

APPENDIX A: CONSULTATION

The following documents are included herein :

March 2006 – Memorandum of Agreement – NPS and NYSHPO regarding the Adaptive Reuse of Hangers 5, 6, 7, and 8 at Floyd Bennett Field.

January 18, 2006 Letter from NPS to Ruth Pierpont, Director, Historic Preservation Field Services Bureau.

Dec. 19, 2005 letter from NYS Office of Parks, Recreation & Historic Preservation to J. Hnedak, NPS.

December 20, 2005 – Memorandum of Agreement – NPS and NYSHPO regarding the Removal of the Sewage Treatment Plant and Former Base Laundry at Floyd Bennett Field.

July 29, 2005 letter from NYS Office of Parks, Recreation & Historic Preservation to J. Hnedak, NPS.

October 27, 2004 letter from NYS Office of Parks, Recreation & Historic Preservation to P. McCarthy, NPS.

August 18, 2003 letter from NYS Office of Parks, Recreation & Historic Preservation to K. Soller, NPS.

July 2003 – Memorandum of Agreement – NPS and NYS HPO.

MEMORANDUM OF AGREEMENT
BETWEEN
THE NATIONAL PARK SERVICE,
AND THE
NEW YORK STATE HISTORIC PRESERVATION OFFICE
REGARDING
THE ADAPTIVE REUSE OF HANGARS 5, 6, 7, 8
FLOYD BENNETT FIELD, BROOKLYN, KINGS COUNTY

WHEREAS, The National Park Service (NPS) has assigned Hangars 5, 6, 7, and 8 at Floyd Bennett Field, contributing elements of the Floyd Bennett Field Historic District listed on the National Register of Historic Places, to a private developer to rehabilitate these structures for a new use under a concessions contract; and

WHEREAS, Aviator Sports, the developer/concessionaire, has proposed to rehabilitate these hangars to serve as a sports and entertainment complex; and

WHEREAS, a new addition will be constructed connecting the hangars to provide additional function space; and

WHEREAS, plans for this project have changed substantially from the time of the original Memorandum of Agreement (MOA) governing the project (August 11, 2003) and subsequent modification (October 27, 2004), including treatments and additions to the surrounding landscape; and

WHEREAS, the New York State Historic Preservation Office has reviewed and accepted the October 27, 2004 plan revisions; and

WHEREAS, Aviator Sports, the developer/concessionaire, has proposed modifications to the revised plans accepted by the NYSHPO on October 27, 2004; and

WHEREAS, the proposed changes are detailed in *Aviator Sports and Recreation Design and Development Issues, October 7, 2005*; a copy of which was forwarded to the NY SHPO on November 17, 2005; and

WHEREAS, the proposed changes include the replacement in-kind of the eight spandrel panels within the hangar complex which have been determined to be deteriorated beyond repair; the resurfacing of the concrete apron adjacent to hangars 7 and 8 to be used as an outdoor recreation field that will accommodate various sports fields and an outdoor running track; the installation of fencing, lighting, and non-permanent seating and shade structures on outdoor recreation field; and the construction of a co-generation plant along Flatbush Avenue; and

WHEREAS, it has been determined that the project will have an Adverse Effect upon the features and characteristics that qualify Floyd Bennett Field for listing on the National Register of Historic Places, namely by infilling the space between hangars 5, 6, 7 and 8 that served as a staging area and access way, and by the addition of new elements into the historic scene; and

WHEREAS, all prudent and feasible alternatives to this infill have been considered but none have been found to meet the needs and program requirements of the project and the developer/concessionaire.

NOW THEREFORE, The National Park Service and the New York State Historic Preservation Office (NYSHPO), agree that the project shall be implemented in accordance with the following stipulations in order to take into account the effect of the project on historic properties.

