Final Design Report

APPENDICES

Appendix A  –  SEQR
Appendix B  –  NEPA Assessment Checklist
Appendix C  –  Design Speed Study
Appendix D  –  Accident Analysis
Appendix E  –  Tree Survey Graphics
Appendix F  –  MHSTCC TIP Application 2006-2010
Appendix G  –  Correspondence
Appendix H  –  Public Information Meeting Materials
Appendix I  –  Existing Topographic Survey
Appendix J  –  Existing Project Photograph Log
Appendix K  –  Existing Bridge Condition Photographs
Appendix L  –  Programmatic Section 4(f) Evaluation
Appendix M  –  Non-Standard Feature Justification Forms for the Preferred Alternative (In Accordance With HDM § 2.8)
Appendix N  –  Value Engineering Report & Disposition Forms
Appendix O  –  Hazardous Waste Screening Form
Appendix P  –  Right-of-Way Estimate
Appendix Q  –  Memorandum of Agreement
Appendix R  –  Floodplain Evaluation

February 9, 2010
APPENDIX G

Correspondence
Endangered Species Act List Request Response Cover Sheet

This cover sheet is provided in response to a search of our website* for information regarding the potential presence of species under jurisdiction of the U.S. Fish and Wildlife Service (Service) within a proposed project area.

Attached is a copy of the New York State County List of Threatened, Endangered, and Candidate Species for the appropriate county(ies). The database that we use to respond to list requests was developed primarily to assist Federal agencies that are consulting with us under Section 7(a)(2) of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Our lists include all Federally-listed, proposed, and candidate species known to occur, as well as those likely to occur, in specific counties.

The attached information is designed to assist project sponsors or applicants through the process of determining whether a Federally-listed, proposed, or candidate species and/or “critical habitat” may occur within their proposed project area and when it is appropriate to contact our offices for additional coordination or consultation. You may be aware that our offices have provided much of this information in the past in project-specific letters. However, due to increasing project review workloads and decreasing staff, we are now providing as much information as possible through our website. We encourage anyone requesting species list information to print out all materials used in any analyses of effects on listed, proposed, or candidate species.

The Service routinely updates this database as species are proposed, listed, and delisted, or as we obtain new biological information or specific presence/absence information for listed species. If project proponents coordinate with the Service to address proposed and candidate species in early stages of planning, this should not be a problem if these species are eventually listed. However, we recommend that both project proponents and reviewing agencies retrieve from our online database an updated list every 90 days to append to this document to ensure that listed species presence/absence information for the proposed project is current.

Reminder: Section 9 of the ESA prohibits unauthorized taking** of listed species and applies to Federal and non-Federal activities. For projects not authorized, funded, or carried out by a Federal agency, consultation with the Service pursuant to Section 7(a)(2) of the ESA is not required. However, no person is authorized to “take**” any listed species without appropriate authorizations from the Service. Therefore, we provide technical assistance to individuals and agencies to assist with project planning to avoid the potential for “take**,” or when appropriate, to provide assistance with their application for an incidental take permit pursuant to Section 10(a)(1)(B) of the ESA.
Additionally, endangered species and their habitats are protected by Section 7(a)(2) of the ESA, which requires Federal agencies, in consultation with the Service, to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. An assessment of the potential direct, indirect, and cumulative impacts is required for all Federal actions that may affect listed species.

For instance, work in certain waters of the United States, including wetlands and streams, may require a permit from the U.S. Army Corps of Engineers (Corps). If a permit is required, in reviewing the application pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Service may concur, with or without recommending additional permit conditions, or recommend denial of the permit depending upon potential adverse impacts on fish and wildlife resources associated with project construction or implementation. The need for a Corps permit may be determined by contacting the appropriate Corps office(s).*

For additional information on fish and wildlife resources or State-listed species, we suggest contacting the appropriate New York State Department of Environmental Conservation regional office(s) and the New York Natural Heritage Program Information Services.*

Since wetlands, ponds, streams, or open or sheltered coastal waters may be present in the project area, it may be helpful to utilize the National Wetlands Inventory (NWI) maps as an initial screening tool. However, they may or may not be available for the project area. Please note that while the NWI maps are reasonably accurate, they should not be used in lieu of field surveys for determining the presence of wetlands or delineating wetland boundaries for Federal regulatory purposes. Online information on the NWI program and digital data can be downloaded from Wetlands Mapper, http://wetlands.fws.gov/mapper_tool.htm.

Project construction or implementation should not commence until all requirements of the ESA have been fulfilled. After reviewing our website and following the steps outlined, we encourage both project proponents and reviewing agencies to contact our office to determine whether an accurate determination of species impacts has been made. If there are any questions about our county lists or agency or project proponent responsibilities under the ESA, please contact the New York or Long Island Field Office Endangered Species Program at the numbers listed above.

Attachment (county list of species)

*Additional information referred to above may be found on our website at: http://www.fws.gov/northeast/nyfo/es/section7.htm

** Under the Act and regulations, it is illegal for any person subject to the jurisdiction of the United States to take (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect; or to attempt any of these), import or export, ship in interstate or foreign commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any endangered fish or wildlife species and most threatened fish and wildlife species. It is also illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. “Harm” includes any act which actually kills or injures fish or wildlife, and case law has clarified that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife.
April 17, 2007

Richard M. Gilmour
Malcolm Pirnie, Inc
104 Corporate Park Drive
White Plains, NY 10602

Dear Mr. Gilmour:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed Reconstruction of the Crane Road Bridge (Bronx River Pkwy) over the Bronx River, site as indicated on the map you provided, located in the Towns of Scarsdale and Greenburgh, Westchester County.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Data bases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

Tara Seoane, Information Services
New York Natural Heritage Program

Enc.
cc: Reg. 3, Wildlife Mgr.
Reg. 3, Fisheries Mgr.
THIS PAGE HAS BEEN
INTENTIONALLY LEFT BLANK
June 14, 2007

Re: PIN 8110.13 – Design Criteria & Non-Standard Features - Reconstruction/Rehabilitation of the Structures Carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad (BINs 3348879 & 3348789) Village of Scarsdale & Town of Greenburgh, Westchester County, NY

Dear Mr. Goff:

As per our previous discussions, enclosed are three (3) sets of documents regarding the six (6) draft preliminary design alternatives developed for the above referenced project. The materials included include:

1. Preliminary Design Alternative Plans;
2. Design Criteria Table;
3. Non-Standard Feature Tables;
4. Justification of Non Standard Feature Memo;
5. Preliminary Design Alternative Matrix & Cost Estimation;
6. Summary of Stopping Sight Distances for Horizontal Curves;
7. Existing Traffic Analysis Report; and,
8. Project Schedule of Activities.

