

# The New NY Bridge Project



June 7, 2016

The New NY Bridge Project  
NYS Thruway Authority  
303 South Broadway, Suite 413  
Tarrytown, NY 10591

Mr. Peter Osborn, Division Administrator  
Federal Highway Administration  
Leo W. O'Brien Federal Building  
11A Clinton Avenue, Suite 719  
Albany, NY 12207

CONTRACT: D214134 | PIN 8TZ1.00 | TANY12-18b  
DOC REF: TA\_FHWA\_03147\_COR\_ENV

**SUBJECT: New NY Bridge – Shared Use Path Facilities and Bicycle/Pedestrian Connections  
Environmental Assessment  
Finding of No Significant Impact Recommendation**

Dear Mr. Osborn:

Enclosed you will find a copy of the Environmental Assessment (EA) that was conducted 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, a hearing certification, presentation materials, a transcript of verbal comments received, written comments, responses to substantive comments received on the EA, a Phase 1B Report of Archeological Investigations in Westchester County for the Proposed Action, and the New York State Historic Preservation Officer (SHPO) letter dated June 3, 2016, concurring on the conclusions of the Phase 1B Report.

The New NY Bridge was previously the subject of a Final Environmental Impact Statement (FEIS) 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; Final Rule* (23 CFR 771), 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.

A public review period for the EA was established for a review period of 30 days, starting on February 29, 2016 through April 1, 2016, during which two public hearings were held: one in Sleepy Hollow, Westchester County, New York on March 15, 2016; and one in South Nyack, Rockland County, New York on March 16, 2016.



Based on the assessment conducted and the public comments received, the NYS Department of Transportation (NYSDOT) and the NYS Thruway Authority (NYSTA) have identified Alternative F as the Preferred Alternative. Under Alternative F, on the Rockland Landing, the New NY Bridge shared-use path would continue from the Replacement Bridge along the northeastern side of Interstate 87/287 within NYSTA right-of-way and pass through a new pedestrian underpass under the South Broadway Bridge. The shared-use path would then continue to a parking area and comfort station adjacent to the existing local access ramp to Interstate 87/287 southbound/eastbound from South Broadway (which would be closed to vehicular traffic). A pedestrian and bicycle 'spur path' from the shared-use path would extend across the closed local access ramp to Interstate 87/287 southbound/eastbound, then behind South Nyack Village Hall, crossing the Esposito Trail and continuing as a paved side path adjacent to the Esposito Trail to Clinton Avenue to facilitate local pedestrian and bicycle access to the shared-use path. On the Westchester Landing, the parking lot and Visitor Center would be located near the existing terminus of the SUP and wholly within Authority ROW.

#### **Section 4(f) of the Department of Transportation Act of 1966**

As described in the EA, the Proposed Action would connect and be adjacent to the Esposito Trail, which is a publicly owned recreational resource, and is also a Section 4(f) resource. The Esposito Trail is part of the Hudson River Valley Greenway Trail system and is administered by and under the jurisdiction of the Village of South Nyack. The trail serves as a recreational use and is a gravel/cinder pedestrian and bicycle path that extends through the Village of South Nyack on a former rail right-of-way and along South Franklin Street, ending at Franklin Street Park. The Proposed Action would construct a paved side path adjacent to and on the west side of the Esposito Trail, and provide a direct connection to the Esposito Trail. The Esposito Trail would be shifted slightly east (remaining within its existing property boundary) to accommodate the side path. A portion of the existing Esposito Trail property that would be used for the paved side path would be acquired by NYSTA. The new side path would accommodate pedestrians and non-motorized cyclists, and therefore serve a complementary function to the Esposito Trail. In addition, construction of the side path would mean that the Esposito Trail would need to be shifted slightly east, which would require some regrading and removal of some vegetation. While this vegetation is within the Esposito Trail property, which is publicly owned parkland; it serves as a vegetative buffer and does not currently serve a recreational purpose. Further, even though the Esposito Trail would be shifted, it would remain a gravel and cinder path, and this realignment would not alter the use or function of the Esposito Trail.

The TZHRCP would have a de minimis use on the Esposito Trail because the Proposed Action would not adversely affect the activities, features, or attributes qualifying a park or recreation area. NYSTA has, in a letter dated February 26, 2016, notified the Village of South Nyack of the intention to make a de minimis impact finding and temporary occupancy determination. 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. NYSDOT and NYSTA are requesting FHWA's concurrence that the Proposed Action would constitute a de minimis use of the Esposito Trail and no analysis of avoidance alternatives would be required.

#### **Section 106 of the National Historic Preservation Act of 1966**

The SHPO reviewed the December 16, 2015 Amended Finding Documentation for Alternatives E and F in Rockland County and stated that the Proposed Action 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.



