



Smithsonian Institution

Office of General Counsel

August 10, 2010

Susan Spain, Project Executive
The National Mall Plan
National Mall & Memorial Parks
900 Ohio Drive, S.W.
Washington, DC 20024-2000

By Hand

Dear Ms. Spain,

Enclosed are the Smithsonian Institution's comments on the Final National Mall Plan and Environmental Impact Statement.

Sincerely,

A handwritten signature in black ink that reads "Farleigh Earhart". The signature is written in a cursive, flowing style.

Farleigh Earhart
Associate General Counsel

Enclosure

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Smithsonian Institution

Dr. Richard Kurin
Under Secretary for History, Art, and Culture

FINAL NATIONAL MALL PLAN AND ENVIRONMENTAL IMPACT STATEMENT

COMMENT BY THE SMITHSONIAN INSTITUTION

Thank you for the opportunity to comment on the National Mall Plan Final Environmental Impact Statement (FEIS).

The Smithsonian appreciates the National Park Service responses to our comments on the Draft Environmental Impact Statement. We are pleased that the National Park Service has committed to the scientific study and analysis required for developing a sustainable approach to balancing the vibrant civic life of the National Mall with the need to maintain the Mall's resources. We understand that the National Park Service plans to undertake two studies that will help achieve this balance: The first will develop and test standards for event production and infrastructure on the National Mall. The second will study the impact of Mall events on the elm tree panels. Each will be essential to ensuring that events are produced in a sustainable manner and that the National Mall remains as welcoming as possible. We look forward to collaborating with the National Park Service on them.

In addition to these studies, the final version of the National Mall Plan contains important provisions such as a system of tracking, data collection, and analysis that should provide the National Park Service with important information for planning. At the same time, however, it also proposes a ban on the Smithsonian's low-impact programming in the elm tree panels (pages ix, xx, 412, 418, 431, 440 and 442, among others). We are concerned that the National Mall Plan commits the National Park Service to taking an action with long term, major, and adverse impacts on Smithsonian Folklife Festival before necessary information has been gathered. We believe that this ban is premature and unfounded and we urge that the proposed studies be conducted and the results analyzed before such action is taken. Accordingly, we ask the National Park Service not to implement the ban described in the FEIS and to continue to allow low-impact programming in the elm tree panels for National Celebration Events pending the outcome of the studies described above.

We are fully supportive of the National Park Service's request for additional funding and staffing needed to maintain the National Mall at the level that this important space deserves. As the National Mall Plan notes, the Mall is currently maintained with staffing

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that is far below industry standards. Adequate resources would go a long way toward allowing the National Park Service to restore the Mall to an acceptable state.

We thank the National Park Service for the opportunity to participate in the development of the National Mall Plan. We are confident that together we can ensure a vibrant future for the National Mall.

On behalf of the Smithsonian Institution

A handwritten signature in black ink, appearing to read "John H. Garvey". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.