As discussed at the kick-off meeting on September 11, 2006 in Poughkeepsie with WCDPW, Vollmer Associates (now Stantec), FHWA and LPU, all parties agreed that early discussions of the design criteria and non-standard feature justifications would be essential for project success. It is requested that you forward a set of documents to the FHWA representative (and the NYSDOT Main Office, if required). It is also requested that you schedule a meeting between the County’s design team, NYSDOT and the FHWA at the earliest possible convenience to review the documents and discuss how best to advance the project, including determining the environmental classification (Long Form EA vs. EIS), so we can begin work on the Design Approval Document and adjust our public outreach strategy accordingly. Our goal for submitting a Draft Design Approval Document is the Spring 2008.

Please do not hesitate to contact me (914-995-4084) with any questions or comments.

Very truly yours,

Kevin M. Roseman
Traffic Engineer

Enclosures
CC:  Doug Cotton, PE – NYSDOT LPU, w/o enclosure
     Russ Tomer, PE – Stantec, w/o enclosure
     John Hsu, PE – WCDPW w/o enclosure
     Michael Circosta, PE – WCDPW, w/o enclosure
     Jorge Marmol, PE – WCDPW, w/o enclosure
     Scott Donnelly, PE – WCDPW, w. enclosure

U:\DATA\WORD\PIN 8110.13 Crane Road Bridge Design Criteria to LPU for FHWA Discussion.doc

Westchester County Department of Public Works
Traffic Engineering & Highway Safety
148 Martine Avenue, Suite 400B
White Plains, NY 10601
(914) 995 – 2555
(914) 995 – 2558 (fax)
www.westchestergov.com/dpw
September 4, 2007

Kevin M. Roseman
Westchester County Department of Public Works
Traffic Engineering & Highway Safety
148 Martine Avenue, Suite 400B
White Plains, New York 10601

RE: PIN 8110.13, BRONX RIVER PARKWAY/CRANE ROAD
TOWN OF GREENBURGH, VILLAGE OF SCARSDALE
WESTCHESTER COUNTY

Dear Mr. Roseman:

We have reviewed the preliminary design criteria for the six proposed alternates for this project, submitted by your June 14, 2007 letter. After reviewing the roadway classification and discussing the proposed criteria with the FHWA, it seems the proper classification for design consideration is Urban Principal Arterial. The at-grade intersections, traffic signal control on the mainline roadway, and the occasional driveway access would preclude consideration of the roadway as an expressway.

Also, regardless of the anticipated cost of the project, the environmental impacts are expected to be minimal. This fact, combined with the lack of any right-of-way acquisition, would classify the design approval document as a Categorical Exclusion with documentation. Regardless of the expected cost, this project is still a bridge replacement on the existing alignment with no right-of-way impacts. An Environmental Analysis (EA) or Environmental Impact Statement (EIS) would not be required. The NYS Office of Parks, Recreation and Historic Preservation (SHPO) may have a different perspective on the cultural and historic preservation issues for the project, and they should be consulted as well. A finding of Adverse Effect would most likely provide the critical path to get to design approval.

Also bear in mind there are differing design criteria for a bridge rehabilitation (Alternate 1) and bridge replacement (Alternates 2-6).

If you have any questions or wish to meet to discuss these comments, please call me at (845) 431-5856.

Sincerely,

Edward J. Goff, P.E.
New York State Department of Environmental Conservation
Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, New York 12561-1620
Phone: (845) 256-3054 • FAX: (845) 255-3042
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

Date: September 27, 2007

17-17 Route 208 North, 2nd Floor
Fair Lawn, NJ 07410

RE: Crane Rd Bridge Project - See Attached Map
Location: Tappan Zee
Scarsdale, Westchester County

Dear Mr. Gilmour:

Based upon our review of your inquiry dated Sept. 20, 2007, we offer the following comments:

PROTECTION OF WATERS

☒ The following stream(s)/pond(s)/waterbody(ies) is(are) located within or near the site you indicated:

<table>
<thead>
<tr>
<th>Name</th>
<th>Class</th>
<th>DEC Water Index Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bronx River</td>
<td>C</td>
<td>ER-3</td>
<td>[Protected, non-protected, navigable]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>[Protected, non-protected, navigable]</td>
</tr>
</tbody>
</table>

☒ A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as “protected.” A permit is not required to disturb the bed or banks of “non-protected” streams.

☐ A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies identified above as “navigable.”

☐ There are no waterbodies that appear on our regulatory maps at the location/project site you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the watercourse into which it feeds, __________________________, Class "________", and a Protection of Waters permit is/ is not required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required.

☒ If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

☐ Your project/site is near or in Freshwater Wetland ________________, Class ____________. Be aware that a Freshwater Wetlands permit is required for any physical disturbance within these boundaries or within the 100 foot adjacent area. To have the boundary delineated, please read the attached notice.
X Your project/site is not within a New York State protected Freshwater Wetland. However, please contact your town officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8511 (Westchester/Rockland Counties), or (917) 790-8411 (other counties), for any permitting they might require.

**STATE-LISTED SPECIES**

☐ DEC has reviewed the State's Master Habitat Databank (MHDB) records. We have determined that the site is located within or near record(s) of the following state-listed species: ________________. If your inquiry is related to a specific development project, additional evaluation of the potential impacts of this project related to the sensitive resource(s) identified by this review, may be required. Please contact the person noted below.

X No records of sensitive resources were identified by this review.

OTHER: ________________________________

Please note that this letter only addresses the requirements for the following permits from the Department:

☐ Freshwater Wetlands   ☑ Master Habitat Databank   ☐ Other: ________________

☐ Protection of Waters

and that other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at www.dec.ny.gov under “Programs” then “Division of Environmental Permits.”

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

[Signature]

Division of Environmental Permits Region 3, Telephone No. 845/256-3050.

Information/Permit Materials/Regulations/Map (Mt. Vernon Quadrangle) Attached.

Web page information

NYC DEP Contact Information (this site is within the NYC Watershed).

cc: ________________________________

**NOTE: Regarding erosion/sedimentation control requirements:**

Stormwater discharges now require a SPDES Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of one (1) or more acres of land.

Your project may be covered under one of two Statewide General Permits or may require an individual permit. If you believe your project would be covered under one of the General Permits and does not require any other DEC permits you may apply for coverage by filing a Notice of Intent with NYSDEC, Division of Water, 625 Broadway, Albany NY 12233-3505, (forms & permits available from this office or DEC Website at www.dec.ny.gov or call 518-402-8109). If your project involves other DEC permits, please contact the regional Division of Environmental Permits office (see above).
THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK
Based upon our review of your inquiry dated September 20, 2007, we offer the following comments:

PROTECTION OF WATERS

X The following stream(s)/pond(s)/waterbody(ies) is(are) located within or near the site you indicated:

<table>
<thead>
<tr>
<th>Name</th>
<th>Class</th>
<th>DEC Water Index Number</th>
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<tr>
<td>Bronx River</td>
<td>[C]</td>
<td>ER-3</td>
<td>[Protected, non-protected, navigable]</td>
</tr>
</tbody>
</table>

X A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as “protected.” A permit is not required to disturb the bed or banks of “non-protected” streams.

