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NCPC FILE No. 6863

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Mr. Glenn DeMarr
Project Manager
Office of Lands, Resources and Planning
National Capital Region
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

Re: Document I.D. 22874 Memorial to Victims of Ukrainian Manmade Famine Environmental Assessment

Dear Mr. DeMarr:

Thank you for the opportunity to comment on the Environmental Assessment (EA) for site selection for the Memorial to Ukrainian Victims of Manmade Famine. This project has been submitted to the National Capital Planning Commission (NCPC) for site approval and is scheduled for consideration at the September 4, 2008 meeting. NCPC staff comments on the EA are set forth below. We request that you include the comments as part of the Environmental Assessment materials. These comments will be considered in NCPC staff's analysis of the two alternatives and reflected in the staff recommendation to the Commission.

Some of the comments outlined below may be addressed through later design stages. However, the project's design concept, including scale and material, has not yet been developed. (On page 2-6 the proposed memorial is described to be a "small-scale element, such as a figurative sculpture..." and "would include typical features such as an abstract or allegorical element in a landscaped setting."). Because the project's potential impacts cannot be fully assessed until the design phases, staff has identified a range of potential impacts below that should be addressed at the site selection stage. Moving forward, NCPC's procedures require that the National Park Service develop additional environmental documentation in the design phases, and pursuant to NCPC's submission guidelines, NCPC should be invited to participate as a consulting party (see NCPC Submission Guidelines, Environmental and Historic Preservation Policies, Section 4). NCPC will review concept, preliminary and final design submissions.

Alternative A: New Jersey Avenue Site, Reservation 196

The following should be taken into account when considering Reservation 196 for this memorial project:

1. EA page 3-1. The site is “an undeveloped, open, landscaped parcel...One large, mature oak tree anchors the parcel and is surrounded by a mix of flowers, grass, and shrubs...The site is situated in front of the National Association of Realtors (NAR) headquarters building...”

NCPC Comment: The northern portion of the site is currently landscaped and maintained as a garden. This park is part of a successful open space program which also includes several elements south of the Reservation: an outdoor public seating area, water feature, private outdoor dining area, restaurant and coffee shop. Any memorial design that would significantly modify this garden may result in impacts that need to be mitigated.

The National Park Service (NPS) has entered into a maintenance agreement with the National Association of Realtors (NAR) for Reservation 196 whereby NAR has improved and maintains the site. According to Section C, conversion of the site to a monument or memorial would constitute a default of the agreement. Management of the site should be addressed as the design phase proceeds. For more information, see National Park Service and National Association Agreement for Reservation 196 of October 23, 2003.

2. EA page 4-1. Selection of this site would “transform the triangular parcel into a landscaped commemorative space. Creating a point of interest for visitors on the site would improve the open space and encourage visitors to admire the Memorial while offering them a place of contemplation. Selection of the site for future placement of the proposed Memorial would result in a slight positive impact...”

EA page 4-7. “It is expected that the Memorial would be located near the center of the landscaped parcel.”

NCPC Comment: The reservation is part of a successful open space program currently, as outlined above. With the location of new office buildings and tenants, this area along New Jersey Avenue NW has experienced substantial revitalization over the last ten years; however, other uses that generate much-needed vibrancy, such as restaurants, retail, cultural attractions and green spaces, have yet to be established at significant levels. Based on the *District Elements of the Comprehensive Plan* (see Central Washington Area Element), this neighborhood, called Downtown East, Judiciary Square, “suffers from a weak sense of identity...and contains a large number of parking lots, curb cuts, and buildings that are devoid of ground level activity” (16.35). The small nucleus of activity which includes Reservation 196 is one of the exceptions. It offers residents, visitors and employees a unique amenity for the neighborhood.

Thus, a memorial could negatively impact the reservation and the surrounding area, depending on the success with which the memorial design relates to the reservation’s existing conditions

and its surroundings. The placement of the memorial within the site should support the continued success of these limited amenities, which may require locating it at the far north of the site or along the reservation's east or west edges toward the north end of the site. A memorial at this location should include significant amounts of vegetation rather than hardscape.

3. EA page 4-13. "It is expected that the one existing mature oak tree located towards the rear and center of the site would be undisturbed by placement of the Memorial...The design and construction of the proposed Memorial will include efforts to retain as much current vegetation as is possible to minimize disturbance."

