



November 15, 2021

Ms. Sharon Park  
Federal Preservation Officer  
Smithsonian Institution  
600 Maryland Avenue SW, Suite 5001  
Washington DC, 20024

Ref: *Hirshhorn Sculpture Garden Revitalization Project*  
*Washington, District of Columbia*  
*ACHP Project Number: 15554*

Dear Ms. Park:

Enclosed is your copy of the fully executed Section 106 agreement (Agreement) for the referenced undertaking. By carrying out the terms of the Agreement, the Smithsonian Institution (Smithsonian) will fulfill its responsibilities under Section 106 of the National Historic Preservation Act (NHPA) and the regulations of the Advisory Council on Historic Preservation (ACHP), "Protection of Historic Properties" (36 CFR Part 800). Please ensure that all consulting parties are provided a copy of the executed Agreement in accordance with 36 CFR 800.6(c)(9). The original Agreement will remain on file at our office.

In executing the Agreement, we considered the process that the Smithsonian utilized to develop the final alternative and mitigation package. While some consulting parties have expressed concerns that the Smithsonian did not address all possible adverse effects of the undertaking on historic properties, the Smithsonian appears to have made a reasonable and good faith effort to consider effects to historic properties from the undertaking and to develop alternatives that address such effects in developing a final design that balances the Smithsonian's program needs with historic preservation values. Design preferences may vary, and the Section 106 process emphasizes seeking agreement where feasible. The ACHP believes the Smithsonian has made reasonable efforts to consider and integrate comments of the consulting parties in arriving at the terms of this Agreement, which reflects an appropriate outcome under Section 106.

If we may be of further assistance as the Agreement is implemented, please contact me at (202) 517-0219 or by e-mail at [jloichinger@achp.gov](mailto:jloichinger@achp.gov) and reference the ACHP Project Number above.

Sincerely,

Jaime Loichinger  
Assistant Director  
Federal Permitting, Licensing and Assistance Section  
Office of Federal Agency Programs

Enclosure