☐ A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies identified above as “navigable.”

☐ There are no waterbodies that appear on our regulatory maps at the location/project site you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the watercourse into which it feeds, ________________, Class "_______", and a Protection of Waters permit is/is not required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required.

☐ If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

☐ Your project/site is near or in Freshwater Wetland ____________, Class ________. Be aware that a Freshwater Wetlands permit is required for any physical disturbance within these boundaries or within the 100 foot adjacent area. To have the boundary delineated, please read the attached notice.
Your project/site is not within a New York State protected Freshwater Wetland. However, please contact your town officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8511 (Westchester/Rockland Counties), or (917) 790-8411 (other counties), for any permitting they might require.

STATE-LISTED SPECIES

☐ DEC has reviewed the State's Master Habitat Databank (MHDB) records. We have determined that the site is located within or near record(s) of the following state-listed species: ______________________. If your inquiry is related to a specific development project, additional evaluation of the potential impacts of this project related to the sensitive resource(s) identified by this review, may be required. Please contact the person noted below.

☐ No records of sensitive resources were identified by this review.

OTHER: ________________

Please note that this letter only addresses the requirements for the following permits from the Department:

☒ Freshwater Wetlands  ☑ Master Habitat Databank  ☐ Other: ______________________

☒ Protection of Waters

and that other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at www.dec.ny.gov under "Programs" then "Division of Environmental Permits."

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

Scott E. Sheele
Division of Environmental Permits
Region 3, Telephone No. 845/256-3050.

☑ Information/Permit Materials/Regulations/Map [MT. VERNON Quadrangle] Attached.
☒ Web page information
☐ NYC DEP Contact Information (this site is within the NYC Watershed).

cc: ____________________________

NOTE: Regarding erosion/sedimentation control requirements:

Stormwater discharges now require a SPDES Stormwater permit from this Department if they either:

• occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
• result from construction projects involving the disturbance of one (1) or more acres of land.

Your project may be covered under one of two Statewide General Permits or may require an individual permit. If you believe your project would be covered under one of the General Permits and does not require any other DEC permits you may apply for coverage by filing a Notice of Intent with NYSDEC, Division of Water, 625 Broadway, Albany NY 12233-3505, (forms & permits available from this office or DEC Website at www.dec.ny.gov or call 518-402-8109). If your project involves other DEC permits, please contact the regional Division of Environmental Permits office (see above).
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New York State Office of Parks, Recreation and Historic Preservation

November 2, 2007

Re: FHWA BIN 3-34877 & 3-34878-9
PIN 8110.13
Bronx River Parkway Bridges (2)
over Bronx River & Metro-North
V/Scarsdale T/Greenburgh,
Westchester County
07PR05557

Dear Mr. Williams:

Thank you for requesting the comment of the State Historic Preservation Office (SHPO). We have initiated the review of the project in accordance with Section 106 of the National Historic Preservation Law of 1966 and relevant implementing regulations.

Based upon our review of the submitted information, the SHPO does not have concerns over the potential of the project to disturb archeological resources: a survey is not warranted. Before our office can concur with the implementation of any of the alternatives, we will have to review more information regarding the condition of the bridges and the need for their replacement. Although the submitted material contains a substantial amount of information regarding the substandard features of the existing bridges, it does not document the extent of the deterioration that exists at the bridges that was referred to in your transmittal letter. Please forward any inspection reports that have been undertaken that show and document the bridge deterioration and any history of ‘flagging’ that had to be taken because of emergency conditions at the bridge. Our office requires this documentation before we can offer our formal opinion for the project but we offer the following information to help direct planning efforts at this time.

The Bronx River Parkway is a linear historic resource that includes the subject bridges as contributing elements to the resource. Because our review must consider effects on the entire resource, we must ensure that negative effects to the historic roadway are minimized to the greatest extent. The implementation of any of the six alternatives would likely result in an adverse effect to the bridges and possibly to other historic resources that are beyond the Bronx River Parkway. Extended shoulders, widened lanes and altered alignments are the type of alterations we try to minimize in these types of improvement projects. The Bridge Replacement Structure Meeting Design Criteria (alt 6) would have the most negative effect of the options due to the extent of roadway modifications that attend this plan. Due to the substantial amount of removal to the historic bridges under the proposed "rehabilitation" scheme, even this alternative (alt 1) would likely obtain an 'adverse effect.' However, alternate 1 would likely have the least negative effect upon historic resources of the options presented.
The bridges proposed for replacement are not isolated elements but are part of a larger historic resource. In cases where bridges are within a historic district or are an element of a recognized roadway system, our office reviews the proposed replacement structures to ensure their appearance is appropriate and to help provide mitigation for the loss of the historic element. Although some information regarding the appearance of possible replacement structures was given in the submitted information, we will have to review more complete documentation of both the existing structures and the proposed bridges before we can develop an agreement for the project. Although our office is presently most interested in the documentation of the conditions at the existing bridges, reviewing the proposed replacement structures at this time would help us determine the eventual project resolution.

Please forward the requested bridge condition documentation requested above along with the preferred project alternative and proposed bridge designs if this information is available. If you have any questions regarding this letter or your project, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

Kenneth Markunas
Historic Sites
Restoration Coordinator

Cc: Robert Arnold, FHWA
DOT Region 8
January 23, 2008

Kenneth Markunas
Historic Sites Restoration Coordinator
New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau, Peebles Island
PO Box 189
Waterford, NY 12188-0189

Re: SHPO Reference No. 07PR05557, PIN 8110.13 –
Reconstruction/Replacement of the Crane Road Viaduct (Bronx River Parkway over the Bronx River and Metro-North Railroad at Crane Road), BINS 3348779 & 3348789, Village of Scarsdale & Town of Greenburgh, NY

Dear Mr. Markunas:

In response to SHPO’s November 2, 2007 letter, enclosed are reports documenting the extent of the deterioration that exists at the existing bridges and evaluations of the archaeological & historic resources within the project limits. For your convenience two (2) copies of each report have been provided and they are as follows:

- Viaduct Inspection Summary – Prepared by Stantec (January 2008);
- Survey of Historic Resources Report – Prepared by Mary Delaney Krugman Associates (December 2007);
- Phase I Archeological Investigation of the Crane Road Bridge Project Area – Prepared by Malcolm Pirnie Inc. (December 2007)

Hopefully the enclosed documents will assist your office in reviewing this project as we continue with the preliminary design and environmental assessments of our alternatives. At our 2nd Public Information Meeting, to be held on January 29th, 2008, we will unveil the results of our initial screening. From the six (6) alternatives submitted to your office for initial review last year, Alternatives 1, 3 and 4 have been selected for additional assessments. Due to the extensive deterioration of the structures we would like to select our preferred alternative before summer and input from your office is critical.

