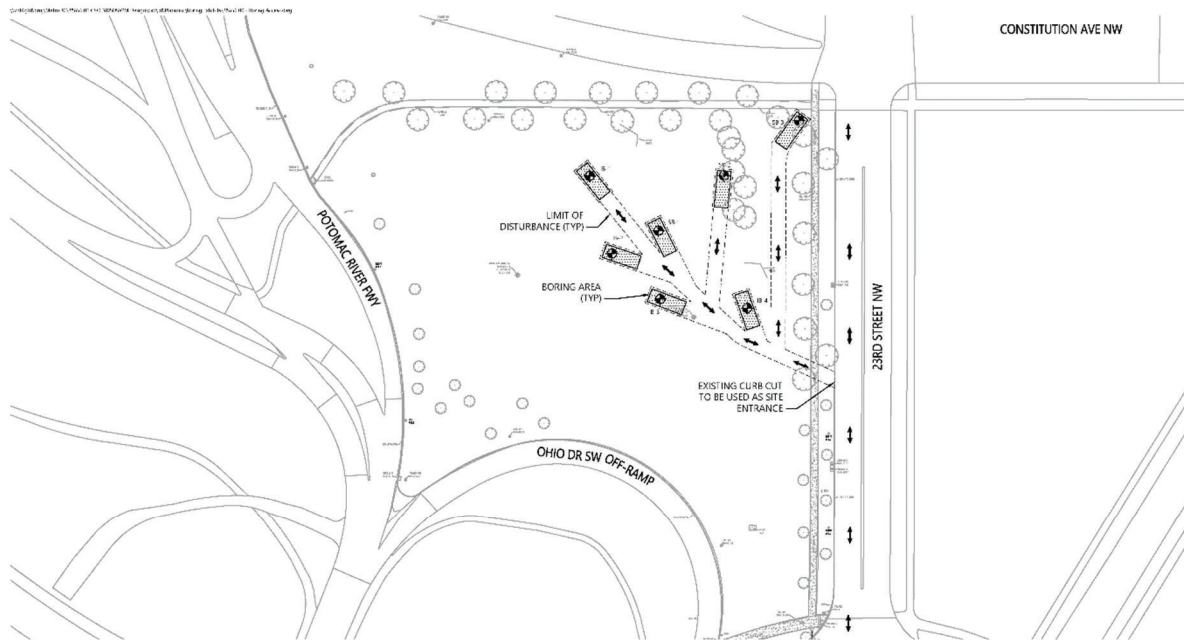
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Stephen Adkins
Chief
Chickahominy Indian Tribe
8200 Lott Cary Road
Providence Forge, Virginia 23140

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Adkins:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Chickahominy Indian Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by September 22, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, D.C. are appropriately designed, constructed, and located.

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The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

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Consultation and Potential Effects to Historic Properties

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,

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Jeffrey P. Reinbold
Superintendent

