Final Design Report

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February 9, 2010
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Programmatic Section 4(f) Evaluation
Programmatic Section 4(f) Evaluation

P.I.N. 8110.13

Reconstruction / Replacement of Structures Carrying the Bronx River Parkway Over the Bronx River and the Metro-North Railroad

Village of Scarsdale & Town of Greenburgh
Westchester County

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Part A: Section 4(f) – Federally Aided Projects with Minor Involvement with Public Parks, Recreation Lands and Wildlife and Waterfowl Refuges

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January 07, 2010
PROGRAMMATIC SECTION 4(f) EVALUATION – Part A
For
FEDERALLY-AIDED PROJECTS WITH MINOR INVOLVEMENT WITH PUBLIC PARKS, RECREATION LANDS, AND WILDLIFE AND WATERFOWL REFUGES

BRONX RIVER PARKWAY RESERVATION
For
PIN 8110.13
RECONSTRUCTION/REPLACEMENT OF THE CRANE ROAD VIADUCT
WESTCHESTER COUNTY, NEW YORK
U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
and
New York State Department of Transportation

Submitted pursuant to 49 U.S.C. 303.
A. Proposed Alternative. The proposed project includes the replacement of the bridges carrying the Bronx River Parkway over the Bronx River and Metro-North Railroad at Crane Road in the Village of Scarsdale and Town of Greenburgh within Westchester County. The objectives of this project are to: eliminate structural deficiencies in the bridge; improve traffic operations and safety; maintain traffic on the Bronx River Parkway; minimize potential impacts to adjacent properties; minimize impacts to the Bronx River Parkway Reservation; and enhance pedestrian access.

The preferred alternative involves the replacement of the existing structures with new structures located slightly to the south. The proposed structures are comprised of; a series of six mushroom type piers, with each pier column containing reinforced concrete cantilever brackets that support a square reinforced concrete deck slab which spans the Bronx River; and a composite concrete box girder bridge spanning the Metro-North Railroad. The final pier and structure configuration will be determined in final design. The new bridge will be built by constructing it along the proposed alignment and maintaining traffic on the existing bridge during construction of the new bridge. The existing bridge is planned for demolition upon completion of the new bridge.

Figure 1 – Photo of Existing Bridge (BIN 3-34877-9) viewed in elevation from the bicycle/pedestrian pathway on the south side of the bridge
B. Section 4(f) – The Section 4(f) resource affected by the project is the National Register-listed Bronx River Parkway Reservation, a public park, within which the Bronx River Parkway is located.

(1) A map identifying the relationship of the preferred alternative to the Section 4(f) property is shown in Figure 2.

![Figure 2 – aerial photo showing Bronx River Parkway, Bronx River Parkway Reservation, bicycle/pedestrian path, and preferred alternative impact area](image)

(2) The Bronx River Parkway Reservation property is a total of 326.59 hectares (807.0 acres), and it is located on both sides of the Bronx River Parkway.

(3) The Bronx River Parkway Reservation is owned by the County of Westchester and is a County Park. Federal funds (Land and Water Conservation Fund Act funds) have been used for the improvement of the property. See Section H for more detailed information on this topic.

(4) The primary function of the Bronx River Parkway Reservation is to provide for passive and some active recreational use (for bicyclists and pedestrians) in observing nature. The Bronx River Parkway between Scarsdale Road and the Westchester County Center is
closed to vehicular traffic between 10 a.m. and 2 p.m. on Sundays during the months of May, June and September for use by pedestrians and bicyclists.

(5) Access to the Bronx River Parkway Reservation bicycle/pedestrian pathway in the vicinity of the Crane Road Bridge is provided to/from the north via a pedestrian bridge over the Bronx River that connects to Aqueduct Drive and a dirt pathway that leads to the bridge. Access to the pathway from the south is accomplished via Ardsley Road Bridge stairs to the south and at Depot Place (adjacent to the Scarsdale Metro-North Railroad Station).

(6) The bicycle/pedestrian pathway in Westchester County originates at Palmer Road in Bronxville, NY to the south and currently terminates at the Crane Road Bridge. The Westchester County Department of Parks and Recreation is actively planning the extension of this pathway north of the Crane Road Bridge up to Greenacres Avenue. The path is continuous from Greenacres Avenue to the Kensico Dam in the Hamlet of Valhalla (Town of Mount Pleasant) to the north.

