



RICKENBACKER
INTERNATIONAL AIRPORT

ENVIRONMENTAL ASSESSMENT

APPENDIX E

MEMORANDUM OF AGREEMENT

**BETWEEN
THE FEDERAL AVIATION ADMINISTRATION (FAA), THE COLUMBUS
REGIONAL AIRPORT AUTHORITY (CRAA), AND THE OHIO STATE HISTORIC
PRESERVATION OFFICE (SHPO)
FOR IMPLEMENTING
SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR
THE PROPOSED HANGAR REMOVAL AND NEW AIR CARGO FACILITY
PROJECT**

**RICKENBACKER INTERNATIONAL AIRPORT
COLUMBUS, FRANKLIN COUNTY, OHIO**

WHEREAS, as part of the Section 106 of the National Historic Preservation Act (NHPA) consultation process, this Memorandum of Agreement (MOA) was developed, pursuant to 36 CFR 800.6(c), to govern the resolution of adverse effects on historic properties associated with the proposed Undertaking, as described below, and fulfillment of the signatories' responsibilities under Section 106; and

WHEREAS, the FAA is preparing an Environmental Assessment in accordance with FAA Order 5050.4B and FAA Order 1050.1F to disclose the potential impacts of the proposed improvements; and

WHEREAS, the FAA and CRAA have consulted with the SHPO pursuant to the provision of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470(f)) and implementing regulations at 36 C.F.R. Part 800; and

WHEREAS, the FAA and SHPO agreed to a combined review of this project pursuant to 36 C.F.R. § Part 800.8; and copies of all environmental documents and findings were made available for public review; and

WHEREAS, the FAA and CRAA have consulted with the City of Columbus (COC) Historic Preservation Officer, the Columbus Historical Society, the Columbus Landmarks Foundation, the Franklin County Genealogical and Historical Society, Heritage Ohio, Preservation Ohio, and the Ohio Archaeological Council, concerning the effects of the removal of the hangars, and invited them to concur in this agreement; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), FAA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

WHEREAS, the CRAA, in consultation with the FAA and SHPO, has determined that it is not feasible to incorporate the hangars into the public improvement primarily due to the project development needs and existing operational safety hazards, and that removal of the historic hangars is necessary for construction of the new air cargo facility.

NOW, THEREFORE, the FAA, CRAA, and the SHPO (Signatories); are parties to this MOA, agree that the proposed Undertaking shall be carried out in accordance with the following stipulations in order to take into account the adverse effect of the proposed Undertaking on the historic hangars.

STIPULATIONS

If the FAA issues a determination approving the proposed Undertaking as described in the Environmental Assessment, the FAA will ensure that the following mitigation measures are carried out:

I. APPLICABILITY

This MOA establishes procedures for consultation and coordination among the FAA, the SHPO, and the CRAA for compliance with Section 106 of the NHPA regarding the proposed Undertaking. This MOA also establishes the mitigation measures that must be completed to resolve the adverse effects of the proposed Undertaking.

Completion of the procedures and mitigation measures in this MOA resolves the adverse effects associated with the proposed Undertaking and satisfies FAA's Section 106 responsibilities with respect to the proposed Undertaking.

II. INTERIM MAINTENANCE

The CRAA will use its standard procedures to protect the airport operations from Foreign Object Debris (FOD) caused by the hangars until such time as the buildings are removed.

III. RECORDATION

The parties acknowledge that the CRAA has completed a Section 106 Review recordation of the property according to the scope of service prepared by ASC Group, Inc. dated February 9, 2022, as a necessary precondition to proceeding with the removal of the buildings on the property contemplated pursuant to this agreement. A copy of said Section 106 Review recordation is included as Exhibit A and by reference made a part of this agreement.

IV. MITIGATION MEASURES

In recognition of the demolition of the NRHP eligible hangars, the mitigation measures listed below fully resolve the adverse effects of the proposed Undertaking.