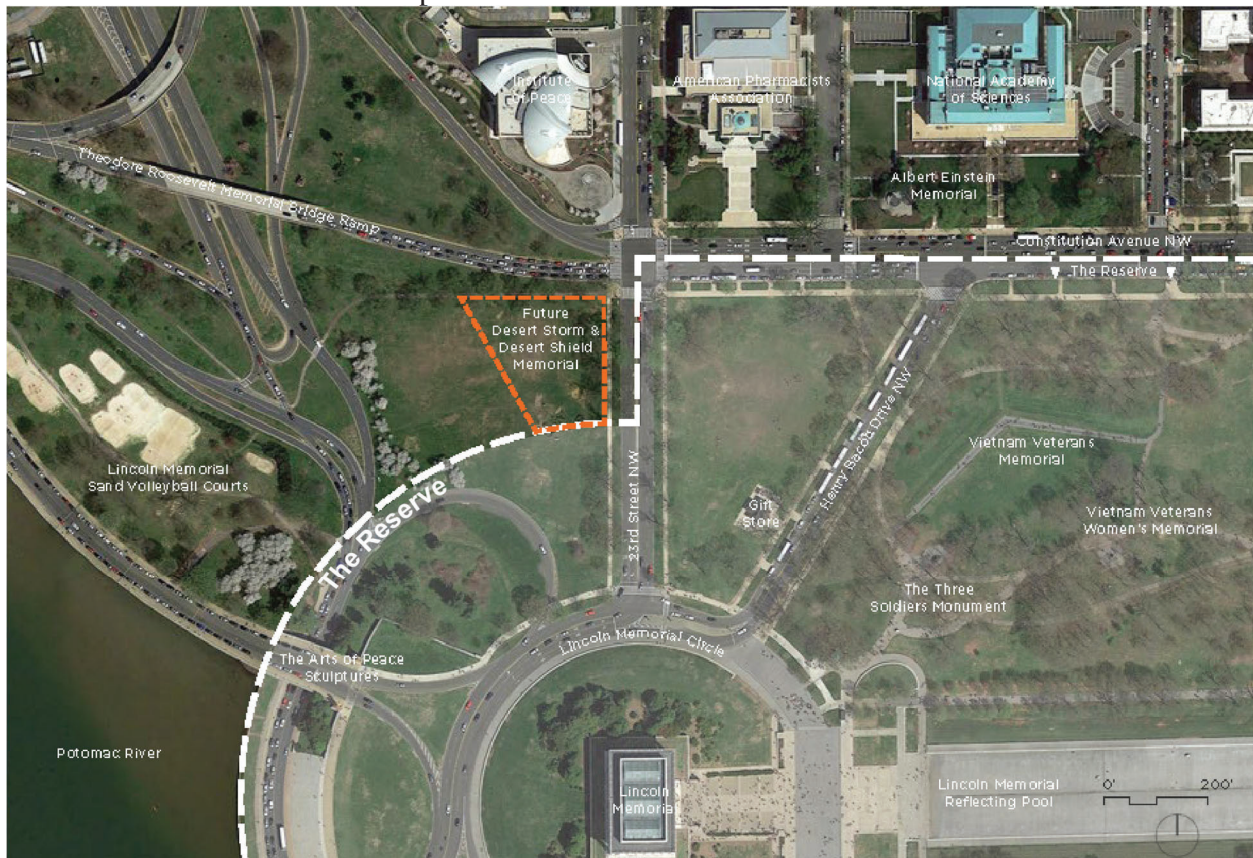
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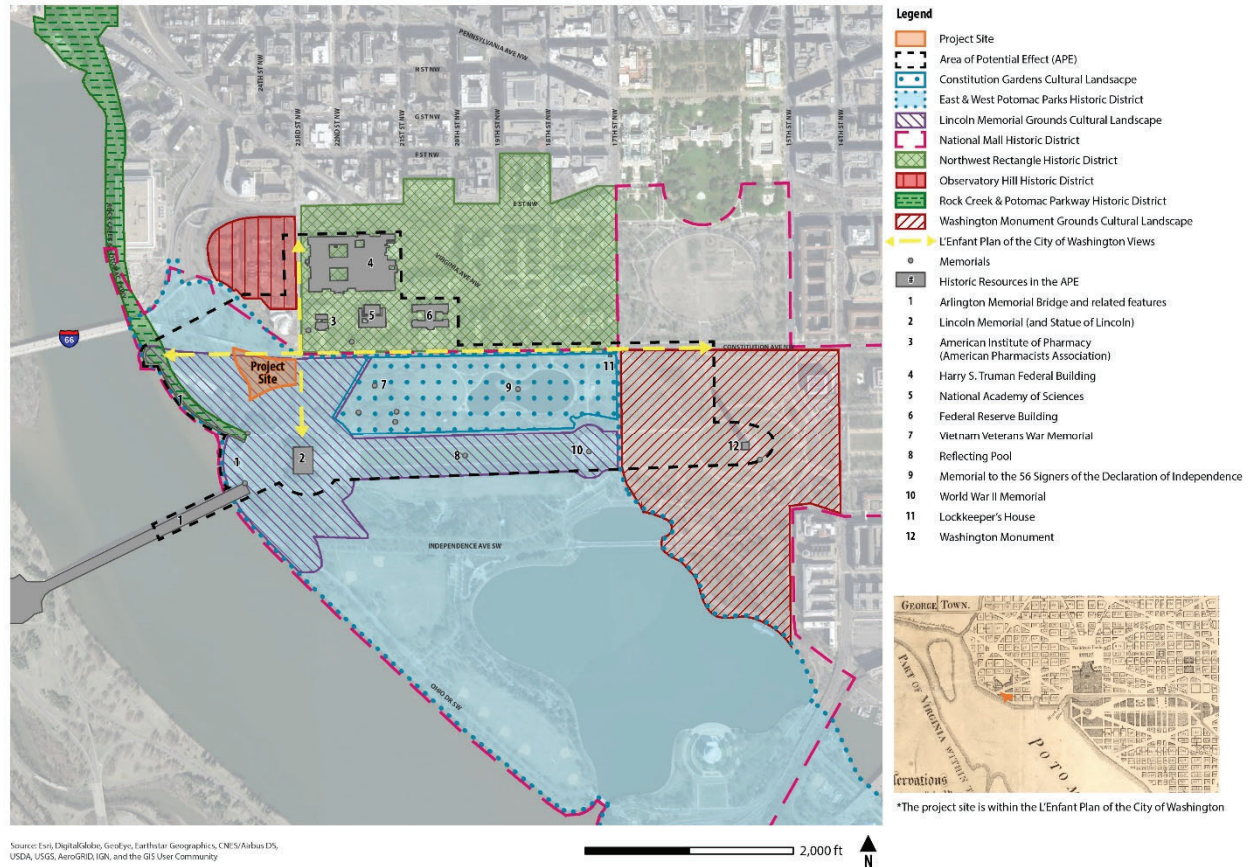
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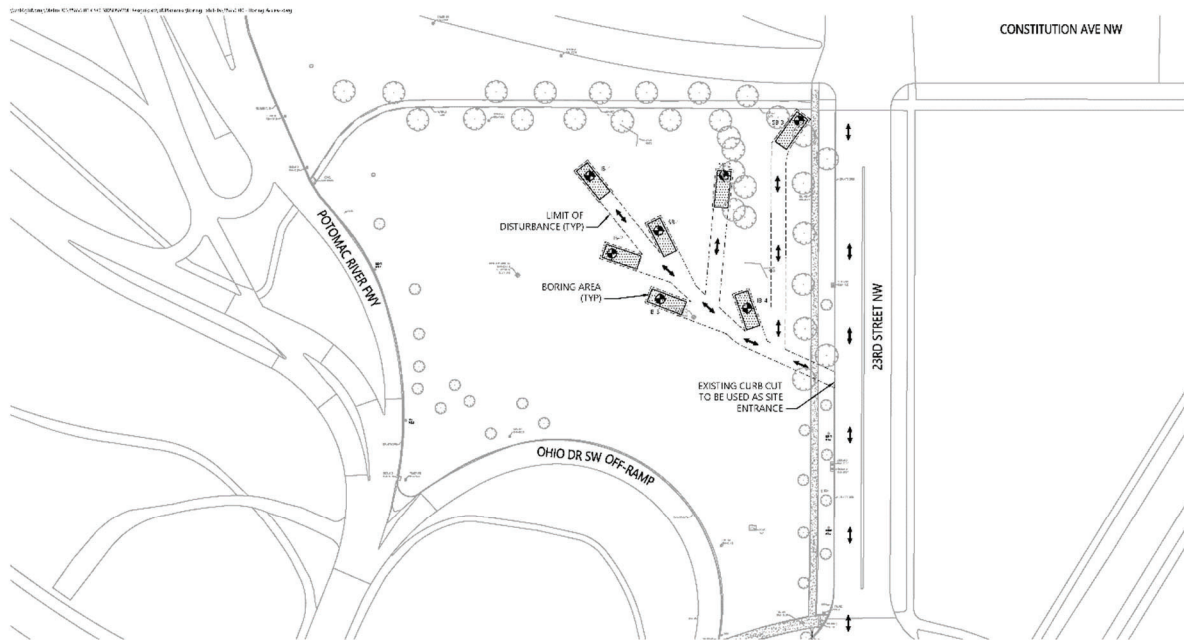
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Carissa Speck
Historic Preservation Director
Delaware Nation
P.O. Box 825
Anadarko, Oklahoma 73005

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Speck:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Delaware Nation has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

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Jeffrey P. Reinbold
Superintendent