STIPULATIONS

The National Park Service will ensure that the following measures are carried out:

1. The work will be carried out in accordance with plans numbered A-4 through A-7, dated 9/30/04 and A-8 through A-10 dated 6/18/03. Plans A-8 through A-10 depicts roofing connection details as agreed upon to create careful, reversible connections between the exiting construction and the new construction.
2. Design plans arising from the concepts described in *Aviator Sports and Recreation Design and Development Issues, October 7, 2005* will be forwarded to the SHPO for review and comment at the preliminary and pre-final stages of development.
3. The playing fields described in *Aviator Sports and Recreation Design and Development Issues, October 7, 2005* will be relocated from 250 feet to the north, and the existing pavement in the intervening area restored, to facilitate a better understanding of the historic setting of the hangars both from the northern approaches to the complex and from within the complex itself.
4. The eight deteriorated panels will be replaced in-kind. Existing copper sheathing will remain in place behind new sheathing, existing moldings, roundels and other articulation will be fabricated to match the existing, and the existing winged medallions will be carefully removed, restored, and replaced atop the new sheathing.
5. The rehabilitated spandrel panels will be painted in a historically appropriate manner.
6. The historic light tower and contributing buildings 120 and 129 will be restored on their exteriors. Design plans shall be developed in consultation with SHPO and submitted at the preliminary and pre-final completion stages for SHPO review and comment.
7. The NPS will prepare an amended National Register of Historic Places nomination for Floyd Bennett Field to encompass the resources of World War II significance. The nomination shall be developed in consultation with SHPO to

determine boundaries, periods of significance, areas of significance, and a list of contributing and non-contributing resources.

8. The NPS will undertake an update of the Jamaica Bay Unit's List of Classified Structures which will include a thorough survey and determination of eligibility for listing on the National Register of Historic Places of all properties located within the Jamaica Bay Unit. This report shall be submitted to SHPO for review and comment at the draft and final stages.
9. The NPS will prepare a Cultural Landscape Report for the entire, expanded Floyd Bennett Field historic district. This report shall be submitted to SHPO for review and comment at the draft and final stages.
10. The NPS will produce a comprehensive plan for the use of structures of World War II significance. This plan shall be submitted to SHPO for review and comment at the draft and final stages.
11. The NPS will consult with the SHPO on this plan, and will take no further action on any of World War II period structures beyond that which has already been approved by the SHPO, until the plan is concurred-in and in place.
12. The NPS will work with Aviator Sports, Inc. to plan and produce a robust exhibit package on a wide range of relevant subjects, including the structural evolution of the field, for use within the Hangar complex and elsewhere within and outside the park.

DISPUTE RESOLUTION:

Should the New York SHPO, member of the public or other interested party object within the 30 days to any plans provided for review or action proposed pursuant to this agreement, the National Park Service shall consult with the objecting party to resolve the objection. If the National Park Service determines that the objection cannot be resolved, the National Park Service shall request the comments of the Advisory Council for Preservation pursuant to 36 CFR 800.6(c)(2) with reference only to the subject of dispute; the National Park Service responsibility to carry out all actions under this agreement that are not subjects of the dispute shall remain unchanged.

AMENDMENT OF AGREEMENT:

The Agreement may be modified by amendment at any time by mutual concurrence of all parties. Amendment of the Agreement as necessary shall be accomplished in the same manner as the original Agreement. Amendments will be in writing and approved by the original signatories or their designated official.

TERMINATION:

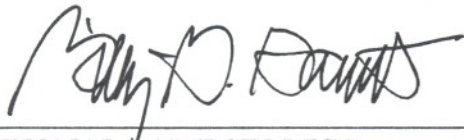
Either party to this Agreement may terminate it by providing thirty (30) calendar days notice to the other party, provided that the parties will consult during the period prior to termination to seek agreements on amendments or other actions that would avoid

termination. In the event of termination by the NYSHPO, the NPS shall request comments of the ACHP in accordance with 36 CFR Part 800.7[a].

REPORTING:

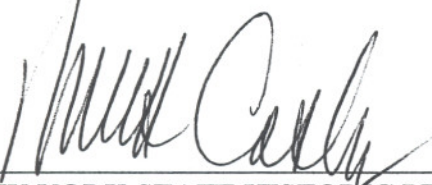
Within ninety (90) days after carrying out the terms of this Agreement, the NPS shall provide a written report to the NYSHPO as to the actions taken to fulfill the terms of this Agreement.

Execution of the Memorandum of Agreement by the National Park Service and the New York SHPO, and the implementation of its terms evidence that the National Park Service has taken into account the effects of the undertaking on historic properties.