(7) There are no applicable clauses affecting the ownership of the property, such as lease, easement, covenants, restrictions, or conditions, including forfeiture.

(8) There are no unusual characteristics that either reduce or enhance the value of all or part of the property.

C. Impacts on the Section 4(f) Resource – Impacts to the Bronx River Parkway Reservation will be minor with regard to the activities, features, and attributes of this public park. Approximately 335 meters (1,100 feet) of the Bronx River Parkway will be realigned in the immediate vicinity of the existing viaduct to facilitate replacement of the two bridges that comprise the Crane Road viaduct. The preferred alternative will require using approximately 1.91 acres of Bronx River Parkway Reservation parkland adjacent to the existing bridge. This area equates to approximately 0.24% of the 4(f) property (326.59 total hectares (807.0 acres)). The area consists of a steep roughly vegetated roadside slope. The use of this area will not eliminate (permanently) use of the bicycle and pedestrian pathway.

Clearing and grading of the area will be necessary, requiring the removal of a number of mature, indigenous hardwood trees, as well as invasive species within the BRPR. Mature, indigenous trees removed within the Bronx River Parkway Reservation for construction of the new viaduct will be replaced with similar species within the project area or elsewhere within the Bronx River Parkway Reservation. Invasive species removed from the construction area will be replaced with indigenous species, thereby enhancing the landscape features and attributes of the Bronx River Parkway Reservation.

Currently, access to the Bronx River Parkway Reservation from adjacent areas in Scarsdale is impeded, as the steps leading from the existing sidewalk on the north side of the existing bridge are overgrown with vegetation and pedestrians accessing the stairs would need to cross the Parkway at-at grade. The active recreational use of the Bronx River Parkway Reservation by bicyclists and pedestrians will be enhanced, however, by the preferred
alternative. Specifically, the design includes a new sidewalk along the south side of the replacement bridge and a ramp that will lead from the sidewalk to the existing bicycle and pedestrian path on the south side of the replacement bridge.

The passive use and enjoyment of the Bronx River Parkway by motorists traveling along the Bronx River will not be adversely affected by the preferred alternative. In the short-term, the activity by motorists and passengers of viewing the park features from the Parkway will be affected through the removal of trees within the corridor for the replacement bridge.

However, following replacement of trees removed for construction and planting of new trees within the footprint of the demolished existing viaduct, the activity of viewing the landscape of the Bronx River Parkway Reservation from the Parkway will be enhanced, as invasive species are replaced with indigenous species and native species removed as a result of construction grow and mature.

The viewshed from the bicycle/pedestrian pathway will also be impacted, with a different bridge structure being the most noticeable change. The existing piers and abutments of the bridge spanning the Bronx River are very prominent when viewed from the pathway, and any change to these elements will be conspicuous. The elevation of the new bridge span will not be significantly different than the existing bridge, however, and this is not anticipated to significantly impact the viewshed from the Bronx River Parkway Reservation.

During the construction period, it is anticipated that the contractor may use the area to the south of Popham Road to stage construction equipment and materials and that a path to and from the bridge will need to be cleared for access by construction vehicles. One option would be to stage construction equipment and materials in an area to the south of the Westchester County Park and Recreation Department maintenance facility, which is located to the north of the Crane Road Bridge. Another option would be to stage construction equipment and materials between the Bronx River and the Metro North Railroad where the pathway is north of Depot Place. Because of the proximity of the bicycle/pedestrian pathway to the Crane Road Bridge, the pathway will need to be closed to the public during construction to ensure safety. However, the use of the Bronx River Parkway by bicyclists and pedestrians on Sundays during the summer, when the Parkway is closed to vehicular traffic, is anticipated to continue during construction, as well as upon completion of construction when the replacement bridge will be open to traffic and use by bicyclists and pedestrians on Sundays during the summer.

