



United States Department of the Interior

NATIONAL PARK SERVICE

National Capital Region

1100 Ohio Drive, S.W.

Washington, D.C. 20242

AUG 26 2010

IN REPLY REFER TO:

D20 (NCR-LRP)

Mr. David Maloney, D.C. State Historic
Preservation Officer
D.C. State Historic Preservation Office
1100 4th Street, S.W., Suite E650
Washington, D.C. 20024

Dear Mr. Maloney:

The National Park Service (NPS), pursuant to the terms of the August 25, 2008 Memorandum of Agreement (MOA) regarding the Establishment of the Martin Luther King, Jr. Memorial, wishes to provide a status report (Stipulation 4) and to notify consulting parties about a proposed modification to the public bench seating in the memorial plaza (Stipulation 1).

The NPS granted the Washington, D.C. Martin Luther King, Jr. National Memorial Project Foundation, Inc. (Foundation) a construction permit on October 29, 2009. Since that time, construction of the memorial project has begun in accordance with the approved design. The memorial foundations have been completed and portions of the memorial's structural wall and plaza surface have been installed. Stone sections of the Mountain of Despair and the Stone of Hope are currently scheduled to arrive at the memorial site later this fall.

On July 14, 2010, the Foundation finalized their response to a request that the NPS made in 2008 to modify the public bench seating spaces within the memorial plaza in order to comply with the standards of the American with Disabilities Act and the Architectural Barriers Act Accessibility Standards for assembly areas, which requires that a proportionate number of handicapped seating spaces be provided within the memorial outside of the route of circulation. The details of the proposed bench modification are shown in the enclosed drawings.

By this letter and enclosure, the NPS seeks to inform you of this proposed modification. The NPS has reviewed the modification and believes that it does not result in a new adverse effect to historic properties or the intensification of a known adverse effect that has already been considered pursuant to the MOA. The NPS will notify the Section 106 consulting parties regarding the proposal and post a copy of this letter and accompanying materials to the NPS Planning, Environment and Public Engagement (PEPC) website @ www.parkplanning.nps.gov for a 14-day review and comment period per Stipulation 1. (a) ii. The proposed modification

will also be submitted to the Commission of Fine Arts and the National Capital Planning Commission for their consideration.

If you have questions, please do not hesitate to contact me or Glenn DeMarr, Project Manager for Lands, Resources and Planning at (202) 619-7027.

Sincerely,

sgd. Peter May

Peter May
Associate Regional Director
Lands, Resources and Planning

Enclosure

Same letter to:

*John M. Fowler, Executive Director
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, N.W., Suite 803
Washington, D.C. 20004*