NATIONAL PARK SERVICE

DATE 03/21/06



NEW YORK STATE HISTORIC PRESERVATION OFFICE

DATE 03/27/06



United States Department of the Interior

NATIONAL PARK SERVICE

Gateway National Recreation Area

Headquarters Building 69

Floyd Bennett Field

Brooklyn, N. Y. 11234

IN REPLY REFER TO:

H4217 (GATE-JBU)

January 18, 2006

Ms. Ruth Pierpont
Director, Historic Preservation Field Services Bureau
Peebles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Reference: NYSHPO # 03PR02850 Section 106 Compliance, Jamaica Bay Unit,
Gateway National Recreation Area: Adaptive Reuse of Hangars 5, 6, 7, and
8 at Floyd Bennett Field, Brooklyn, Kings County.

Dear Ms. Pierpont:

Enclosed for your review and comment is a Draft Memorandum of Agreement (MOA) between the National Park Service (NPS) and the New York State Historic Preservation Office (NYSHPO) regarding the above-mentioned project. This MOA will supersede the MOA between the NPS and NYSHPO dated Aug 11, 2003. We believe that the proposed changes and modifications to plans for this project necessitate a new agreement. The proposed changes will modify the plans by John Ciardullo and Associates, dated September 30, 2004 and previously reviewed and accepted by your office on October 27, 2004. A copy of the NYSHPO acceptance letter is enclosed.

The proposed changes and modifications are detailed in the *Aviator Sports and Recreation Design and Development Issues, October 7, 2005*. A copy of the *Design and Development Issues* was forwarded to your office on November 17, 2005.

Project changes include:

- Replacement in-kind of all eight spandrel panels above the hangar door openings, which have been determined to be deteriorated beyond repair. Photos of the deteriorated panels are attached.

- Resurfacing 336,000 square feet (1050 x 322 feet) of concrete apron adjacent to hangars 7 and 8 to be used as an outdoor recreation field that will accommodate various sports fields and an outdoor running track. See Chapter 1, *Design and Development Issues*.
- Installation of fencing and non-permanent seating and shade structures on the outdoor recreation field. See Chapter 1, *Design and Development Issues*
- Construction of a co-generation plant along Flatbush Avenue. See Chapter 5, *Design and Development Issues*

The NPS has determined that the proposed changes and modifications to this project will have no change on our August 2003 determination of effect, which held that this project will have an adverse effect on the qualities and characteristics that qualify Floyd Bennett Field for listing on the National Register of Historic Places. In anticipation of your concurrence with this determination we have developed a proposed MOA. We have attached two copies of this document, with original signatures. If you can concur in the MOA, please sign both copies and return one to this office. If you would like to discuss modifications to this proposal, please contact the park at your earliest convenience.

If you have questions, please contact John Hnedak, Gateway Chief of Strategic Planning, at (718) 354-4522.

Sincerely,



Lisa Eckert
Superintendent, Jamaica Bay Unit
Gateway National Recreation Area

Enclosures (4)

**MEMORANDUM OF AGREEMENT
BETWEEN THE NATIONAL PARK SERVICE,
GATEWAY NATIONAL RECREATION AREA, JAMAICA BAY UNIT and the
NEW YORK STATE HISTORIC PRESERVATION OFFICE,
REGARDING THE REMOVAL OF
THE SEWAGE TREATMENT PLANT AND FORMER BASE LAUNDRY
AT FLOYD BENNETT FIELD, BROOKLYN, NEW YORK
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR § 800.6(b)**

WHEREAS, the National Park Service has determined that the removal of the Sewage Treatment Plant and Former Base Laundry at Floyd Bennett Field, is necessary due to the age, deterioration and hazardous conditions of the structures; and

WHEREAS, portions of Floyd Bennett Field are historic property listed on the National Register of Historic Places (as the Floyd Bennett Field Historic District); and whereas the buildings affected by the undertaking have been determined to be eligible for listing in the National Register; and

WHEREAS, the undertaking as proposed will impact historic structures through their removal, and the NPS, in consultation with the New York State Historic Preservation Office (NY SHPO), has determined that the undertaking will have an Adverse Effect upon characteristics of Floyd Bennett Field that qualify it for inclusion in the National Register; and

WHEREAS, the NPS has provided notification to the Advisory Council on Historic Preservation (ACHP), pursuant to 36 CFR 800.6(a)(1), and

NOW, THEREFORE, the NPS and the NY SHPO, agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), and that these measures shall constitute full, complete and adequate mitigation under the NHPA and the implementing regulations of the ACHP.

The NPS shall ensure that the stipulations are fulfilled as agreed to by signatories to this MOA.