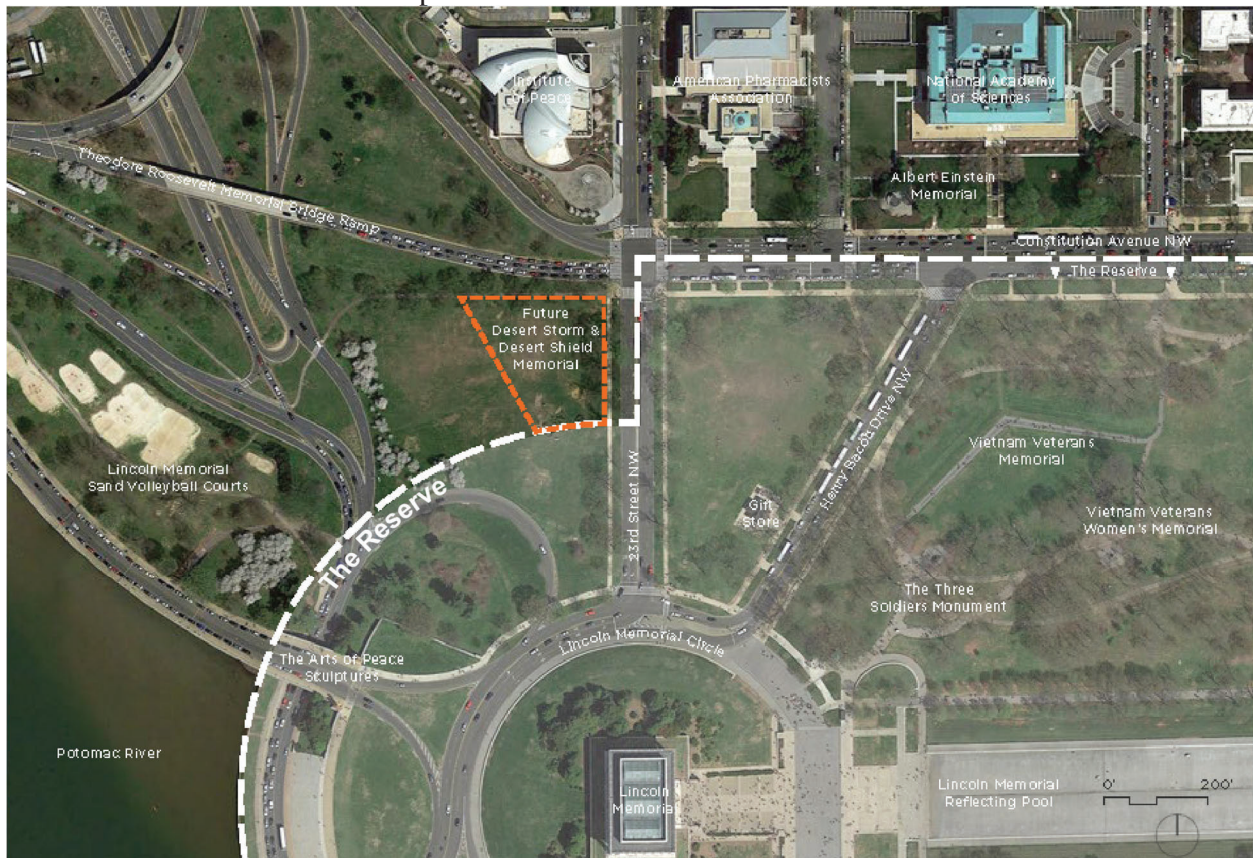
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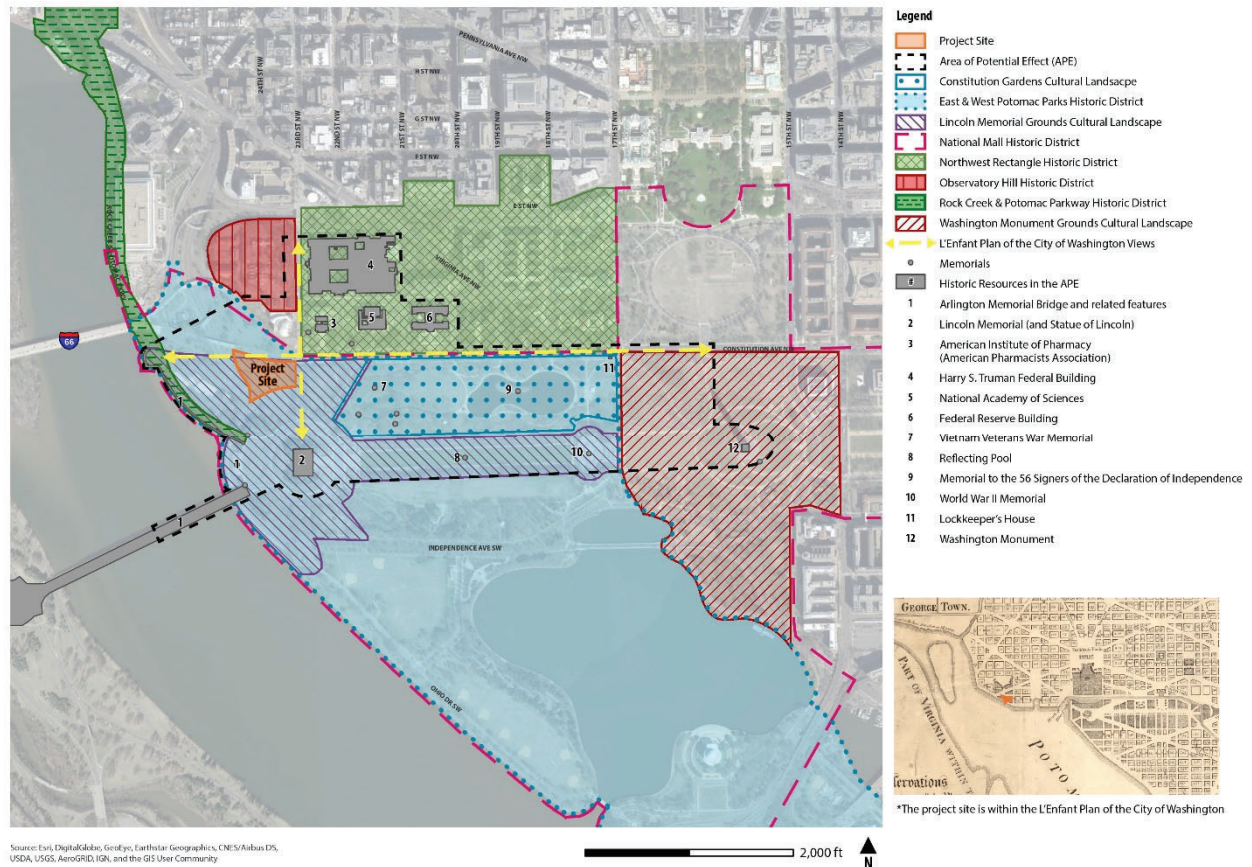
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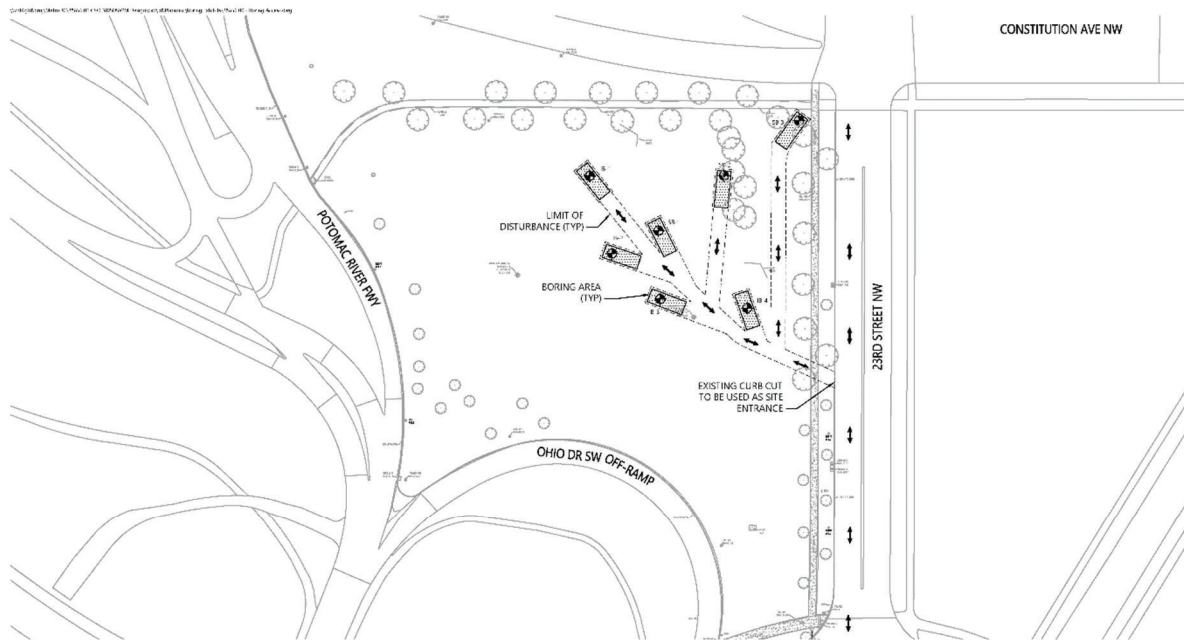
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Gerald Stewart
Chief
Chickahominy Tribe Eastern Division
1191 Indian Hill Lane
Providence Forge, Virginia 23140

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Stewart:

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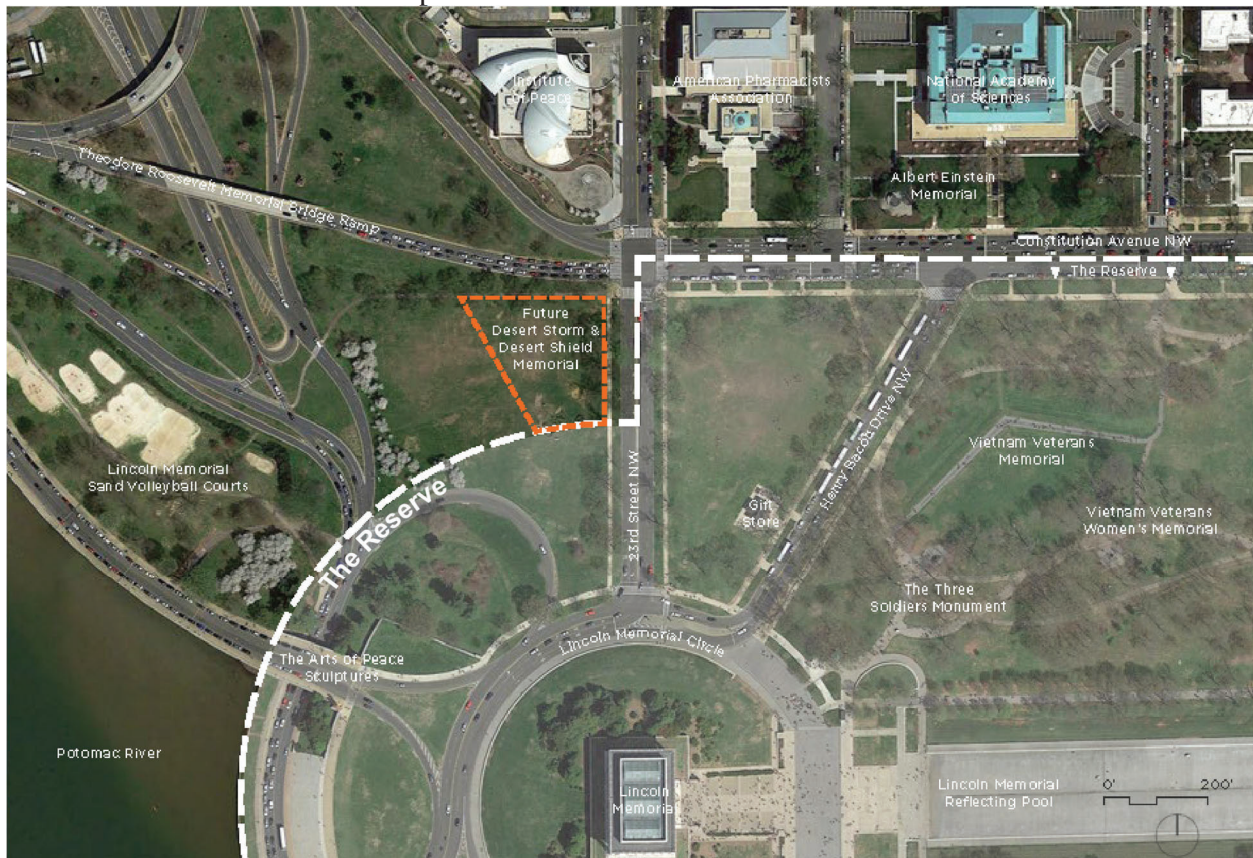
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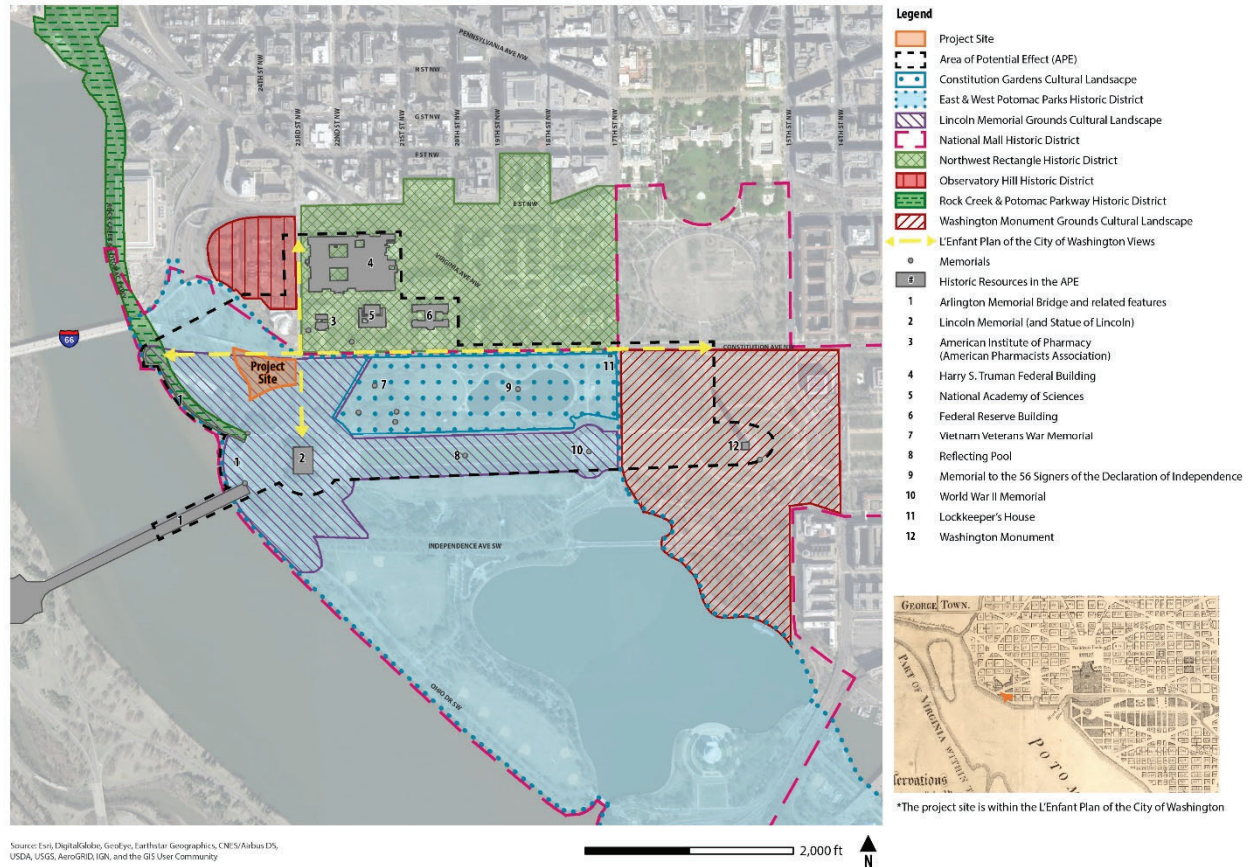
Attachment 2: Area of Potential Effect