NCPC Comment: Preservation of the oak tree is critical to the success of this site. It provides shade and may serve as a meaningful transition element between a future memorial and the public, active uses to the south of the site (outdoor seating area, etc.). Where possible, NCPC supports the conservation of trees and other vegetation, as outlined in the Federal Elements of the Comprehensive Plan (see Parks and Open Space). Retention of the flowers, plantings and other vegetation, or their replacement in kind, is also important for the success of the site and the success of the area, where there are few gardens and active green spaces. These considerations should be taken into account in the selection of site and the development of mitigation measures for any memorial design for the site.

Alternative B: Massachusetts Avenue Site, Reservation 78

The following should be taken into account when considering Reservation 78 for this memorial project:

4. EA page 3-1. Land Use (description of site)

EA page 4-1. Land Use Impacts (description of site)

NCPC Comment: This site has a visible relationship to the small, historic commercial building at its western edge, currently leased as a SunTrust Bank. As a matter of urban design, it may be challenging to successfully design a memorial on the Reservation which integrates the site's apex with this small historic building and with the rest of the block. In addition, given the nature of this memorial's purpose, it will be difficult to meet the applicant's goal to design a contemplative space in such a highly trafficked, visible site. This site may be more appropriate for a memorial that can connect to its surroundings both thematically (subject matter) and through integration of design.

In addition, this site is important as the first reservation west of Union Station. It is a significant entrance point from Union Station to Northwest DC through Massachusetts Avenue and may be more appropriate for a memorial that recognizes an American rather than international theme.

5. EA page 4-2. “Selection of the Massachusetts Avenue Site would...transform the underutilized triangular parcel into a landscaped commemorative space. The site is currently an undeveloped, open grassy parcel available for passive recreation. Creating a point of interest for visitors on the site would improve the open space, which is currently lacking any defining characteristics. The addition of commemorative elements would improve the space and encourage visitors to admire the Memorial while offering them a place of contemplation. Selection of the site for the future placement of the proposed Memorial would result in a positive impact on the site.”

NCPC Comment: This site may be improved by the addition of a memorial and also maintenance and additional landscaping. However, its current expression as a flat, open green lawn emphasizes the small historic building to the west and the buildings along the rest of the block and beyond. This lawn, without development, achieves a certain effect, which may be impacted by the addition of a memorial element.

General Comments

6. EA page 3-1. “While these two potential sites are not identified in NCPC’s *Memorials and Museums Master Plan*, the characteristics of both the New Jersey Avenue and Massachusetts Avenue sites are consistent with the purpose and intent of the plan.”

NCPC Comment: Along with Reservations 77A and 77B, Reservation 196 is identified as Site #98 in the *Memorials and Museums Master Plan*. The Plan identifies an opportunity to incorporate small scale memorial elements within the identified triangular parks.

7. EA page 3-5. “Because both potential sites are under federal ownership, they are not subject to local zoning regulations. Development of federal property is under the purview of the National Capital Planning Commission, pursuant to the District of Columbia Zoning Enabling Act of 1938.”

NCPC Comment: NCPC’s approval of site is pursuant to the National Capital Planning Act, 40 U.S.C. 8722 and the Commemorative Works Act, 40 U.S.C. 8905.

8. EA page 5-3. Under the Notification List, the NAR is not identified. Given the existing contract for Reservation 196, NAR should be notified and included in discussions. Other land-owners proximate to both sites should also be notified.
9. EA page 5-3. Under the Notification List, David Levy is identified as NCPC’s Executive Director, Acting. David Levy is the Director of Urban Design and Plan Review at NCPC.

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As the project moves forward into the design phase, NCPC staff requests that NPS address the following through supplemental environmental documents and project design:

1. Potential impacts on pedestrian and vehicle circulation due to visitation (include tour buses and special events). Visitation to events in other cities where Ukrainian Famine memorials are located should be taken into account.
2. Maintenance Issues. According to the law that authorizes the memorial, the Ukrainian Government is responsible for cost of construction and maintenance. A maintenance plan for the site(s) should be addressed.

Thank you for the opportunity to comment. Should you have any questions or concerns, please call Lucy Kempf at 202-482-7257.

Sincerely,



David W. Levy, RA, AICP
Director, Urban Design and Plan Review Division

cc: Peter May
Doug Jacobs