I. BUILDING REMOVAL STIPULATIONS

The NPS shall:

- 1) Prepare Level II HABS/HAER documentation on each removed structure, building and/or complex. (This was discussed but not mention in NPS letter to NY SHPO)
- 2) Develop interpretive waysides explaining building uses for each removed structure, including significant buildings which have been previously removed.

- 3) Develop interpretive dioramas to be placed in the Ryan Visitor Center showing the growth of Floyd Bennett Field from 1850 to the present .
- 4) Develop and publish interpretive materials describing the role of the base's infrastructure and the facilities needed to support an airport.
- 5) Compile a bibliography of all primary resources from the National Archives, US Naval History Center, and United States Marine Corps Museum, United States Coast Guard, and the City of New York.
- 6) Evaluate the eligibility of all World War II resources on Floyd Bennett Field for listing on the National Register of Historic Places
- 7) Develop plans for the immediate stabilization of all properties identified as contributing to Floyd Bennett Field's significance
- 8) Update the park's General Management Plan to reflect the results of items 6 and 7.

II. DISCOVERY PROVISION

In the event that a previously unidentified archeological resource is discovered during ground disturbing activities, all construction work involving subsurface disturbance will be halted in the area of the resource and in the surrounding area where further subsurface remains can be reasonable expected to occur. An archeologist meeting the Secretary of Interiors Professional Qualifications Standards (36 CFR 61) will immediately inspect the work site and determine the area and nature of the affected archeological property . Construction work may then continue in the project area outside the defined area of the resource.

Within 48 hours of the discovery, the NPS shall notify the NY SHPO and such notification shall describe the NPS' assessment of the eligibility of the property for listing on the National Register of Historic Places and proposed actions to resolve potential adverse effects. The NY SHPO shall respond within 48 hours of the notification and the NPS shall take into account the NY SHPO's recommendation regarding National Register eligibility and proposed actions, and then carry out appropriate actions. The NPS shall provide the NY SHPO a report of the actions when they are completed.

Human Remains

- 1) Human remains and associated funerary objects encountered during the course of actions taken as a result of this MOA shall be treated in the manner consistent with the provisions of the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC 3001) and its implementing regulations, 36 C.F.R. Part 10.
- 2) In the event that the human remains encountered are likely to be of Native American origin, whether prehistoric or historic, in addition to determining

treatment and disposition according to NAGPRA, the NPS will immediately notify the (tribal council/group ???). All reasonable efforts will be made to avoid disturbing Native American gravesites and associated artifacts. To the extent possible, the NPS will ensure that the general public is excluded from viewing any Native American gravesites and associated artifacts. No photographs of any Native American gravesites and/or associated funerary objects will be released to the press or to the general public .

III. DISPUTE RESOLUTION

If, at any time during the implementation of this MOA, the NY SHPO or any interested party or member of the public objects to any action or failure to act pursuant to this MOA, they may file written objections with the NPS. In the event a written objective is filed with the NPS, the NPS will do the following:

- 1) The NPS will consult with the objecting party, and with other parties or interested persons, as appropriate, to resolve the objection;
- 2) The NPS may initiate on its own, such consultation to remove any objections. If the NPS determines that the objection cannot be resolved through consultation, the NPS shall forward all documentation relevant to the dispute to the ACHP, including the proposed response to the objection. Within thirty (30) days after the receipt of all pertinent documentation, the ACHP shall exercise one of the following options:
 - 1) Advise the NPS that the ACHP concurs in the proposed response to the objection, whereupon the NPS will respond to the objection accordingly; or
 - 2) Provide the NPS with recommendations, which the NPS shall take into account prior to reaching a final decision regarding its response to the objection; or
 - 3) Notify the NPS that the objection will be referred to the ACHP for comment pursuant to Section 800.7 of the ACHP Regulations (36 CFR Part 800 Protection of Historic Properties) . The resulting comment shall be taken into consideration by the NPS in reaching a final decision.

Should the ACHP not exercise one of the options above within thirty (30) days of receipt of all pertinent documentation, the NPS may assume the ACHP's concurrence in its proposed response to the objection.

IV. AMENDMENTS

At any time during the implementation of this MOA the NPS or the NY SHPO may propose modifications or amendments to the Agreement. If all signatories agree to a proposal, they must do so in writing by executing an amended MOA. The amended Agreement shall be filed with the ACHP in accordance with 800.6 of the ACHP Regulations (36 CFR Part 800 Protection of Historic Properties).