In view of the proposed measures to minimize harm (see section E below) to the Bronx River Parkway Reservation (i.e., replacement of existing mature hardwood trees, planting of new trees within the footprint of the existing bridge, removal of invasive species within the construction area and replacement with indigenous species, continued use by pedestrians and bicyclists of the existing pedestrian / bicycle path following construction and the Bronx River Parkway roadway on Sundays in the Summer during and after construction), the action will not adversely affect the features, attributes, or activities qualifying the Bronx River Parkway Reservation for protection under Section 4(f). Therefore, the impact to the Bronx River Parkway Reservation is considered to be *de minimis*.
D. Avoidance Alternatives – The following alternatives avoid any permanent use of Bronx River Parkway Reservation property:

   Alternative 0 - The No Build or “Null” Alternative

Findings

1. **Do Nothing Alternative.** The Do Nothing Alternative (Alternative 0 for this project) is not feasible and prudent because: it would not correct existing safety hazards, namely the lack of shoulders, substandard lane widths, poor sight distance, and lack of a deceleration lane for the northbound Bronx River Parkway Crane Road exit; it would not correct existing deteriorated conditions and maintenance problems, namely the bridge piers and bridge deck; and not providing such correction would constitute a cost or community impact of extraordinary magnitude, namely the eventual closure of the Bronx River Parkway in this area with detouring of traffic and potential loss of vehicular and pedestrian traffic for local businesses, when compared with the proposed use of the Section 4(f) lands.

2. **Improvement without Using the Adjacent Section 4(f) Lands.** It is not feasible and prudent to avoid Section 4(f) lands by roadway design or transportation system management techniques (including, but not limited to, minor alignment shifts, changes in geometric design standards, use of retaining walls and/or other structures, and traffic diversions or other traffic management measures) because implementing such measures would result in: substantial adverse community impacts to adjacent homes, businesses or other improved properties from traffic diversions or increased noise from alignment shifts; substantially increased roadway or structure cost (e.g., from elevating the entire bridge so as not to occupy any land in the Bronx River Parkway Reservation); substantial adverse social, economic, or environmental impacts (e.g., from any traffic diversions of the high volume of traffic on the Bronx River Parkway to local streets); and the impacts, costs, or problems would be truly unusual or unique, or of extraordinary magnitude when compared with the proposed use of Section 4(f) lands. Flexibility in the application of American Association of State Highway and Transportation Officials (AASHTO) geometric standards would not make this alternative feasible.

3. **Alternatives on New Location.** It is not feasible and prudent to avoid Section 4(f) lands by constructing on a new alignment because the new location would result in greater impacts to the Section 4(f) lands, due to fact that the Bronx River Parkway and Crane Road Bridge are located entirely within the Section 4(f) lands (Bronx River Parkway Reservation) and it is not possible to construct on a new alignment due to surrounding residential and commercial land use; and such problems, impacts, costs, or difficulties would be truly unusual or unique, or of extraordinary magnitude when compared with the proposed use of Section 4(f) lands. Flexibility in the application of AASHTO geometric standards would not make this alternative feasible.

E. Measures to Minimize Harm – Measures to minimize impacts to the Bronx River Parkway Reservation are as follows:
The activities, features and attributes of the Bronx River Parkway Reservation will not be permanently or significantly altered by the preferred alternative. The slope will be re-vegetated and grass areas replaced. Mature, hardwood trees removed for construction along the alignment and immediately adjacent to it will be replaced with similar species to preserve the park-like setting of the property. Additionally, new indigenous species will be planted within the footprint and in the vicinity of the demolished bridges. The existing bicycle and pedestrian path to the south of the bridge will remain in the same location and serve the same purpose. The path will be temporarily closed during construction to ensure public safety. The design of the replacement bridge minimizes the change in the vertical and horizontal alignment of the bridge and approaches to preserve the features and attributes of the Parkway roadway and activity of motorists and bicyclists and pedestrians traveling along the Parkway and through this section of the Bronx River Parkway Reservation.

F. Coordination – Coordination with the Westchester County Department of Parks and Recreation was initiated from the beginning of the project and will continue throughout preliminary and final design and construction. Because improvements within the Bronx River Parkway Reservation were partially funded with Land and Water Conservation Fund Act Grant funds, coordination with the National Park Service will also be completed (through Westchester County Department of Parks and Recreation). See Section H for more detailed information on this topic.

G. Applicability of Programmatic Section 4(f) – This project meets the criteria for the application of a Programmatic Section 4(f) for Federally-Aided Highway Projects with Minor Involvements with Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges.

