

**Arlington National Cemetery Monument Removal  
Consulting Party Meeting Minutes  
20 September 2023  
Virtual Meeting Hosted on Zoom**

**AGENCY ATTENDEES**

Caitlin Smith	ANMC	Cultural Resources Program Manager
Col. Andrew Wiker	ANMC	Director of Engineering
Matt Davis	ANMC	Program Analyst, G5
Rosil Saldana	ANMC	Chief of Planning and Resources
Justin Buller	Army Office of the General Counsel (OGC)	Associate Deputy General Counsel Department of the Army Office of the General Counsel
Mary Schmidt	Army HQ	Cultural Resources Program Manager Office of the Deputy Chief of Staff, G9 Environmental Division (DAIN-ISE)
Vanessa Hinkle	USACE	Deputy Army National Program Manager
Renea Yates	ANMC	Director, Office of Army Cemeteries
Charles R. Alexander, Jr., SES	ANMC	Superintendent
Becky Wardwell	ANMC	Media Chief, PAO
Maj. Sosten Rivale, JA	Army	Compliance Attorney Installation Readiness Branch, Environmental Law Division U.S. Army Legal Services Agency
Timothy Lawson	ANMC	Digital Media Manager, PAO
Kaitlin Becht	ANMC	Cultural Resources Program Intern
Jim Rzonca	ANMC	Law Enforcement
Julie Darsie	NAVFAC	Cultural Resources Program Manager
Nik Tompkins-Flagg	NAVFAC	NEPA Program Manager, NCPC/CFA Liaison

**FEDERAL CONSULTING PARTIES**

Advisory Council on Historic Preservation	Megan Borthwick	Program Analyst
National Park Service, George Washington Memorial Parkway	Megan Bailey	Acting Cultural Resources Program Manager
National Trust for Historic Preservation	Elizabeth Merritt	Deputy General Counsel
	Robert Nieweg	Sr. Vice President, Preservation Services & Outreach
National Capital Planning Commission	Lee Webb	Federal Preservation Officer
	Jamie Herr	Urban Planner
U.S Commission of Fine Arts	Carlton Hart	Senior Urban Planner
U.S. Environmental Protection Agency, Region 3	Joy Gillespie	NEPA Reviewer/Life Scientist

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**STATE HISTORIC PRESERVATION OFFICE CONSULTING PARTIES**

Florida Department of State	Ruben Acosta	Bureau Chief, Historic Preservation
	Kelly Chase	Deputy SHPO
	Alissa Lotane	SHPO
	Jon Morris	Assistant General Counsel
Louisiana Division of Historic Resources	Jennie Garcia	Architectural Historian II
Missouri State Historic Preservation Office	Jeffrey Alvey	Archaeologist
	Toni Prawl	SHPO Director
	Amy Rubingh	Archaeologist/Records Manager
South Carolina Division of Archives and History	Elizabeth Johnson	Director, Historical Services
	John Sylvest	Supervisor of Registration, Grant, and Local Government Programs
Virginia Department of Historic Resources	Robert Kirchen	Director, Review and Compliance Division

**OTHER CONSULTING PARTIES AND ATTENDEES**

American Battlefield Trust	Jim Campi	Chief Policy and Communications Officer
	Reid Clark	Government Relations Fellow
	John Fowler	Consultant
	Charles Laudner	Consultant
American Historical Association	Sarah Weicksel	Director of Research and Publications
American Institute for Conservation & Foundation for Advancement in Conservation	Katelin Lee	Outreach Manager
Americans for the Arts	Tooshar Swain	Director, Public Policy
Arlington Historical Society	Mark Benbow	Director
Charleston Athenaeum Press	Gene Kizer Jr	Historian, Publisher
Confederate Memorial Association for the District of Columbia	Richard T. Hines	Director
Defend Arlington Earth and Water Law	Jack Schewel	Board member
	Karen Bennett	Partner
Relatives of Moses Ezekiel	Judith Ezekiel	Professor emeritus
Foundation for Advancement in Conservation	Lissa Rosenthal-Yoffe	Executive Director
Friends of Judah P. Benjamin	David McCallister	Chairman
Guardians of American History	Wayde Alford	Director
Heritage Protection of North Alabama	Edwin Kennedy	Public Affairs Officer
Hood's Texas Brigade Association, Re-activated	John Stevens	Treasurer
Metropolitan Washington Council of Governments	Clark Mercer	Executive Director

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Monumental Task Committee	William Mason	Vice President
N/A	Chase Starr	
NJ flaggers	Vincent Balducci	President
Organization of American Historians	Beth English	Executive Director
Politicalite	Patty Saffran	Contributor
Preservation Virginia	Elizabeth Kostelny	CEO
Save Southern Heritage	James Shillinglaw	US Navy, Retired Save Southern Heritage Florida Chapter
SCV Maryland Division	Terry Klima	Commander
Society for the Preservation of Jewish Civil War History	LM Siegel	Volunteer
Sons of Confederate Veterans	H. Edward Phillips III	National Public Affairs Officer
Southern Legal Resource Center, Inc.	Kirk D. Lyons	Director
Tennessee Division-Sons of Confederate Veterans	Mark Buchanan	Heritage Defense Chairman
The Virginia Council	Ann McLean	Director of Education and Preservation Coalitions
United Daughters of the Confederacy	Jinny Widowski	President General
Veterans Defending Arlington	Lt Col John Coffindaffer	Alternate Lead standing in for H.K. Edgerton
Virginia Division SCV	Robert Floyd	Assistant Heritage Director
Virginia Military Institute	Kimberly Parker	Governmental Relations Director
VMI	Keith Gibson	Preservation Officer/ Museum Director
Yale University	David Blight	Professor of History