V. TERMINATING THE AGREEMENT


Any party to this MOA may terminate it by providing thirty (30) days notice to the other parties. The parties will consult during the period prior to termination in order to seek agreement on amendments or other actions that would prevent the termination. In the event of termination, the NPS will follow the processes and provisions set forth in the ACHP Regulations (36 CFR Part 800 Protection of Historic Properties) and, in the case of the NPS, the 1995 Nationwide Programmatic Agreement with regard to individual undertakings covered by this MOA.

If the NY SHPO and/or ACHP determine that the terms of this MOA are not being carried out, or if this agreement is terminated, the NPS will follow the processes and provisions set forth in the ACHP Regulations (36 CFR Part 800 Protection of Historic Properties) and, in the case of the NPS, the 1995 Nationwide Programmatic Agreement with regard to individual undertakings covered by this MOA.

VI. TERMS OF AGREEMENT/EXPIRATION

This MOA will continue in full force and effect for seven years from the date of signature. At any time in the six months prior to the expiration of the MOA, the signatories can, in writing, agree to extend the MOA with or without amendments. No extensions or modifications to this agreement will be effective unless all parties to the MOA have consented in writing.

Execution of this MOA by the NPS and the NY SHPO, and its submission to the ACHP in accordance with 36 CFR 800.6(b)(1)(iv), shall, pursuant to 36 CFR 800.6(c), be considered to be an agreement with the ACHP for the purposes of Section 110(1) of NHPA. Execution and submission of this MOA, and implementation of its terms evidence that the NPS has taken into account the effects of the undertaking on historic properties and has afforded the ACHP a reasonable opportunity to comment on the undertaking. This MOA shall be effective upon notice from the NPS to all parties signing the MOA.


Bernadette Castro, State Historic Preservation Officer

12/20/05


Lisa Eckert, Superintendent, Jamaica Bay Unit, Gateway National Recreation Area



Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

December 19, 2005

John Hnedak
Chief, Strategic Planning
Gateway National Recreation Area
210 New York Ave.
Staten Island, NY 10305-5019

Dear Mr. Hnedak,

Re: NPS
Adaptive Reuse of Hangers 5, 6, 7 & 8
Kings County
03PR02850

Thank you for requesting the comments of the State Historic Preservation Office (SHPO) regarding the proposed work at the Historic Hangers 5, 6, 7 and 8 at Floyd Bennett Field in Brooklyn, NY. Our office is reviewing this project under the provisions of Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations and the Memorandum of Agreement (MOA) in place for this project.

We have reviewed the submitted documentation and offer the following comments:

1. The documents submitted suggest a project that appears to be substantially different from the one previously reviewed and covered by the MOA in place for this project.
2. Please provide guidance as to whether this is covered under the existing MOA or to be reviewed as a new project.
3. If this is to be considered under the existing MOA, please provide an explanation as to which portion of the previous project it was included in.
4. If this project is to be considered a new project, as we believe it may be, please provide a determination and Area of Potential Effect in accordance with § 106 of the National Historic Preservation Act of 1966, amended and the National Park Service's determination of effect on this nationally significant National Register Listed property.

If anyone has any questions, please call me at (518) 237-8643, ext. 3282. Please refer to the SHPO Project Review (PR) number in any future correspondences regarding this project.

Sincerely,

Beth A. Cumming *BAC*
Historic Preservation Specialist – Technical Unit
(beth.cumming@oprhp.state.ny.us)

CC: K. Foppes – NPS, Gateway
P. McCarthy – NPS, Gateway
W. Nelligan – NPS, Gateway
D. Uschold – NPS, Boston



Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8

July 29, 2005

Mr. John Hnedak
Gateway National Recreation Area
Building 69, Floyd Bennett Field
Brooklyn, New York 11234

RE: Proposed Demolition of Buildings 60, 85, 86, 94, and 102
Floyd Bennett Field
Brooklyn, Kings County
05PR01900

Dear Mr. Hnedak:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the information submitted in regard to the proposed demolition of Buildings 60, 85, 86, 94 and 102 in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations.