Please do not hesitate to contact me (914-995-4084) with any questions or comments.

Very truly yours,

Kevin M. Roseman
Traffic Engineer & Crane Road Bridge Project Manager

Enclosures

CC: Ed Goff – NYSDOT Region 8 Local Projects Unit
    Jeff Williams – Westchester County Department of Planning
    David DeLucia – Westchester County Department of Parks, Recreation and Conservation
    John Hsu – Westchester County Department of Public Works
    Michael Circosta – WCDPW Westchester County Department of Public Works
    Scott Donnelly – Westchester County Department of Public Works
    Russ Tomer – Stantec
    Richard Gilmour – Malcolm Pirnie
January 28, 2008

Russell Tomer, P.E.
Civil Engineer
50 West 23rd Street
New York, NY 10010
FAX: 212 366 5629

RE: Reconstruction/ Replacement of Crane Road Bridge HA MP 19.11

Attention: Mr. Tomer

Concerning the above project, Metro-North takes no exception to the six preliminary design alternatives. Maintain or improve the existing vertical and horizontal clearances as suggested by Stantec and shown in the design alternatives.

Should you have any questions, please contact me at Ramkeesoon@mnr.org or (212) 499 4460.

Sincerely,

Richard Ramkeesoon, P.E.
Sr. Construction Engineer

cc: D. Melillo, J. LaFond, J. Kennard, G. Baum
February 14, 2008

David S. Kvinge
Director of Environmental Planning
Westchester County Department of Planning
423 Michaelsian Office Building
148 Martine Avenue
White Plains, NY 10601

RE: PIN 8110.13 BRONX RIVER PARKWAY AT CRANE ROAD
WESTCHESTER COUNTY, NEW YORK

Dear Mr. Kvinge:

The New York State Department of Transportation, Region 8, Local Projects Unit has received your February 1, 2008 letter stating the County’s intent to assume the role of lead agency, pursuant to SEQR, for the above project. We have no objection to Westchester County assuming the role of lead agency in making the SEQR Determination for this project.

Sincerely,

Edward J. Goff, P.E.
Design Advisor
Local Projects Unit

EG/cm
Dear Mr. Roseman:

Thank you for continuing consultation with the State Historic Preservation Office (SHPO). We are continuing the review of the project in accordance with Section 106 of the National Historic Preservation Law of 1966 and relevant implementing regulations.

Based upon our review of the submitted Inspection Summary, Historic Resources Report and Phase 1 Archeology Investigation we offer the following remarks: The SHPO continues to not have concerns over the potential of the project to disturb archeological resources, our office appreciates the report which will become a part of our state archeological directory. We are continuing to study the Historic Resources Report to determine whether additional above grade historic resources may be impacted as a result of the bridge project. Although there may be other historic resources identified as a result of this review, the bridge project will not result in substantial negative impacts upon those resources.

After reviewing the Inspection Summary, our office believes that the bridges have suffered substantial deterioration over time and we concur with the recommendation that they should be rehabilitated or replaced. Alternative 1 remains the option that would entail the least effect upon the resource (still an ‘adverse effect’) but we do find that the other preferred alternatives (3 & 4) retain the form of the historic pier configuration. We can not offer additional comment of the project until alternatives are further narrowed and specific design features are defined.

Please forward additional plans for the project when they are available so that we can complete our review and offer our formal opinion. Unless there are problematic issues related to the Historic Resources Report, we will issue our findings for that with our next letter. If you have any questions regarding this letter or the project, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

[Signature]

Kenneth Markunas
Historic Sites Restoration Coordinator

Cc: Jeffrey Williams, Westchester Planner
    Robert Arnold, FHWA
    NYS DOT Region 8
February 27, 2008

Mr. Gerard Mulligan, Commissioner
Westchester County Department of Planning
432 Michaelian Office Building
White Plains NY 10601

Re: Establishment of Lead Agency for Reconstruction/Replacement of the Crane Road Bridge

Dear Mr. Mulligan:

Thank you for the opportunity to comment on the Lead Agency designation for the SEQR review of the Crane Road Bridge Reconstruction/Replacement Project. The Village of Scarsdale concurs with the designation of Westchester County as Lead Agency in the review of this project; however the Village would like to raise several issues for careful consideration before any determination of environmental significance is made.

Any reconstruction/replacement of the bridge should include a northbound deceleration lane of standard width at the Bronx River Parkway’s Crane Road exit. This would improve an existing precarious traffic safety condition and provide a traffic calming measure for an important entrance to the Scarsdale Village Center.

It is imperative that the project be scheduled upon completion of the Village’s Popham Road Bridge Replacement Project. As you know, this project is in the Final Design Phase after over 11 years of Village, State and Federal reviews. It is currently scheduled to begin construction in the Fall of 2008. The two bridge projects, if not properly scheduled, will severely impact traffic in the Village Center and potentially result in delays and cost over-runs for both projects.

The Construction Staging and Maintenance of Traffic plan for the Crane Road Bridge project is critical and should maintain two-way vehicular traffic on the Bronx River Parkway for the duration of construction, particularly given the two year anticipated period of construction noted in the Long Environmental Assessment Form. Please make provision in any construction contracts for the use of Scarsdale Police Officers for traffic control, pursuant to Village Code. The location and size of the construction staging area(s) as well as the construction traffic access routes and parking for construction workers need to be given serious thought. The Village is concerned about maintaining safe traffic ingress and egress to the Village Center at Crane Road throughout the construction period.
The Village of Scarsdale, as a member of several Watershed Advisory Committees including the Bronx River Watershed Coalition, is highly sensitive to preserving and improving the Bronx River. The Village suggests Westchester County use this project to showcase Best Management Practices in Soil and Erosion Control measures during construction and Stormwater Management Facilities for the drainage of the bridge and the Bronx River Parkway in this area. This may be an opportunity to better the ecosystem of the Bronx River in the vicinity of the bridge. Increasing water detention capacity as well as cleaning and dredging the river and stabilizing its stream banks should be incorporated into the project.

Quality of life issues such as noise, dust and construction work hours should be carefully reviewed and mitigated, given the project’s proximity to single and multi family residences and the Scarsdale Village Center.