1. The project is designed to improve the operational characteristics, safety, and physical condition of existing highway facilities on essentially the same alignment. This includes bridge replacements on essentially the same alignment; and the construction of additional lanes.
2. The Section 4(f) land is a publicly owned public park.
3. The amount and location of the land to be used will not impair the use of the remaining Section 4(f) land, in whole or in part, for its intended purpose.
4. The total amount of land to be used from the site (Bronx River Parkway Reservation) will not exceed 10% of the total site area. Under the preferred alternative, approximately 1.91 acres (0.24%) will be used from a total site area of 326.59 hectares (807.0 acres).
5. The applicability of this programmatic 4(f) evaluation requires that the Westchester County Department of Parks and Recreation agrees, in writing, with the assessment of the impacts on, and the mitigation for, the Section 4(f) lands.
6. This project uses land from a site (Bronx River Parkway Reservation) improved with funds under the Land and Water Conservation Fund Act. Therefore, coordination with the National Park Service is required to ascertain the agency’s position on the land conversion. This programmatic 4(f) evaluation will not apply if the agency objects to the land conversion.
7. An environmental impact statement (EIS) was not prepared for this project.
All other alternatives have been evaluated and there are no feasible and prudent alternatives to the use of the Bronx River Parkway Reservation property.

H. Section 6(f) – Federal Land and Water Conservation Funds were used for the improvement of the property. Three grants totaling $350,000 were awarded in 1976, 1978, and 1979, and were applied to development of the Bronx River bicycle/pedestrian pathway between the Kensico Reservoir and the North White Plains Train Station, the bicycle/pedestrian pathway between the Westchester County Center and Greenacres Road, and the bicycle/pedestrian pathway between Harney Road and Tuckahoe Road. In view of this, the entire site will be considered to be “6(f).” The Bronx River Parkway, however, is located entirely within the Bronx River Parkway Reservation. As such, there is no designated right-of-way for the highway, as the highway and lands improved with Section 6(f) funds are located on the same property. Thus, there is no need to acquire land improved with Section 6(f) funds for any right-of-way for the preferred alternative.
PROGRAMMATIC SECTION 4(f) EVALUATION – Part B

for

FEDERALLY-AIDED PROJECTS THAT NECESSITATE
THE USE OF HISTORIC BRIDGES

The CRANE ROAD VIADUCT
PIN 8110.13
(BINs 3-34877-9 and 3-34878-9)

BRONX RIVER PARKWAY OVER THE BRONX RIVER
AND THE METRO-NORTH RAILROAD
WESTCHESTER COUNTY, NEW YORK

BRIDGE RECONSTRUCTION/REPLACEMENT

U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration

And

New York State Department of Transportation

Submitted pursuant to 49 U.S.C. 303. This evaluation was prepared in consultation with FHWA and has been reviewed for scope and content and is released for comments.
A. INTRODUCTION:
A Programmatic Section 4(f) Evaluation and Approval is available to projects where there are no feasible and prudent alternatives to the use of historic bridge structures to be replaced or rehabilitated with Federal funds and that the projects include all possible planning to minimize harm resulting from such use. This approval is made pursuant to Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303) and Section 18(a) of the Federal-Aid Highway Act of 1968 (23 U.S.C. 138).

This Programmatic Section 4(f) Evaluation considers the reconstruction/replacement of the Crane Road Viaduct (PIN 8110.13; the Viaduct), that carries the Bronx River Parkway over the Bronx River (BIN 3-34877-9) and Metro-North Railroad (MNR)(BIN 3-34878-9) at Crane Road in the Village of Scarsdale and Town of Greenburgh in Westchester County, State of New York. The Viaduct consists of two bridges (BINs 3-34877-9 and 3-34878-9) that are contributing elements of the Bronx River Parkway Reservation, an historic district listed on the National Register of Historic Places.

B. APPLICABILITY:
This programmatic Section 4(f) evaluation may be applied to this project by the Federal Highway Administration (FHWA) because it meets the required criteria:

1. The Crane Road Viaduct is to be replaced using Federal funds.
2. The project requires the use of two historic bridges, both of which are on the National Register of Historic Places (NR or National Register) as contributing elements of the Bronx River Parkway Reservation, which is listed on the NR.
3. The project will impair the historic integrity of both of the bridges that comprise the Viaduct as a result of their demolition.
4. Neither of the bridges that comprise the Viaduct are a National Historic Landmark; 
5. The FHWA Division Administrator has determined that the facts of the project match those set forth in the sections of this document labeled “Alternatives,” “Findings,” and “Mitigation.”
6. Agreement [or Memorandum of Agreement; MOA] was reached among the FHWA, the New York State Historic Preservation Officer (SHPO) and Westchester County (County) through procedures pursuant to Section 106 of the National Historic Preservation Act (NHPA) and is attached hereto as Appendix D.
7. All other alternatives have been fully evaluated and there are no feasible and prudent alternatives to the use/demolition of the existing bridges.

