



U.S. Department
of Transportation
**Federal Highway
Administration**

New York Division

June 10, 2016

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In Reply Refer To:
HEA-NY

Phillip Eng, P.E.
Executive Deputy Commissioner
New York State Department of Transportation
50 Wolf Road
Albany, New York 12232

Catherine T. Sheridan, P.E.
Chief Engineer
New York State Thruway Authority
200 Southern Boulevard, PO Box 189
Albany, New York, 12201-0189

Dear Mr. Eng and Ms. Sheridan:

We received your June 7 letter requesting that the Federal Highway Administration (FHWA) issue a Finding of No Significant Impact (FONSI) for alternative "F" for the Shared Use Path Facilities and Bicycle/Pedestrian Connections, for the Tappan Zee Hudson River Crossing (New NY Bridge) Project, PIN 8TZ1.00.

The New NY Bridge was previously the subject of a Final Environmental Impact Statement (FEIS) (#FEIS-NY-EIS-12-01-F) prepared for the Tappan Zee Hudson River Crossing Project (TZHRCP) in accordance with the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA). As the Shared Use Path Facilities and Bicycle/Pedestrian Connections would be a new element of the TZHRCP involving both federal and state approvals, an Environmental Assessment (EA) was prepared to determine if potential significant adverse impacts would result from the proposed work in accordance with the requirements of the Council on Environmental Quality's regulations for implementing the procedural provisions of the NEPA of 1969 (40 CFR § 1500-1508), the FHWA's Environmental Impact and Related Procedures; 23 CFR 771.130, and the New York SEQRA (6 NYCRR Part 617 and 17 NYCRR Part 15), and a number of other federal and state regulations and requirements, including Section 106 of the National Historic Preservation Act and Section 4(f) of the U.S. Department of Transportation Act.

The FHWA takes full responsibility for the accuracy, scope, and content of the EA that was prepared for the Shared-use Path Facilities and Bicycle/Pedestrian Connections (Proposed Action) for users of the shared-use path on the New NY Bridge in South Nyack and Tarrytown. We have attended the two public hearings for the Proposed Action on March 15 and March 16. We have also reviewed the

following: the public hearing certification, presentation materials, transcripts of verbal comments received, written comments, responses to substantive comments received on the EA, a Phase IB Report of Archeological Investigations in Westchester County, the official with jurisdiction letter from South Nyack and the New York State Historic Preservation Officer (SHPO) letter dated June 3, 2016 concurring on the conclusions of the Phase 1 B Report.

As described in the EA, alternative "F" will not alter, directly or indirectly, the characteristics that qualify the South Nyack Historic District for inclusion in the National Register, and that the historic district will continue to retain its qualifying characteristics as a property eligible for inclusion in the National Register of Historic Places as previously defined through the Section 106 process for the TZHRCP. FHWA finds the evaluation and conclusions of the FEIS with respect to Section 106 remain valid.

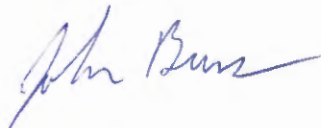
The Shared Use Path Facilities and Bicycle/Pedestrian Connections in South Nyack will connect and be adjacent to the Esposito Trail which is a publicly owned recreational resource, and is also a Section 4(f) resource. The Mayor of Village of South Nyack, as the official with jurisdiction over the Esposito Trail, has agreed that the Proposed Action meets the criteria for a determination of de minimis impact finding under Section 4(f). FHWA determines the Proposed Action to be de minimis under Section 4(f) because, as described in the EA, it does not adversely affect the activities, features, or attributes that qualify the resource for protection under Section 4(f).

With respect to the Section 7 of the Endangered Species Act, alternative "F" will have "No Effect" on Indiana Bats and Northern Long-eared Bats due to lack of suitable habitat located within the project area, as described in the EA.

Enclosed please find a copy of the signed FONSI for the Shared Use Path Facilities and Bicycle/Pedestrian Connections, for the New NY Bridge Project.

If you have any questions or concerns, please contact me at 518-431-8875.

Sincerely,



John L. Burns
Specially Designated Project Oversight Manager
Tappan Zee Bridge

Enclosure

cc:

Jamey Barbas, NYSTA
Dave Capobianco, NYSTA
Kristine Edwards, NYSTA
Elizabeth Novak, NYSTA
Dan Hitt, NYSDOT
Daniel D'Angelo, NYSDOT

FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
FOR
New NY Bridge (Tappan Zee Bridge) –

Shared Use Path Facilities and Bicycle/Pedestrian Connections, PIN 8TZ1.00

The FHWA has determined that the preferred alternative "F" will have no significant impact on the human environment. This FONSI is based on the attached Environmental Assessment (EA) which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures.

The New NY Bridge was previously the subject of a Final Environmental Impact Statement (FEIS) (#FEIS-NY-EIS-12-01-F) prepared for the Tappan Zee Hudson River Crossing Project (TZHRCP) in accordance with the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA). As the Shared Use Path Facilities and Bicycle/Pedestrian Connections would be a new element of the TZHRCP involving both federal and state approvals, an EA was prepared to determine if potential significant adverse impacts would result from the proposed work in accordance with the requirements of the Council on Environmental Quality's regulations for implementing the procedural provisions of the National Environmental Policy Act of 1969 (NEPA; 40 CFR § 1500-1508), the FHWA's Environmental Impact and Related Procedures; 23 CFR 771.130, and the New York State Environmental Quality Review Act (SEQRA; 6 NYCRR Part 617 and 17 NYCRR Part 15), and a number of other federal and state regulations and requirements, including Section 106 of the National Historic Preservation Act and Section 4(f) of the U.S. Department of Transportation Act.

Alternative "F" will not alter, directly or indirectly, the characteristics that qualify the South Nyack Historic District for inclusion in the National Register, and that the historic district will continue to retain its qualifying characteristics as a property eligible for inclusion in the National Register of Historic Places as previously defined through the Section 106 process for the TZHRCP. FHWA finds the evaluation and conclusions of the FEIS with respect to Section 106 remain valid.

With respect to Section 4(f), alternative "F" will have a de minimis use on the Esposito Trail because it would not adversely affect the activities, features, or attributes qualifying it as a park or recreation area.

With respect to the Section 7 of the Endangered Species Act, alternative "F" will have "No Effect" on Indiana Bats and Northern Long-eared Bats due to lack of suitable habitat located within the project area.

The EA provides sufficient evidence and analysis for determining that a Supplemental Environmental Impact Statement is not required in accordance with 23 CFR 771.130. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

June 10, 2016
Date

Peter W. Osborn
Division Administrator
Federal Highway Administration