Attachment 3: Proposed Boring Locations

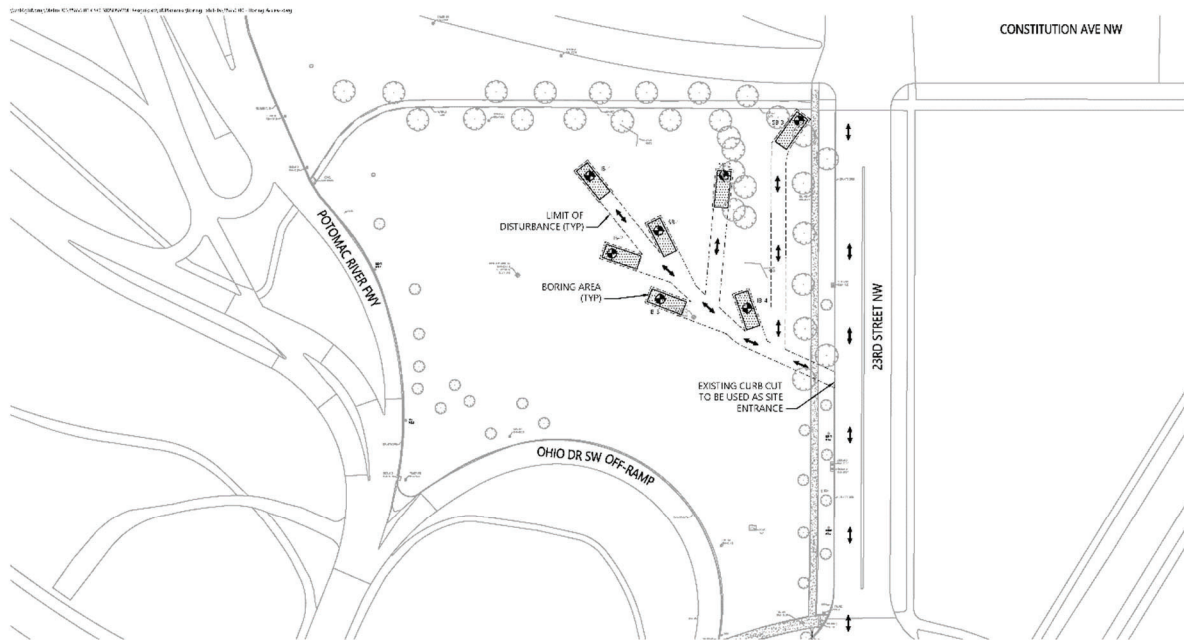
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Attachment 3: Proposed Boring Locations



Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Ms. Tonya Tipton
Tribal Historic Preservation Office
Shawnee Tribe
29 South Highway 69 A
Miami, Oklahoma 74354

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Ms. Tipton:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Shawnee Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

In 2014, Public Law 113-291 authorized the establishment of a memorial to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield. The subsequent Public Law 115-18 authorizes the location of the memorial within Area I as defined under the Commemorative Works Act. The memorial must be consistent with the Commemorative Works Act which ensures that commemorative works in areas administered by the NPS in Washington, DC, are appropriately designed, constructed, and located.

The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and

another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed National Desert Storm and Desert Shield War Memorial involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

Area of Potential Effect and Identification of Historic Properties

The area of potential effect (APE) for this project extends from the Arlington Memorial Bridge and the Potomac River in the west to the Washington Monument in the east, and to D Street in the north and Independence Avenue and Ohio Drive in the south. Resources within the APE include the L'Enfant Plan of the City of Washington, the National Mall Historic District, East and West Potomac Parks Historic District, and the Lincoln Memorial Grounds Cultural Landscape. The project site has a low probability for archeological resources, as the land is primarily fill.

Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

The consulting parties also discussed the potential of the memorial to result in adverse effects on historic properties, including on the National Mall due to cumulative changes in its civic character. The NDSDSM introduces commemorative elements in an area that is currently open space and is sometimes used for active recreation. Participants raised the concern that the memorial features are inconsistent with the landscape character of the site, detract from certain aspects of the National Mall in the vicinity, and add to the cumulative effect of militarizing the western end of the National Mall. Consulting parties noted that the Reserve, as established in the Commemorative Works Act, is intended to address, in part, the concern of cumulative effects on the National Mall. Although other sites were considered in the memorial's site selection process, the Constitution Avenue and 23rd Street NW site was selected largely due to the site's proximity to the Vietnam Veterans Memorial, given the thematic connections between the two conflicts.

Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

NPS will continue to study the wall height, berms, pathways, vegetation, lighting, and materials as the design advances. If any significant changes develop that may cause adverse effects to any historic resources, the NPS will notify you and the consulting parties.