**1. Introductions**

- a. Col. Wiker, ANMC Director of Engineering, and Caitlin Smith, ANMC Cultural Resources Program Manager
- b. Consulting Parties in Attendance

**2. Roles and Rights of Consulting Parties**

- a. Criteria to be a Consulting Party for this undertaking
- b. Types of Consulting Parties: Entitled, Invited Signatories, Concurring
  - i. Entitled: Have sole authority to execute, amend or terminate any agreement between the parties.
  - ii. Invited Signatories: Have the same rights to seeking amendment or termination of the agreement document as other signatories.
  - iii. Concurring: These do not have the rights of signatories and include all other consulting parties.
- c. Rights of Consulting Parties: Share their views; receive and review pertinent information/documentation to support consultation; offer ideas; consider possible solutions together with ANMC and other consulting parties.

### **3. Project Description**

For the removal of a monument that commemorates the Confederate States of America from Arlington National Cemetery (ANC). The Army National Military Cemeteries (ANMC) is mandated by Congress to remove the bronze elements of the Memorial by January 1, 2024. The granite base and foundation will remain in place to minimize the risk of inadvertent disturbance to graves.

### **4. Overview of NEPA and Preparation of EIS**

ANMC is analyzing the environmental impacts that could result from implementing the proposed action or any reasonable alternatives. The agency does this by developing an Environmental Impact Statement, also referred to as an "EIS", for the project. In this case, the impacts are related to: 1) the decision to remove the bronze elements; 2) the disassembly of the bronze elements from the stone base, and 3) the storage of the bronze elements. ANMC is currently in the process of developing a Draft EIS.

### **5. NHPA Section 106 Process**

ANMC determined the monument removal to be a federal undertaking with the potential to cause adverse effects. ANMC first initiated consultation with the Virginia Department of Historic Resources (DHR) and Advisory Council on Historic Preservation. ANMC has invited potential consulting parties to the Section 106 process.

ANMC has initiated the second and third steps of the process: identification of historic properties and assessment of effects. Ms. Smith stressed the importance of the Section 106 process as an important component of the NEPA EIS and that the process will feed information on impacts to cultural resources into the environmental impact statement. ANMC is working these two compliance procedures in conjunction with one another.

### **6. Identification of Historic Properties**

Currently in the second step of the Section 106 process. Discussion of the Area of Potential Effects (APE). The original APE was concurred upon by DHR, however, in response to comments received from consulting parties and the public during the scoping period and the first consulting party meeting it was requested to redefine the APE and expand it to include a wider area. ANMC has determined that there are two APEs: one for direct effects and one for indirect effects. The direct effects APE uses the original APE radius around the Confederate Monument -- a map was provided in the slide presentation. The indirect effects APE includes the entire area within the boundaries of the Arlington National Cemetery Historic District.

Ms. Smith listed all eligible or listed National Register Historic Properties within or adjacent to the APEs: Arlington National Cemetery Historic District, Arlington House Historic District, Fort Myer Historic District, and the Confederate Memorial was recently determined individually eligible. The slide presentation provided a detailed list of resources that the Confederate Memorial is visible to and from.

**7. Meeting Purpose**

Mr. Buller, Associate Deputy General Counsel, Department of the Army, Office of the General Counsel, made a few comments on the purpose of the meeting. These comments were to state that the focus of the meeting was not to discuss opposition to the removal of the monument or support for its removal because that decision had already been made. Further, Mr. Buller stressed that disposition is not part of this discussion and is not up for discussion at this time but will be at a later date.

**8. Consulting Parties Comments #1**

Ms. Smith requested the attending consulting parties to provide their comments on the following question: if you do NOT concur with the APE or list of historic properties how would you or your organization redefine the APE or which historic properties do you feel must be included in our analysis of effects?

A variety of comments were made on the APE both verbally and within the chat box. The majority of the commentors stated their disapproval of the APE and asked that the APE be extended to include anywhere from the entire Washington Monumental Corridor, the MacMillan Olmstead Plan, to the states listed on the Monument, the entire United States, or the entire world.

**9. Assessment of Effects**

Ms. Smith discussed the next step of the Section 106 Process: Assessment of Effects, by first explaining what an adverse effect is.

ANMC has determined that the proposed removal and storage of the Confederate Memorial will cause or have the potential to cause adverse effects on the could potentially result in **adverse effects** on the characteristics that qualify the Confederate Memorial for individual listing in the National Register of Historic Places, and should result in **adverse effects** on the characteristics that qualify the Arlington National Cemetery Historic District for individual listing in the National Register of Historic Places.

**10. Consulting Parties Comments #2**

Ms. Smith requested comments from the consulting parties if they believe there are effects to historic properties that have been previously identified in addition to the Confederate Memorial and the Arlington National Cemetery Historic District? Ms. Smith stressed that ANMC was only seeking comments on effects of the disassembly and storage of the bronze elements of the Memorial.

Commentors covered a variety of themes including that the removal of the monument would:

- a. desecrate the cemetery/graves
- b. be disrespectful to Confederates and/or their descendants
- c. remove an important piece of art
- d. set a precedent
- e. have a positive effect because the Monument promotes false narratives

**11. Next Steps**

ANMC concludes the meeting with a review of the next steps. This includes a revised APE and list of identified historic properties to DHR plus an assessment of effects on historic properties. Subsequent consulting party meetings will be held including meetings with smaller groups to discuss resolution of effects.