As discussed in the EA, NYSTA and NYSDOT, in consultation with the SHPO, undertook an archaeological survey in identified locations of historic period archaeological sensitivity within the Amended APE for Westchester County. The purpose of the survey was to determine the presence or absence of intact archaeological resources and to gather sufficient information for an evaluation of National Register eligibility, in consultation with the SHPO. Established standards and procedures for archaeological investigations and documentation were followed:

- the Secretary of the Interior's Standards and Guidelines for Archaeology,
- the Advisory Council on Historic Preservation's Section 106 Archaeology Guidance,
- the New York State Education Department Cultural Resources Survey Program Work Scope Specifications for Cultural Resource Investigations on New York State Department of Transportation Projects (2004), and
- the New York Archaeological Council's Standards for Cultural Resource Investigations and Curation of Archaeological Collections (NYAC 1994).

SHPO reviewed the Phase IB Report of Archeological Investigations in Westchester County for the Tappan Zee Hudson River Crossing (New NY Bridge Project), dated May 28, 2016 and concurred in a letter dated June 3, 2016 that no archaeological historic properties were identified, and that as a result of the archaeological testing, no further archaeological investigations are warranted. The letter from SHPO concluded consultation regarding potential archaeological resources within the Amended APE in Westchester County. Therefore, we request your concurrence that the evaluation and conclusions of the FEIS with respect to Section 106 remain valid.

#### **Endangered Species Act (ESA)**

We request FHWA's concurrence under Section 7 of the Endangered Species Act with a determination that the Proposed Action will have "No Effect" on Indiana Bats and Northern Long-eared Bats due to lack of suitable habitat located within the project area. As characterized in the EA, the project area is urbanized with high traffic, and the vegetation proposed to be removed as a result of the Proposed Action includes only small, individual trees that are lacking any characteristics of bat habitat.

#### **Recommendation**

As indicated in the enclosed documentation, implementation of the Proposed Action would not have a significant adverse impact on the environment. No further processing or analysis is necessary. We request that FHWA concur with the Section 4(f) "de minimis" determination, that no potential adverse effects under Section 106 would result in significant impacts under NEPA that were not previously identified in the FEIS, and the finding of "No Effect" on the Northern Long-eared and Indiana bats. We also recommend that FHWA prepare a Finding of No Significant Impact for Alternative F for the Shared Use Path Facilities and Bicycle/Pedestrian Connections.

Any changes to the project's Design Approval Document, including any new non-standard features, will be provided to FHWA for approval during the detailed design phase and in advance of the PS&E authorization request.

We thank you for your continued support of the New NY Bridge Project. Should you have any questions, please contact Kristine Edwards.

Sincerely,



Catherine T. Sheridan, P.E.  
Chief Engineer  
NYS Thruway Authority



Phillip Eng, P.E.  
Executive Deputy Commissioner  
NYS Department of Transportation

ENC: TA\_TA\_11908\_RPT\_ENV (EA, Boards, Comments & Responses, 4(f) Concurrence, Phase 1B Mat's)  
TA\_FHWA\_03151\_COR\_ENV (SUP Parking Hearing Certification)

cc: DMC  
Jamey Barbas, Project Director  
Elizabeth Novak  
David Capobianco  
Kristine Edwards

CERTIFICATE IN ACCORDANCE WITH TITLE 23  
UNITED STATES CODE 128  
Shared-use Path Facilities and Bicycle/Pedestrian Connections  
Environmental Assessment  
Village of South Nyack, Rockland County  
Village of Tarrytown, Westchester County

PROJECT IDENTIFICATION NUMBER 8TZ1.00


Notice was published in The Journal News and Nyack News and Views on February 29, 2016 and again on March 2, 2016 in The Hudson Valley Press with respect to the above project. The notice stated that two public hearings would be held; the first hearing would be at Sleepy Hollow High School, located at 210 North Broadway in Sleepy Hollow, NY, 10591 from 5:00PM to 8:00PM on March 15, 2016 and the second hearing would be at Nyack Middle School, located at 98 South Highland Avenue in South Nyack, NY, 10960 from 5:00PM to 8:00PM on March 16, 2016.

The New York State Department of Transportation and the New York State Thruway Authority have also included information about the public hearings in the Environmental Assessment (EA) prepared for the project. The EA was publicly available at four viewing locations in Rockland and Westchester Counties. The viewing locations included the Warner Library and the New NY Bridge Westchester Outreach Center in Westchester County and the Nyack Library and the New NY Bridge Rockland Outreach Center in Rockland County. Notice of the public hearings was also on the project website at [www.NewNYBridge.com](http://www.NewNYBridge.com).

I hereby certify that the hearing was held at the location indicated, all material presented was duly recorded and full reconsideration has been given to the economic and social effects of the location, its impact on the environment and its consistency with the goals and objectives of such urban planning as has been promulgated by the community.

This hearing followed the "open forum" format. Copies of the transcripts, brochures and pamphlets, photos and/or depictions of displays, presentation summaries, etc. that document that this public hearing conformed to the regulations are attached to the copy of this certification being transmitted to FHWA.

 6/7/16  
Catherine T. Sheridan, P.E. Date  
CHIEF ENGINEER  
NYS THRUWAY AUTHORITY

 6/7/16  
Phillip Eng, P.E. Date  
Executive Deputy Commissioner  
NYS DEPARTMENT OF TRANSPORTATION