If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

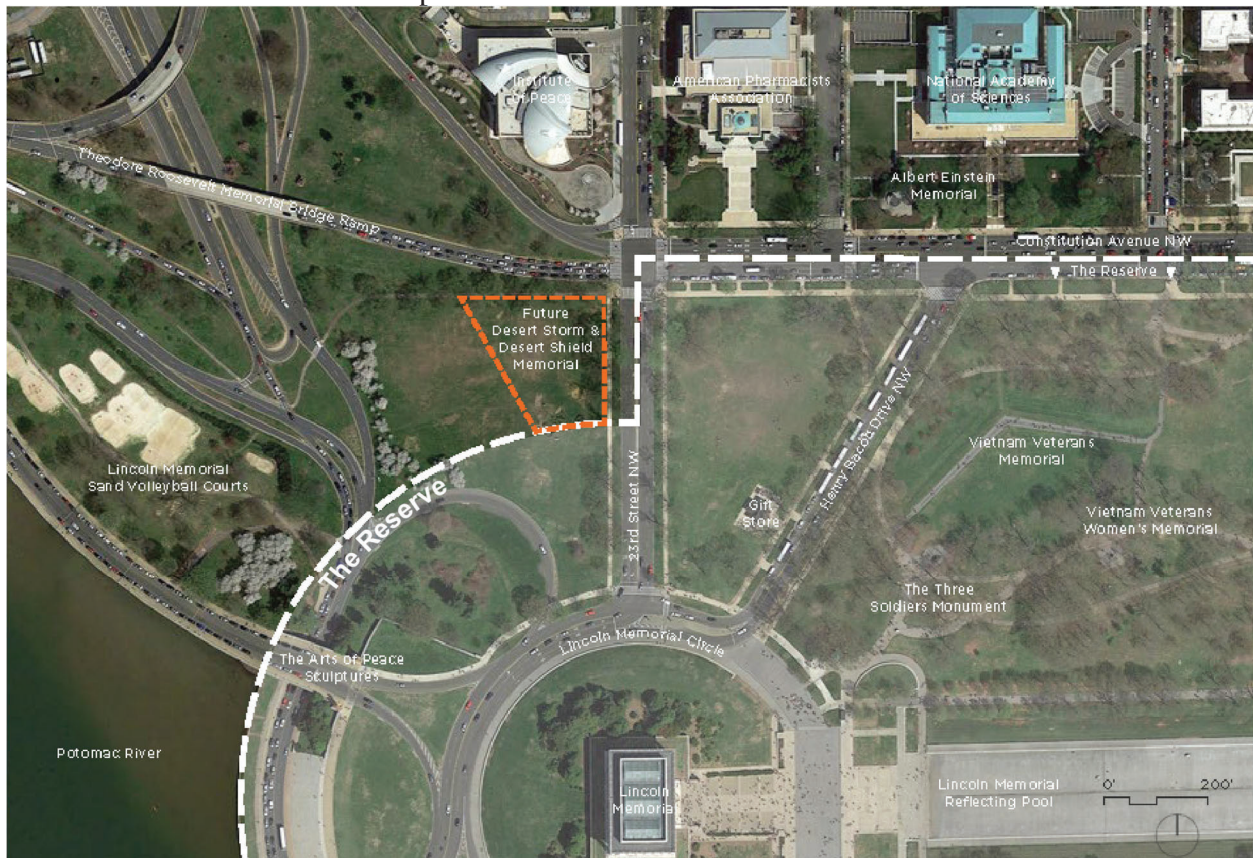
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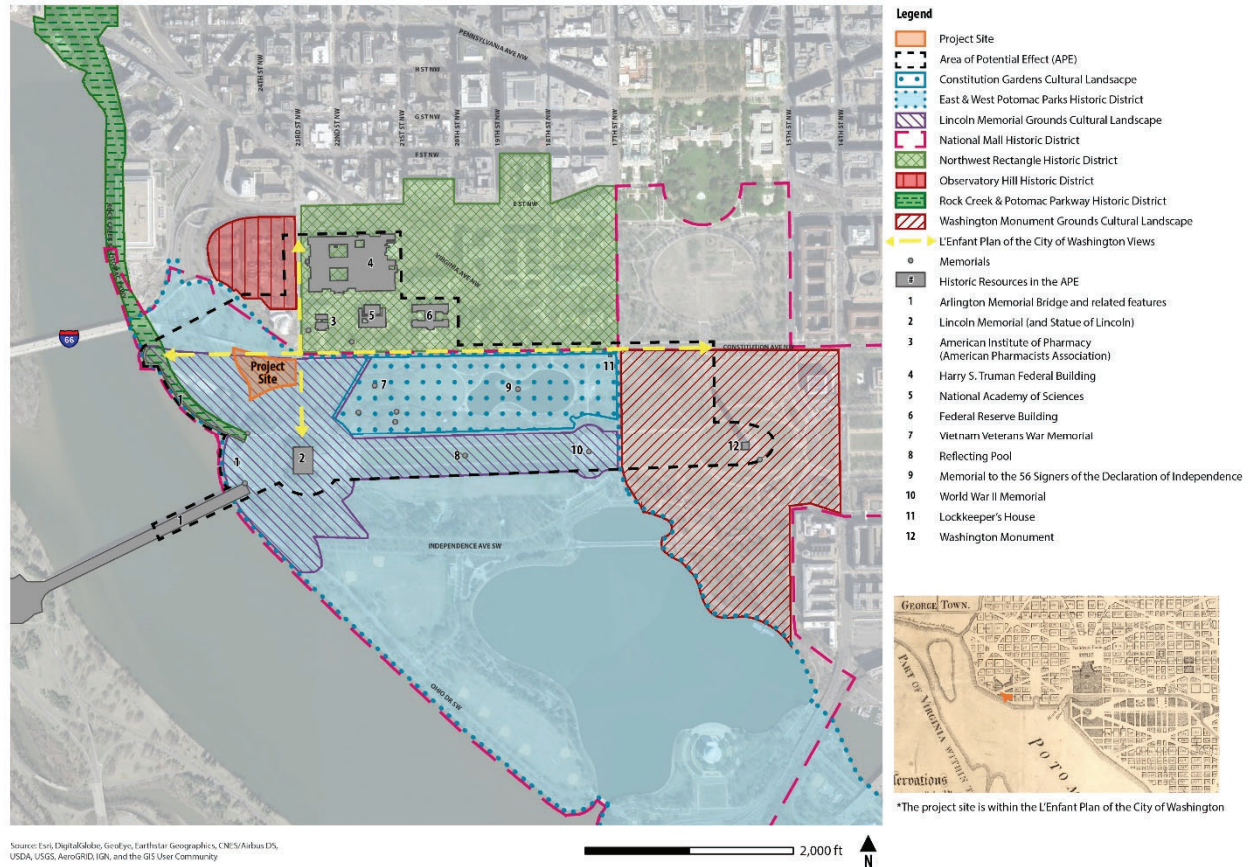
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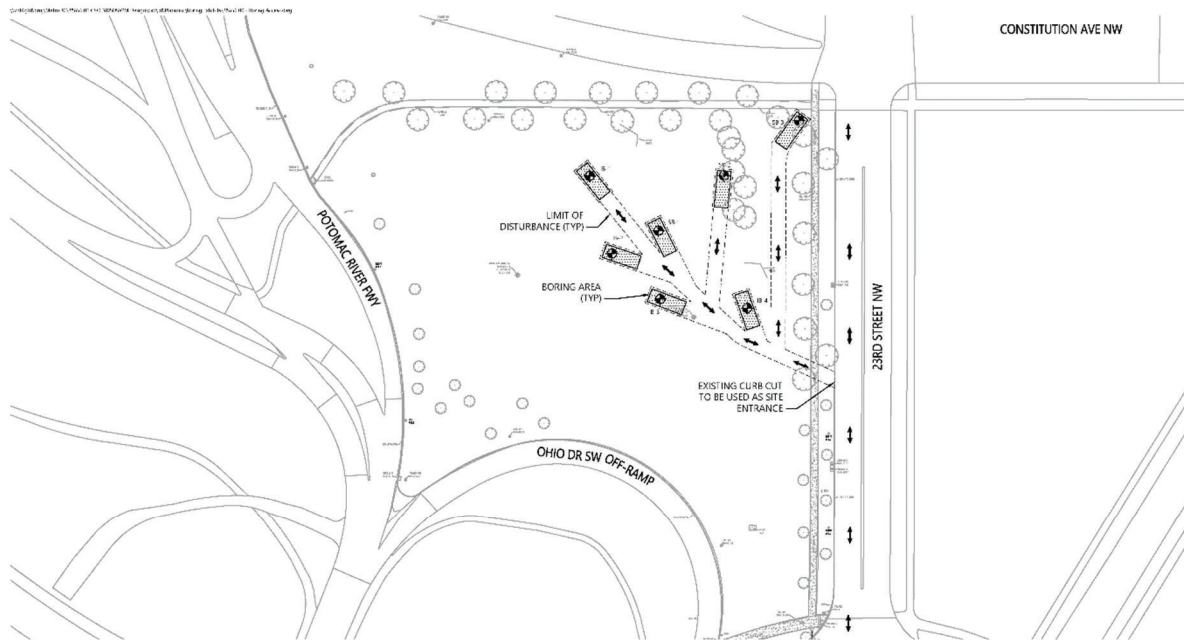
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave

Source:
Prepared for: DCKA, DDEE, NPS
Date: May 2, 2022





United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



September 6, 2022

Mr. Reggie Tupponce
Tribal Administrator
Upper Mattaponi Indian Tribe
13476 King William Road
King Willam, Virginia 23086

Subject: Section 106 Consultation and Environmental Assessment for Establishment of the
National Desert Storm and Desert Shield Memorial

Dear Mr. Tupponce:

The National Park Service (NPS) and the National Desert Storm and Desert Shield Memorial Association (Association), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) for the establishment of a permanent National Desert Storm and Desert Shield Memorial (NDSDSM) at the southwest corner of Constitution Avenue and 23rd Street NW. The NPS understands that the Upper Mattaponi Indian Tribe has an interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulation 36 CFR 800.3.

We apologize for coming to you so late in the Section 106 process. This letter includes materials for your review, including the EA, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). We request that you provide comment by October 7, 2022, to the contact provided below. A summary of the undertaking and the result of consultation with the DC State Historic Preservation Office (SHPO) is provided below.

Background and Description of Undertaking

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The project site at the southwest intersection of 23rd Street and Constitution Avenue, at the Lincoln Memorial Grounds, emerged as the preferred location for the Memorial after a site selection study; presentations to the National Capital Memorial Advisory Commission (NCMAC), the U.S. Commission of Fine Arts (CFA), and NCPC; and a site selection public scoping period. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet

in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Pre-construction activities for the proposed NDSDSM involve a geotechnical exploration program to evaluate soil conditions for the design of the memorial. The information will assist in the design of the memorial foundation, retaining walls, and storm water management facilities. The activity involves seven (7) test borings within the selected memorial site. The borings include three (3) soil borings (SB-1, SB-2, SB-3) and four (4) infiltration borings (IB-1, IB-2, IB-3, IB-4). Hollow stem auger drilling techniques will be used for drilling the test borings. No known archaeological sites will be affected. All project activities will immediately halt and the contractor will notify the resource management division if previously unidentified archaeological resources are discovered.