A. PHOTOGRAPHIC RECORD

- i. Prior to the demolition of the two (2) historic hangars, the CRAA will create a photographic record, 15-20 images, of the hangars in accordance with the National Register Photo Policy Standards. The SHPO will consult on the selection of images to be printed for archival purposes.
- ii. The CRAA will contract with a historic preservation specialist to create a photographic record of the existing hangar facilities with a high-resolution digital camera in accordance with the National Register Photo Policy

Standards. The views of the photographs include general environment, front facade, front and rear perspective views, typical windows, and exterior and interior views. The initial photographs will be submitted to the SHPO for review. The SHPO will consult on the selection of images to be printed for archival purposes and provide final approval within thirty (30) calendar days of submittal of the photographs.

- iii. Upon final approval of the images to be archived by the SHPO, the CRAA will print one set of images as 8 inches by 10 inches black and white photographs on photo paper. The final photo submissions will include the photographs labeled on the back. The final printed photographs will be submitted to the SHPO.
- iv. The CRAA will provide an archival flash drive with the original .JPG images, photo key, and map documenting the location and direction of each photo all of which meet the National Register Photo Policy Standards to the FAA and the SHPO.
- v. The CRAA and the SHPO will be the repository for this information.
- vi. The photographic record may be submitted in advance of the remaining mitigation measures. After the SHPO provides written notification accepting the physical copies of the images, demolition of the existing hangars can proceed.

V. DURATION

This MOA shall be null and void if its stipulations are not carried out with five (5) years from the date of its execution. Prior to such time, the CRAA may consult with the other signatories to reconsider the terms of the MOA and amend or extend it if the Undertakings have not been implemented. In such event, the CRAA will notify the signatories to this MOA and if the CRAA chooses to continue with the proposed removal of the buildings, the CRAA shall resume consultation for the removal in accordance with 36 C.F.R. Part 800.

VI. AMENDMENTS

This Memorandum of Agreement (MOA) may be amended when such an amendment is agreed to in writing by all signatories (FAA, CRAA, and SHPO) (36 C.F.R. § 800.6(c)(7)). The amendment will be effective on the date a copy signed by all the signatories is signed.

VII. POST-REVIEW DISCOVERIES

If items which may contain historical significance or if additional history properties or unanticipated effects on the history property are discovered (36 C.F.R. § 800.6(c)(6)), the CRAA shall notify the SHPO of the discovery and consult with the OHPO pursuant to 36 C.F.R. Part 800.

VIII. TERMINATION

- A. If any signatory to this MOA determines that its terms will not, or cannot be carried out, that signatory shall immediately consult with the other signatories to attempt to develop an amendment as defined above. If within thirty (30) calendar days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.
- B. Once the MOA is terminated, and prior to work continuing on the proposed Undertaking, the CRAA must execute an MOA pursuant to 36 C.F.R. § 800.6.

IX. SIGNATORIES

Execution of this MOA by the FAA, CRAA, and the SHPO and completion of the above stipulations by the CRAA, evidences that the CRAA has taken into account the effects of the Undertakings on historic properties and satisfied any and all Federal or State mitigation requirements of any nature for the proposed project in the FONSI/ROD.

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MEMORANDUM OF AGREEMENT

Signatory: FEDERAL AVIATION ADMINISTRATION

By: _____ Date: _____

John Mayfield Manager, Detroit Airports District Office, Federal Aviation Administration

Signatory: OHIO STATE HISTORIC PRESERVATION OFFICE

By: _____ Date: _____

Diana Welling, Department Head & Deputy State Historic Preservation Officer for Resource Protection & Review, Ohio State Historic Preservation Office

Signatory: COLUMBUS REGIONAL AIRPORT AUTHORITY

By: _____ Date: _____

Elaine Roberts, President and Chief Executive Officer, Columbus Regional Airport Authority

MEMORANDUM OF AGREEMENT

CONCURRING

By: _____ Date: _____

Frank Quinn, Director of Preservation, Heritage Ohio

CONCURRING

By: _____ Date: _____

Ed Lentz, Executive Director, Columbus Landmarks Foundation

CONCURRING

By: _____ Date: _____

Marian Vance, Preservation Ohio

CONCURRING

By: _____ Date: _____

Columbus Historical Society

CONCURRING

By: _____ Date: _____

Historic Resources Commission

CONCURRING

By: _____ Date: _____

Franklin County Genealogical and Historical Society

CONCURRING

By: _____ Date: _____

Ohio Archaeological Council

DRAFT

Attachment 1:

EXHIBIT A – SECTION 106 REVIEW

DRAFT