While recognizing the importance and necessity of improving the Crane Road Bridge, the Village suggests any new plans for its reconstruction or replacement remain sensitive to the historically and architecturally significant 1924 design by Delano and Aldrich Architects.

Finally, the bridge design should provide for pedestrian and bicycle traffic access to the southbound Metro North Railroad platform and the trails of the Bronx River Parkway Reservation. This option should be explored while balancing pedestrian and vehicular safety concerns with the environmental benefits of enhancing non-automotive access to public transportation and the natural and recreational resources of the Bronx River Reservation.

Again, thank you for the opportunity to comment. I would appreciate it if you would provide us with a timetable for the environmental review process. The Village, as an involved agency, looks forward to participating in the SEQR review of this important project. If you have any questions, please call me at 722-1132.

Sincerely,

Elizabeth Marrinan, AICP
Village Planner

EM/epm

Cc: Mayor Noreen Fisher, and Scarsdale Village Board of Trustees
Alfred A. Gatta, Village Manager
William Ryan, Chairman, Westchester County Board of Legislators
Tina Seckerson, Clerk of the Westchester County Board of Legislators
Lawrence Schwartz, Deputy County Executive
David Kvinge, Director of Environmental Planning
Ralph Butler, Westchester County Commissioner of Public Works
Joseph Stout, Westchester County Commissioner of Parks, Recreation and Conservation
STATE ENVIRONMENTAL QUALITY REVIEW
LEAD AGENCY RESPONSE FORM

RESPONSE DEADLINE: March 3, 2008

TO:  WESTCHESTER COUNTY BOARD OF LEGISLATORS
     ATTN: GERARD MULLIGAN, COMMISSIONER OF PLANNING

PROJECT:  ESTABLISHMENT OF LEAD AGENCY FOR RECONSTRUCTION/-
          REPLACEMENT OF CRANE ROAD BRIDGE

The Village of Scarsdale, as an involved agency:
(name of agency)

X concurs with the designation of the County of Westchester as lead agency for the above referenced project.

___ objects to the designation of the County of Westchester as lead agency for the above referenced project.

Comments, if any: Please see letter dated 2/27/08.

Signature: ________________________________  Date: ____________________

Print Name and Title: Elizabeth Marrinan, AICP, Village Planner/
                      Environmental Planner

RETURN TO: Westchester County Department of Planning
           Room 432, 148 Martine Ave, White Plains, NY 10601
           FAX (914) 995-3780
June 18, 2008

Edward J. Goff, PE
Design Advisor
Region 8 Local Projects Unit
New York State Department of Transportation
4 Burnett Boulevard
Poughkeepsie, NY 12603-2594

Re: PIN 8110.13 – Design Criteria & Non-Standard Features: Reconstruction/Rehabilitation of the Structures Carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad (BINs 3348879 & 3348789)
Village of Scarsdale & Town of Greenburgh, New York

Dear Mr. Goff:

In response to our meeting on May 13, 2008, enclosed are three (3) sets of documents requesting concurrence with the proposed design criteria and proposed design exceptions (non-standard features to remain) for the above referenced project. Each set includes the ten (10) items listed below:

A. Alternative Screening Summary Memorandum – dated June 13, 2008;
B. Proposed Deign Criteria & Summary of Non-Standard Features To Remain Memorandum – dated June 13, 2008;
D. Design Criteria Table III-1;
E. Non-Standard Feature Tables;
F. Alternative A, B, C Plans with Aerial & Bridge Sections;
G. Existing Bridge Drawings – dated June 13, 2008;
I. SHPO letter – dated November 2, 2007; and,

We are still awaiting a response from your office to a number of issues raised at the May 13, 2008 meeting or soon afterwards and most of these are of crucial to the completion of the Design Approval Document. These include:

1) Value Engineering (likely the 1st and perhaps only Local Project to ever meet this criteria)
   a) Is it required in Preliminary Design or in Detailed Design? If required in Preliminary Design this is a critical path item.
   b) Can Westchester County use the consultant already selected and under contract with NYSDOT for statewide reviews?

Westchester County Department of Public Works
Traffic Engineering & Highway Safety
148 Martine Avenue, Suite 400B
White Plains, NY 10601
(914) 995 – 2555
(914) 995 – 2558 (fax)
www.westchestergov.com/dpw
(1) If yes, can the consultant already under contract with NYSDOT for state-wide Value Engineering Reviews examine this project under the existing agreement with NYSDOT without needing to enter into a separate agreement with Westchester County?

(2) If no, does Westchester County need to conduct a full consultant RFQ / Selection Process or could we possibly retain the consultant that ranked 2nd in our evaluation of the Design consultants for this project in the interest of expediency?

(a) If Westchester County must procure a consultant can you provide guidance and the criteria used for solicitation of a consultant under this task as well as a scope of work?

2) The recently issued EB 08-001 states that the NYSDOT Deputy Chief Engineer for Design, not the FHWA, will review and approve Non-standard features and Design Exemptions for facilities on the NHS that are not Interstates. Does this apply to Local Projects and, as per my e-mail of 5/19/2008, and if so, will the corresponding matrix in the Procedures for Locally Administered Federal Aid Projects (PFLAFAP) be updated? This is also a critical path item in based on the materials in this submission.

3) Determination if 4(f) Evaluation for Parks is required (Programmatic vs. Individual);

4) Sample Memorandum of Agreement (MOA) with SHPO for our use to craft one for this project;

5) R-O-W requirements as it relates to the need to compensate the Village of Scarsdale for acquisition of the current Village Street R-O-W that the Bronx River Parkway was initially constructed on but never acquired by the County; and,

6) Acceptability to obtain construction easements (but not acquire as part of this project) for some of the Village of Scarsdale Property that will not be built upon with the Crane Road Bridge but will be acquired by the County in the future off-set by the Village of Scarsdale in regards to a Park Land Alienation matter wholly separate from the Crane Road Bridge Project. This includes what could be considered an “orphaned” parcel not adjacent to any other Village property on the northwest side of the Crane Road Bridge.

Regarding proposed schedule and future submissions, concurrently we are submitting justification for selection of the preferred alternative to SHPO for their concurrence. Once we obtain a response from SHPO (with an outline of the MOA) and receive your responses to this submission we will submit the Draft Design Report to your office for review and begin drafting the MOA with SHPO. We plan on concluding our Public Participation process in September with our 4th Public Meeting to announce the Preferred Alternative and with your cooperation regarding timely reviews we hope to be able to move into Final Design by late Fall.

Please do not hesitate to contact me (914-995-4084) with any questions or comments.