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Consultation and Potential Effects to Historic Properties

The NPS initiated consultation with the District of Columbia Historic Preservation Office (HPO) on June 20, 2017. The NPS held two Section 106 consulting parties meeting, which occurred on November 13, 2018, and November 12, 2019, respectively. At the meetings, the consulting parties discussed the implications of the Memorial concept's height, vegetation, circulation, lighting, and materials. The proposed height of the memorial berms would minimize the visual intrusion on the National Mall and the Lincoln Memorial. The memorial's design would impact and replace two existing trees in the allée along Constitution Avenue NW, as well as add new trees to the memorial's interior; additional trees would be planted consistent with the Lincoln Memorial's planting plan. The memorial is not anticipated to alter pedestrian or traffic patterns at the site. Nighttime lighting would be limited to the extent possible. While the design intent is to use sand-colored stone in the hardscape, the exact materials and amount of hardscape have not yet been determined.

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Additionally, the National Mall also has a commemorative role. The consulting parties noted that the NDSDSM's low and discrete design would not result in a significant change in the area's landscape character. The NPS finds that the current design does not substantially alter the Lincoln Memorial Grounds, the National Mall, or other properties within the Area of Potential Effect.

Under Section 106 of the National Historic Preservation Act (NHPA) of 1966, NPS requested concurrence from HPO of its finding of no adverse effect on historic properties as a result of the design option presented at the November 12, 2019, consulting parties meeting for the proposed NDSDSM near the National Mall. On March 2, 2020, the NPS distributed a letter addressed to the HPO via email to consulting parties notifying them of the intention to find no adverse effect on historic properties. The email invited consulting parties to comment on the letter, which was distributed as an attachment. No comments were received via email or the NPS's Planning, Environment, and Public Comment website.

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If you have any questions, please do not hesitate to contact Catherine Dewey, Chief of Resource Management for NAMA at 202-245-4711 or via email at catherine_dewey@nps.gov.

Sincerely,



Jeffrey P. Reinbold
Superintendent

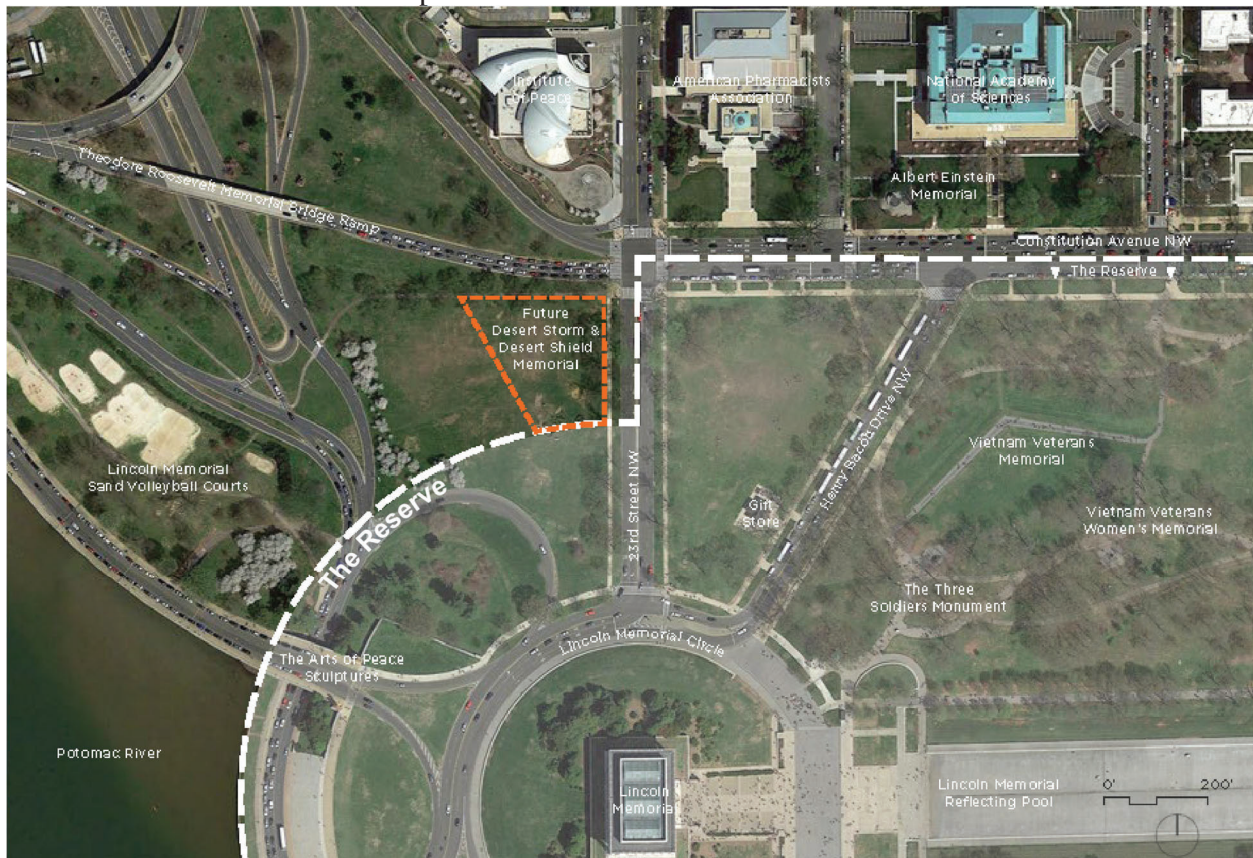
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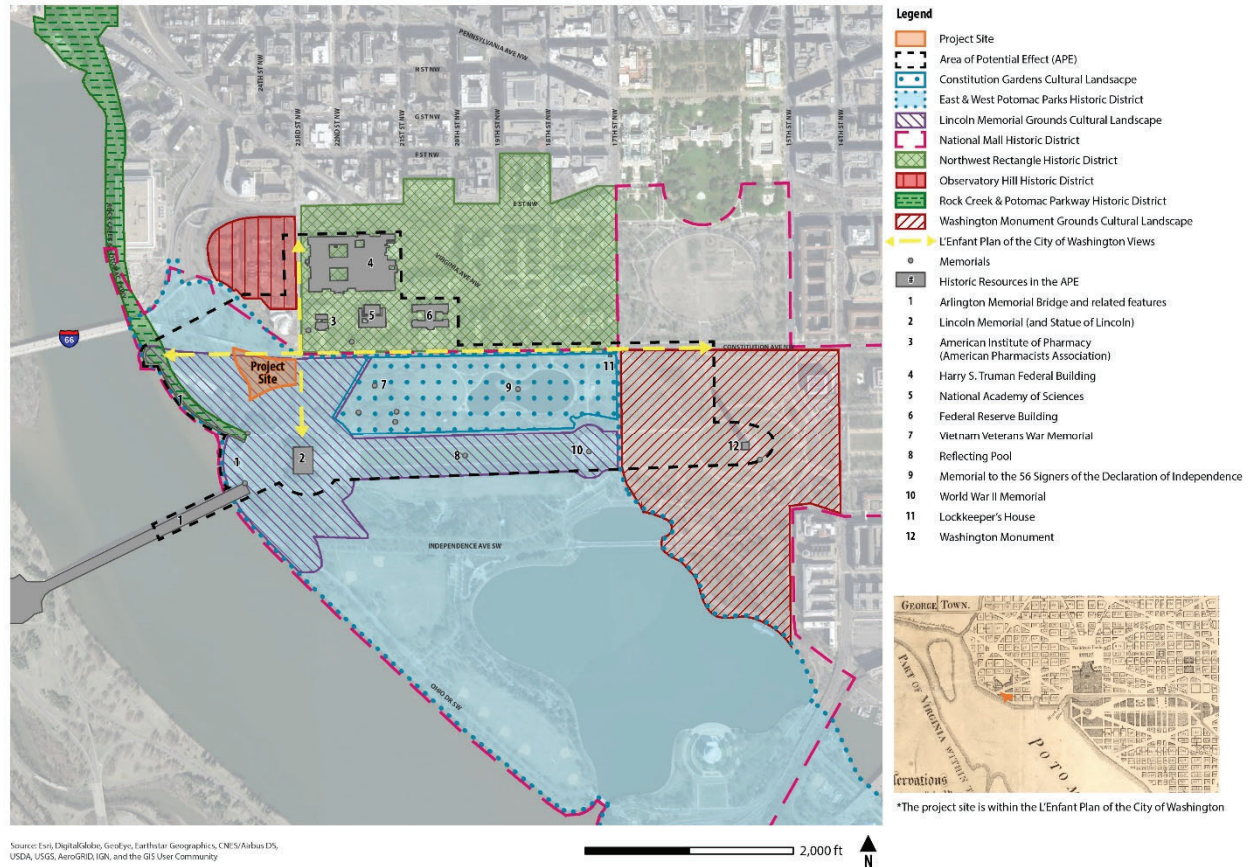
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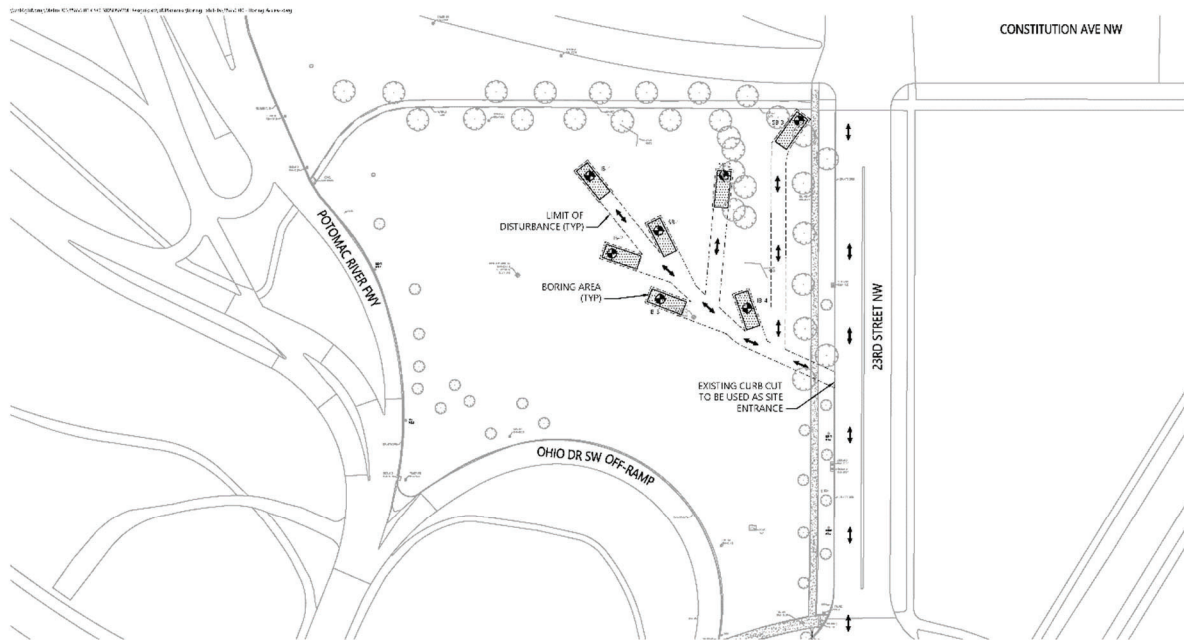
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Soil Boring Access Exhibit NDSDSWM 23rd Street & Consitution Ave