Based on our review, we offer the following comments:

1. Based on our site visit and a review of available documentation (including the draft *Preliminary Report for Floyd Bennett Field Landscape*, June 2005), it is the opinion of the SHPO that Floyd Bennett Field possesses additional significance beyond the 1928-1941 civil aviation context identified in the original National Register nomination (NR-listed in 1980). The events that occurred from 1941-1945 at the (U.S.) New York Naval Air Station - Floyd Bennett Field and the U.S. Coast Guard Air Station contributed significantly to the Allied victory in World War II. As such, intact resources that represent this context and retain integrity from the period are considered National Register eligible by meeting Criterion A in the area of World War II military history.
2. The SHPO concurs with your determination that the proposed demolition will have an Adverse Effect on the National Register-eligible Sewage Treatment Plant (Bldg 60) and the Laundry Building (Bldg 85).
 - a) Given the difficulties of reuse and the risk of possible runoff into Jamaica Bay, we agree there are no prudent and feasible alternatives to razing for the Sewage Treatment Plant;
 - b) Given the Laundry Building's collapsed roof and severe deterioration, we concur that all prudent and feasible alternatives to demolition have been explored.

At this time, the SHPO agrees it is appropriate to begin drafting a Memorandum of Agreement (MOA) incorporating the mitigation proposed in your letter dated June 28, 2005. Additionally, the MOA should include stipulations mandating the evaluation of WWII resources for in the Floyd Bennett Field, the development of plans for the immediate stabilization of all properties identified

as contributing to the complex's significance, and the updating of the General Management Plan (GMP) to reflect those results.

3. The SHPO does not concur that all prudent and feasible alternatives to demolition have been explored for the Steam Plant (Bldg 86), the Pump House (Bldg 102) and the Torpedo Storage Building (Bldg 94).
 - c) It is our opinion that the Pump House and associated holding tanks for fire suppression are not deteriorated beyond repair and possess little environmental risk once the roof is repaired. We would support plans to disconnect live electrical transformers and repair the roof to prevent exposure of live electrical transformers to extreme elements.
 - d) The Steam Plant currently houses historic power and steam generating systems and while its exterior is in poor condition, it does not appear to be deteriorated beyond repair.
 - e) It is our opinion that the Torpedo Storage building holds the greatest opportunity for re-use and we understand the Park Service has been exploring this alternative. It does not appear to be deteriorated beyond repair.

We encourage you to continue to pursue possible re-use of these structures and/or mothballing these facilities until such time as a re-use can be found.

Please call me at (518) 237-8643 ext. 3282 with any questions.

Sincerely,



Beth A. Cumming
Historic Preservation Specialist - Technical Unit
e-mail: Beth.cumming@oprhp.state.ny.us

CC: K. Foppes - NPS, Gateway
P. McCarthy - NPS, Gateway
W. Nelligan - NPS, Gateway
D. Uschold - NPS, Boston



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

October 27, 2004

Pete McCarthy
District Ranger
Gateway National Recreation Area
Headquarters Building 69
Floyd Bennett Field
Brooklyn, New York 11234

Re: NPS – Adaptive Reuse of
Hangars 5, 6, 7 & 8
Floyd Bennett Field
B/Brooklyn, Kings Co.
03PR02850

Dear Mr. McCarthy:

Thank you for your letter of October 8, 2004, by which you submitted revised drawings and computer simulations for the proposed adaptation of hangars 5, 6, 7, & 8, Floyd Bennett Field to athletic use. The New York State Historic Preservation Office (SHPO) has reviewed these documents in accordance with the Memorandum of Agreement in effect governing this project and offers the following comment.

Based on our review, it is the SHPO opinion that the revised plans and elevations, drawings A-4 through A-8, prepared by John Ciardullo Associates, P.C. and dated 9/30/04, do not substantially differ from those previously reviewed and accepted by this office. We accept the revisions as presented in those drawings and specifically note a change in glazing at the east and west elevations of the proposed infill and the conversion of two windows on the south elevation of the historic infill between hangars 5 and 6 into doorways.

Thank you for continuing to consult with this office during the development of this project. If you have any questions regarding this review, please call me at (518) 237-8643, extension 3283 or email me at james.warren@oprhp.state.ny.us.