Very truly yours,

Kevin M. Roseman
Traffic Engineer & Crane Road Bridge Project Manager

Enclosures
CC: Carolyn Ryan, PE – NYSDOT LPU, w/o enclosure
Jean Shanahan – MHSTCC, w/o enclosure
Russ Tomer, PE – Stantec, w/o enclosure
Ralph Butler, PE – WCDPW, w/o enclosure
John Hsu, PE – WCDPW, w/o enclosure
Michael Circosta, PE – WCDPW, w/o enclosure
Jorge Marmol, PE – WCDPW, w/o enclosure
Scott Donnelly, PE – WCDPW, w/o enclosure
Patrick Natarella – WCDP, with enclosure
David DeLucia – WCDPR&C, with enclosure
June 18, 2008

Re: SHPO Reference No. 07PR05557, PIN 8110.13 –
Reconstruction/Replacement of the Crane Road Viaduct
(Bronx River Parkway over the Bronx River and Metro-
North Railroad at Crane Road), BInS 3348779 & 3348789,
Village of Scarsdale & Town of Greenburgh, New York

Dear Mr. Markunas:

In response to your February 20, 2008 letter, enclosed are three (3) sets of plans, elevations, profiles and cross
sections of the proposed mushroom bridge over the Bronx River and concrete box beam bridge over the MTA
Metro-North Railroad for the preferred alternative (Alternative C) for the above referenced project.

The following items are enclosed for review by the New York Office of Parks, Recreation and Historic Preservation
as part of the ongoing consultation between Westchester County and the NYSOPRHP under Section 106 of the
National Historic Preservation Act and State Laws:

2. Existing Photo Log – dated June 3, 2008;
3. Existing Crane Road Bridge Plans – dated June 13, 2008; and,

Please review these materials at your earliest convenience and let us know if you concur with our selection of the
Preferred Alternative. According to NYSDOT, they do not draft the Memorandum of Agreement (MOA) for non-
State projects so Westchester County will have to undertake that task. As such, it is requested that you please provide
a framework for items that would need to be included in your response so we can proceed with preparation of the
MOA and completion of our Design Approval Document. Our goal is to enter into Final Design this fall.

Please do not hesitate to contact me (914-995-4084) with any questions or comments.

Very truly yours,

Kevin M. Roseman
Traffic Engineer & Crane Road Bridge Project Manager

Enclosures

CC: Ed Goff, PE – NYSDOT LPU, with enclosure
Patrick Natarelli – WCDP, with enclosure
Michael Circosta, PE – WCDPW, w/o enclosure
Russ Tomer, PE – Stantec, w/o enclosure
David DeLucia – WCDPR&C, with enclosure
Scott Donnelly, PE – WCDPW, w/o enclosure

Westchester County Department of Public Works
Traffic Engineering & Highway Safety
148 Martine Avenue, Suite 400B
White Plains, NY 10601

(914) 995 – 2555
(914) 995 – 2558 (fax)

www.westchestergov.com/dpw
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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
June 26, 2008

www.nysparks.com

Kevin M. Roseman
Traffic Engineer & Project Manager
Westchester Dept. of Public Works
148 Martine Avenue, Suite 400B
White Plains, NY 10601

Re: FHWA BIN 3-34877 & 3-34878-9
PIN 8110.13
Bronx River Parkway Bridges (2)
over Bronx River & Metro-North
V/Scarsdale T/Greenburgh,
Westchester County
07PR05557

Dear Mr. Roseman:

Thank you for continuing consultation with the State Historic Preservation Office (SHPO). We are continuing the review of the project in accordance with Section 106 of the National Historic Preservation Law of 1966 and relevant implementing regulations.

Based upon our review of the most recently submitted project information the SHPO believes that the rationale for not constructing Alternative A (Alt 1) is reasonable when the difficulties of construction and implementation are considered. Our office accepts the identified preferred Alternative C (Alt 4) for replacing the existing National Register listed bridges. Although the bridge replacements will result in adverse effects to these resources, our office is now willing to enter into an agreement (MOA) that addresses the effects and offers mitigation for the loss of the historic structures.

Your letter mentioned that the county would be expected to prepare the MOA for the project: our understanding is that the funding agency (Federal Highway Administration) would be the party responsible to develop this document. The mitigation that we would cite for the agreement would include HABS/HAER Level II documentation of the existing bridges (photos and historic of bridges in a report form) and the design for Alternative C that mimics the appearance of the historic bridges. This mitigation would be included in the agreement in the form of stipulations.

After a draft MOA is prepared, it should be forwarded to the various involved parties for their review and possible edits. We look forward to the receipt of the agreement that will address and resolve the adverse effects involved with the project. If you have any questions regarding this letter or the project, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

Kenneth Markunas
Historic Sites Restoration Coordinator

Cc: Jeffery Kolb, FHWA
Theresa Dewey, NYS DOT Region 8
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December 8, 2008


Dear Mr. Goff:

Enclosed please find three (3) sets of the Draft Design Approval Document & Appendices for the Crane Road Bridge Project on the Bronx River Parkway for your review, as well as review by the NYSDOT Chief Engineer’s office and potentially by the FHWA. As you are aware, the Value Engineering Assessment was conducted by Jacobs Engineering from November 17 to November 21 but their final report has not been issued. We will address the Value Engineering Comments under separate cover and incorporate this assessment into the Final Design Approval Document.

The revised Memorandum of Agreement between the County and the State Office of Historic Preservation (SHPO) is enclosed for your review and is also being sent to SHPO under separate cover along with the Programmatic Section 4(f) Parks and Historic Evaluations.

Please note that a FHWA Section 4(f) Policy Paper prepared on May 1, 2005 indicates that a 4(f) Parks Evaluation is not required for this project. Although we have already prepared it, our preference is to not include it in the Final Design Approval Document, pending concurrence from the FHWA. The Policy paper can be obtained on-line at http://www.environment.fhwa.dot.gov/projdev/4fpolicy.asp but is included for your convenience.

Please do not hesitate to contact me (914-995-4084) with any questions or comments.

Very truly yours,

Kevin M. Roseman
Traffic Engineer & Crane Road Bridge Project Manager

Enclosures

CC: Carolyn Ryan, PE – NYSDOT LPU, w/o enclosure
Brian O'Donnell, PE – Stantec, w/o enclosure
Ralph Butler, PE – WCDPW, w/o enclosure
Scott Donnelly, PE – WCDPW, w/o enclosure
Patrick Natarelli – WCDP, with enclosure

Jean Shanahan – MHSTCC, w/o enclosure
Russ Tomer, PE – Stantec, w/o enclosure
John Hsu, PE – WCDPW, w/o enclosure
Jorge Marmol, PE – WCDPW, w/o enclosure
David De Lucia – WCDPR&C, with enclosure

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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
www.nysparks.com

January 2, 2009

Kevin M. Roseman
Traffic Engineer & Project Manager
Westchester Dept. of Public Works
148 Martine Avenue, Suite 400B
White Plains, NY 10601

Re: FHWA BIN 3-34877 & 3-34878-9
PIN 8110.13
Bronx River Parkway Bridges (2)
over Bronx River & Metro-North
V/Scarsdale T/Greenburgh,
Westchester County
07PR05557

Dear Mr. Roseman:

Thank you for continuing consultation with the State Historic Preservation Office (SHPO). We are continuing the review of the project in accordance with Section 106 of the National Historic Preservation Law of 1966 and relevant implementing regulations.