Source:
Prepared for: DCKA, DDEE, NPS
Date: May 2, 2022



APPENDIX D: SECTION 7 IPAC COORDINATION



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127



In Reply Refer To:

July 11, 2022

Project Code: 2022-0062136

Project Name: National Desert Storm and Desert Shield Memorial

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Project Code: 2022-0062136

Event Code: None

Project Name: National Desert Storm and Desert Shield Memorial

Project Type: New Constr - Above Ground

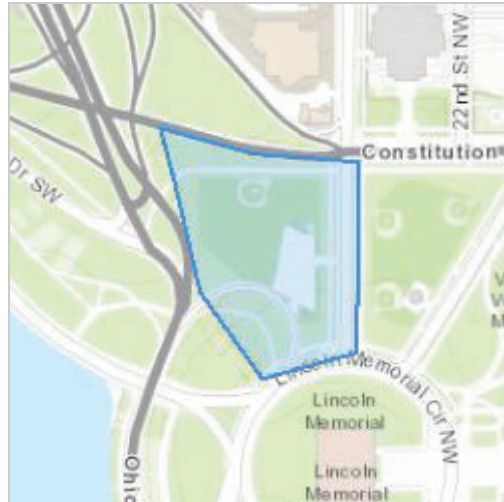
Project Description: The proposed project would establish a new memorial at the southwest intersection of Constitution Avenue and 23rd Street. The approximately one-acre memorial employs a landscape-based approach, using sloped berms to enclose a memorial featuring two walls: one wall approximately 240 feet in length and an average height of 4.5 feet (maximum height of approximately 6.5 feet) and another wall approximately 165 feet in length and an average height of approximately four feet (maximum height of approximately six feet). The interior enclosure provided by the walls would contain a central commemorative element, vegetated berms, and seating. The proposed project would also include accessible entrances along both Constitution Avenue and 23rd Street, new lighting, replacement of approximately three street trees along Constitution Avenue and 23rd Street, and alteration of topography to incorporate flood control systems.

The proposed project would remove approximately five trees outside the allées and approximately 15,250 square feet of turf. The memorial would also replace the existing delineated ball field and backstop with turf open space. The southwest portion of the site would accommodate informal ball games through the placement of the memorial in the northwest corner of the site.

Outside the new memorial, but within the project site, one additional tree along 23rd Street and nine trees along Lincoln Circle would be planted, consistent with the implemented historic planting plan for the grass panel.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.8911873,-77.0509905816011,14z>



Counties: District of Columbia County, District of Columbia

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> Projects with a federal nexus that have tree clearing = to or > 15 acres: 1. REQUEST A SPECIES LIST 2. NEXT STEP: EVALUATE DETERMINATION KEYS 3. SELECT EVALUATE under the Northern Long-Eared Bat (NLEB) Consultation and 4(d) Rule Consistency key Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> The monarch is a candidate species and not yet listed or proposed for listing. There are generally no section 7 requirements for candidate species (FAQ found here: https://www.fws.gov/savethemonarch/FAQ-Section7.html). Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPaC User Contact Information

Agency: AECOM

Name: Lauren Tuttle

Address: 2000 K Street NW, Suite 800

City: Washington

State: DC

Zip: 20006

Email: lauren.tuttle@aecom.com

Phone: 2027720668