Sincerely,

James Warren
Historic Preservation Program Analyst



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

8/22/03
Sent copy to
John H
518-237-8643

August 18, 2003

K. Christopher Soller, Acting Superintendent
Jamaica Bay Unit
National Park Service
Gateway National Recreation Area
Headquarters Building 69, Floyd Bennett Field
Brooklyn, NY 11234

Dear Mr. Soller:

RE: NPS
Hangers 5, 6, 7 and 8
Floyd Bennett Field, Queens County
03PR02850

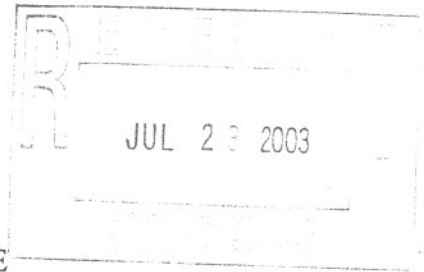
Enclosed please find a signed Memorandum of Agreement for the Adaptive Reuse project at Hangers 5, 6, 7 and 8 at Floyd Bennett Field. The State Historic Preservation Office has reviewed this project in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966.

If anyone has any questions, or if we can be of any assistance, please call me at (518) 237-8643, ext. 3271.

Sincerely,

Julian W. Adams
Sr. Historic Sites Restoration Coordinator

MEMORANDUM OF AGREEMENT
BETWEEN
THE NATIONAL PARK SERVICE,
AND THE
NEW YORK STATE HISTORIC PRESERVATION OFFICE
REGARDING
THE ADAPTIVE REUSE OF HANGERS 5, 6, 7, 8
FLOYD BENNETT FIELD, BROOKLYN, KINGS COUNTY



WHEREAS, The National Park Service proposes to assign Hangers 5, 6, 7, and 8 at Floyd Bennett Field, contributing elements of the Floyd Bennett Field Historic District listed on the National Register of Historic Places, to a private developer to rehabilitate these structures for a new use under a concessions contract; and

WHEREAS Aviator Sports, the developer/concessioner, has proposed to rehabilitate these hangers to serve as a sports and entertainment complex; and

WHEREAS, a new addition will be constructed connecting the hangers to provide addition function space; and

WHEREAS it has been determined that the project will have an Adverse Effect upon the historic character of Hangers 5, 6, 7, and 8, namely by infilling the space between the hangers that served as staging and access tarmac; and

WHEREAS, all prudent and feasible alternatives to this infill have been considered but none have been found to meet the needs and program requirements of the project and the developer/concessioner;

NOW THEREFORE, The National Park Service and the New York State Historic Preservation Office (NYSHPO), agree that the project shall be implemented in accordance with the following stipulations in order to take into account the effect of the project on historic properties.

STIPULATIONS

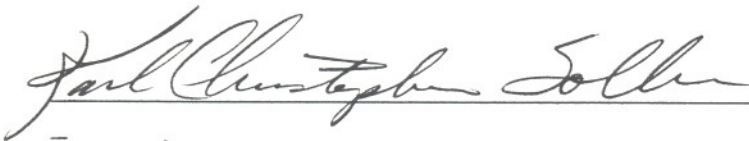
The National Park Service will ensure that the following measures are carried out:

1. The work will be carried out in accordance with plans numbered A-4 through A-7 dated 5/20/03 and A-8 through A-10 dated 6/18/03. Plans A-8 through A-10 depict roofing connection details as agreed upon to create careful, reversible connections between the existing construction and the new construction.

DISPUTE RESOLUTION:

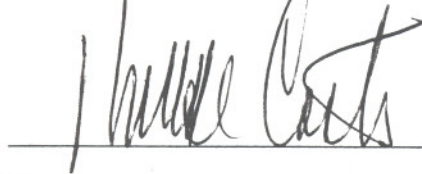
Should the New York SHPO, member of the public or other interested party object within the 30 days to any plans provided for review or action proposed pursuant to this agreement, the National Park Service shall consult with the objecting party to resolve the objection. If the National Park Service determines that the objection cannot be resolved, the National Park Service shall request the comments of the Advisory Council for Historic Preservation pursuant to 36 CFR 800.6 (b). Any Council comment provided in response to such request shall be taken into account by the National Park Service in accordance with 36 CFR 800.6(c)(2) with reference only to the subject of dispute; the National Park Service responsibility to carry out all actions under this agreement that are not subjects of this dispute shall remain unchanged.

Execution of the Memorandum of Agreement by the National Park Service and the New York SHPO, and the implementation of its terms evidence that the National Park Service has taken into account the effects of the undertaking on historic properties.



Date: 7/18/03

NATIONAL PARK SERVICE



Date: 8/11/03

NEW YORK STATE HISTORIC PRESERVATION OFFICE