Based upon our review of the recently provided project information the SHPO believes that the submitted draft Memorandum of Agreement (MOA) is largely appropriate for the project. However, we make the following recommendations for the agreement: The fifth WHEREAS clause (regarding the bridge individual eligibility-it is not) should be deleted, the sixth WHEREAS clause should replace the final sentence with "The NYSHPO has concurred with the findings of the report" (we did not sign a letter to that effect), and, references to our office as the "NYSOPRHP" should be changed to the "NYSHPO" because this is a federal (Section 106) rather than a state (SECTION 14.09) project. Our office questions the need to include the Advisory Council for Historic Preservation as a signatory for the project (have they been contacted and decided to authorize the agreement?).

Please have the requested edits incorporated into the prepared MOA. When all edits have been accepted, please forward the agreements for our signature. If you have questions, feel free to contact me. Ext. 3273

Sincerely,

Kenneth Markunas
Historic Sites Restoration Coordinator

Cc: Robert Arnold, FHWA
NYS DOT Region 8
March 2, 2009

Kevin M. Roseman, Traffic Engineer
Westchester County Dept. of Public Works
148 Martine Avenue, Suite 400B
White Plains, New York 10601

RE: PIN 8110.13, BRONX RIVER PARKWAY/ CRANE RD
VILLAGE OF SCARSDALE, TOWN OF GREENBURGH
WESTCHESTER COUNTY

Dear Mr. Roseman:

We have reviewed the draft/final design report for the above-referenced project submitted by your December 12, 2008 letter.

The following item(s) in the Draft Design Report must be addressed (see attached) prior to obtaining a final NEPA determination, as these issues concern non-conformance with Federal and/or State requirements. Comments on the Memorandum of Agreement will follow.

Please respond in writing indicating your disposition of the above comments, and re-submit all revised documents. If you have any questions or wish to meet to discuss these comments, please call me at (845) 431-5856.

Sincerely,

Edward J. Goff, P.E.
Design & Environmental Advisor
Local Projects Unit
April 23, 2009

Ms. Tamara Francis
NAGPRA Coordinator
Delaware Nation of Oklahoma
NAGPRA/Cultural Preservation
P.O. Box 825
Anadarko, Oklahoma 73005

Re: Crane Road Bridge Project, Greenburgh & Scarsdale, New York

Dear Ms. White:

On behalf of the Westchester County Department of Public Works, Malcolm Pirnie, Inc. conducted a Phase I cultural resources assessment (Phase IA and Phase IB-levels) of the proposed Crane Road Bridge Replacement project’s area of potential effect (APE), located in the Town of Greenburgh and Village of Scarsdale, Westchester County, New York. The project area and its Area of Potential Effect (APE) consist of an approximately 45 meters (1,500 feet) long and nine to 68 meters (30 to 225 feet) wide section of the Bronx River, its floodplain, and portions of its sloping valley margins. The Crane Road Bridge is a contributing structure to the National Register listed Bronx River Parkway Reservation. The bridge carries the Bronx River Parkway over the Bronx River and Metro-North Railroad. The location of the project is indicated on the enclosed map. The objective of the Phase I investigation was to determine whether archaeological resources, which are possibly eligible for listing on the New York State and National Registers of Historic Places, are present within the tested area. The study was conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, Federal Register, Volume 48, Number 190 and the guidelines, standards, and requirements for cultural resource investigations currently adopted by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP).

The archaeological literature and records search (Phase IA-level study) conducted at the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) and other repositories identified two previously recorded pre-contact period Native American archaeological sites and an isolated artifact find within two miles of the Crane Road Bridge project area. The two sites were identified as camps, while the isolated find was a chert flake.

Based on the results of the literature search and analysis of existing conditions within the project APE, the Phase IA study concluded that portions of the property were sensitive for the presence of Native American period archaeological sites. Subsequently, Malcolm Pirnie, Inc. completed a Phase IB-level archaeological survey of the project’s APE. The sub-surface testing did not identify additional archaeological sites of potential significance. The only evidence of Native American activity found during the sub-surface testing were two quartz flakes recovered from two of the shovel
tests from a natural soil layer (i.e. either a leaching zone underlying the humus or a remnant plow zone) underlying relatively recently formed humus and overlying the sub-soil. Approximately 18 meters (60 feet) separated the two tests, which were located on a topographic terrace overlooking the Bronx River. Because of the recovery of the flakes, ten additional shovel tests were excavated in the vicinity of each prehistoric find for a total of 20 additional shovel tests to further investigate the locales. As indicated above, no other Native American artifacts, or other evidence of Native American activity, were identified by the additional tests. Based upon the results of the fieldwork, the Phase IB investigation concluded that further archaeological investigations of the Crane Road project’s APE were not warranted.

If you have any information regarding other traditional cultural properties (e.g. burial sites, ritual/religious activity sites, or other types of sites) within or near the project’s APE, as shown on the enclosed map, or if you have any concerns regarding Native American issues related to the overall project, please contact me at (201) 398-4327 or send a letter expressing your concerns at your earliest convenience. You may also e-mail me at rgilmour@pirnie.com.

Your project comments and concerns are very important to Westchester County and the New York State Department of Transportation, as well as to the successful completion of this project. I look forward to hearing from you in the near future.

Thank you, in advance, for taking the time to review this request.

Very truly yours,

MALCOLM PIRNIE, INC.

[Signature]

Richard M. Gilmour, AICP
Senior Environmental Planner

Enclosure

cc    Kevin Roseman, Westchester County DPW
      Russ Tomer, Stantec
April 23, 2009

Ms. Sherry White, Cultural Preservation Officer
Stockbridge-Munsee Band of Mohican Indians
N8476 Moh-He-Con-Nuck Road
P.O. Box 70
Bowler, Wisconsin 54416

Re: Crane Road Bridge Project, Greenburgh & Scarsdale, New York

Dear Ms. White:

On behalf of the Westchester County Department of Public Works, Malcolm Pirnie, Inc. conducted a Phase I cultural resources assessment (Phase IA and Phase IB-levels) of the proposed Crane Road Bridge Replacement project’s area of potential effect (APE), located in the Town of Greenburgh and Village of Scarsdale, Westchester County, New York. The project area and its Area of Potential Effect (APE) consist of an approximately 45 meters (1,500 feet) long and nine to 68 meters (30 to 225 feet) wide section of the Bronx River, its floodplain, and portions of its sloping valley margins. The Crane Road Bridge is a contributing structure to the National Register listed Bronx River Parkway Reservation. The bridge carries the Bronx River Parkway over the Bronx River and Metro-North Railroad. The location of the project is indicated on the enclosed map. The objective of the Phase I investigation was to determine whether archaeological resources, which are possibly eligible for listing on the New York State and National Registers of Historic Places, are present within the tested area. The study was conducted in accordance with the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation, Federal Register, Volume 48, Number 190 and the guidelines, standards, and requirements for cultural resource investigations currently adopted by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP).

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Based on the results of the literature search and analysis of existing conditions within the project APE, the Phase IA study concluded that portions of the property were sensitive for the presence of Native American period archaeological sites. Subsequently, Malcolm Pirnie, Inc. completed a Phase IB-level archaeological survey of the project’s APE. The sub-surface testing did not identify additional archaeological sites of potential significance. The only evidence of Native American activity found during the sub-surface testing were two quartz flakes recovered from two of the shovel tests from a natural soil layer (i.e. either a leaching zone underlying the humus or a remnant plow zone) underlying relatively recently formed humus and overlying the sub-soil. Approximately 18
meters (60 feet) separated the two tests, which were located on a topographic terrace overlooking the Bronx River. Because of the recovery of the flakes, ten additional shovel tests were excavated in the vicinity of each prehistoric find for a total of 20 additional shovel tests to further investigate the locales. As indicated above, no other Native American artifacts, or other evidence of Native American activity, were identified by the additional tests. Based upon the results of the fieldwork, the Phase IB investigation concluded that further archaeological investigations of the Crane Road project's APE were not warranted.

If you have any information regarding other traditional cultural properties (e.g. burial sites, ritual/religious activity sites, or other types of sites) within or near the project's APE, as shown on the enclosed map, or if you have any concerns regarding Native American issues related to the overall project, please contact me at (201) 398-4327 or send a letter expressing your concerns at your earliest convenience. You may also e-mail me at rgilmour@pirnie.com.

Your project comments and concerns are very important to Westchester County and the New York State Department of Transportation, as well as to the successful completion of this project. I look forward to hearing from you in the near future.

Thank you, in advance, for taking the time to review this request.

Very truly yours,

MALCOLM PIRNIE, INC.

Richard M. Gilmour, AICP
Senior Environmental Planner

Enclosure

cc Kevin Roseman, Westchester County DPW
Russ Tomer, Stantec

1756-031
Mr. Edward Goff
NYS DOT Local Projects Unit
4 Burnett Boulevard
Poughkeepsie, NY 12603

Reference: PIN 8110.13
Reconstruction/Replacement of the Crane Road Viaduct (Bronx River Parkway over the
Bronx River and Metro-North Railroad at Crane Road)
B1Ns 3348779 & 3348789, Village of Scarsdale & Town of Greenburg, NY

Dear Mr. Goff:

Westchester County Department of Parks, Recreation & Conservation (WCDPRC) understands that replacement of the Crane Road Viaduct over the Bronx River and Metro-North Railroad is necessary and that this project will impact the Bronx River Parkway Reservation, which is operated by WCDPRC. WCDPRC understands that the Westchester County Department of Public Works (WCDPW) and its consultants has explored all feasible alternatives for replacing the bridge and has selected a “preferred alternative” that will have temporary and permanent affects on the Bronx River Reservation that will be mitigated. Impacts identified include:

- Clearing and grading of the area will be necessary, requiring the removal of a number of mature hardwood trees.
- The view shed from the bicycle/pedestrian pathway will also be impacted, with a different bridge structure being the most noticeable change.

WCDPW will continue to work with WCDPRC to minimize the impacts of the “preferred alternative” on the Bronx River Parkway Reservation and develop appropriate mitigation and compensation that is acceptable to WCDPRC. The Section 4(f) evaluations identified a number of measures to minimize harm. The measures include the following:

- Installation of interpretive signage about the history and significance of the Crane Road Bridge will be installed at the site of the historic bridge(s);
• Continued consultation with the SHPO regarding reviews of project details;

• Development of a landscape plan that will avoid, minimize, or compensate for impacts to identified historic BRPR landscapes and will restore landscape areas affected by construction activities;

WCDPRC understands the conceptual solutions proposed by WCDPW and its consultants and will continue to work with WCDPW on the mitigation that will satisfy the legal and regulatory requirements under the USDOT act section 4(f) and LWCF section 6(f).

Sincerely,

[Signature]

Joseph A. Stout, CPRP
Commissioner of Parks, Recreation and Conservation

cc: Ralph L. Butler, WCDPW
    Kevin Roseman, WCDPW
    Scott Donnelly, WCDPW
    Brian O'Donnell, Stantec
    Russ Tomer, Stantec
June 3, 2009

Ms. Sherry White
Tribal Historic Preservation Officer
Stockbridge-Munsee Band of the Mohicans
W13447 Camp 14 Road
P.O. Box 70
Bowler, Wisconsin 54416

Re: Crane Road Bridge Project, Greenburgh & Scarsdale, New York

Dear Ms. White:

In response to your letter of May 26, 2009 requesting a copy of the Phase IA and Phase IB archaeology reports, please find enclosed for your review a report dated December 2007 that contains the results of both the Phase IA and Phase IB archaeological investigations completed for this project.

Please contact me at (201) 398-4327, or our archaeologist Eugene Boesch at (845) 628-3826, with any questions regarding the Phase I report.

Very truly yours,

MALCOLM PIRNIE, INC.

[Signature]
Richard M. Gilmour, AICP
Senior Environmental Planner

Enclosure

cc Kevin Roseman, Westchester County DPW (w/o enclosure)
    Russ Tomer, Stantec (w/o enclosure)
    Eugene Boesch, MPI

1756-031
June 16, 2009

Kevin M. Roseman  
Traffic Engineer  
Westchester County DPW  
148 Martine Ave., Suite 400B  
White Plains, NY 10601

Re: Memorandum of Agreement  
2 bridges (BINs 3348779 & 3348789)  
Scarsdale & Greenburgh, Westchester County  
07PR05557

Dear Mr. Roseman:

Enclosed, please find six (6) signed copies of the Memorandum of Agreement (MOA). Please have them signed and forwarded to the next agency until the documents are completely authorized. Fully signed copies should then be distributed back to the involved parties.

If you have any questions, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

[Signature]

Kenneth Markunas  
Historic Sites  
Restoration Coordinator

Attachment: Memoranda of Agreement (6)