C. ALTERNATIVES CONSIDERED
The following alternatives, which avoid impacts to the existing bridges, have been evaluated:

1 - The No Build or "Null" Alternative
2 - Construct a New Alignment without Use of the Existing Bridge
3 - Rehabilitate Existing Bridge without Affecting Historic Integrity
Findings:

1. **No Build or “Null” Alternative**: The Null Alternative provides for only the continued maintenance with an increasing amount of maintenance time and money required to keep the facility open to traffic. It is included as a benchmark alternative against which the build alternatives will be compared. This alternative would include only routine maintenance; thus, the structural deficiencies of the Bridge are not corrected. However, an increased amount of maintenance time and money would be required to keep the structure open to traffic, because the current deterioration of the roadway is beyond repair with normal maintenance. Eventually, for safety reasons, the structure would be closed to traffic, requiring the current users of the structure to find alternative routes. In addition, continued deterioration could also result in disruptions to MTA Metro-North Railroad trains that pass beneath the bridge. This alternative does not meet the objectives of the project, as it does not maintain safe access over the Bronx River for the Parkway, and the structural deficiencies of the bridge are not corrected. Therefore it is not considered a prudent or feasible alternative.

2. **Construct on New Location without Use of the Existing Bridge(s)**: Avoiding the use of the existing Section 4(f) bridges by creating an entirely new and separate location that would leave the existing bridges in place is not feasible and prudent. The site of the Viaduct is severely constrained, not only by topography but also by the presence of other cultural resources – both NR-listed and eligible properties, including both individual properties as well as districts – immediately adjacent to the project area. It would adversely impact the appearance of the NR-listed Bronx River Parkway Reservation at that location; it would cause substantial impacts to private and public properties, substantial impacts to the natural and built environment, excessive cost, and ultimately will threaten public health and safety, as the substandard bridges deteriorate, since funds are not available to maintain both the obsolete structures and the new Viaduct.

3. **Rehabilitate Existing Bridge(s) without Affecting Historic Integrity**: Rehabilitation of the bridges was evaluated in accordance with the Bridge Rehabilitation or Replacement Selection Guidelines and was eliminated due to cost, schedule, and failure to satisfy the project objectives. Specifically, the piers of the concrete bridge are beyond salvage and require complete replacement as would the abutments. The reconstruction cost is 6% higher than the replacement cost under the preferred alternative due to the need to construct a temporary bridge to maintain traffic on the Bronx River Parkway. Due to the structural limitations of the existing bridge, it is not possible to construct a replacement bridge along one-half of the length of the existing alignment and use part of the existing bridge to maintain traffic. Bridge reconstruction would not address the substandard width and geometries of the bridge. Reconstruction of all of the necessary components of the concrete bridge would diminish the historic integrity of the bridge. In addition, the existing MNR bridge lacks redundancies and is thus vulnerable to failure. This condition can not be corrected by a simple rehabilitation of the existing span without incurring excessive cost and it would adversely affect the bridge’s historic integrity in that it would alter its historic structural system and result in a substantial lost of historic fabric. For these reasons, this alternative was not considered further.
D. **PREFERRED ALTERNATIVE**  
The proposed project includes the replacement of the two bridges of the Crane Road Viaduct. The primary purpose of this project is to upgrade the Crane Road Viaduct to modern structural standards while retaining the visual character of the historic bridges and enhancing pedestrian access and the natural environment. Additional project objectives include improving deficient bridge width and public safety.

The preferred alternative involves the replacement of the two existing bridges of the Viaduct with new, wider structures on an alignment slightly south of the existing one. The new Viaduct will be constructed along the proposed alignment while traffic is maintained on the existing crossing during construction of the new bridges. The existing Viaduct is to be demolished upon completion of the new structures.

More specifically, the existing through-girder, concrete encased bridge over the MNR (BIN 3-34878-9) would be replaced with a redundant type structure (concrete box-beam bridge). The final pier and structure configuration will be determined in final design; architectural treatments shall be decided in consultation with the SHPO. The existing reinforced concrete bridge over the Bronx River (BIN 3-34877-9) will be replaced by a new, somewhat wider bridge that incorporates certain engineering and safety upgrades as well as replicates the appearance of the historic bridge through certain architectural treatments selected in consultation with the SHPO.

E. **SECTION 4(f) PROPERTY.**  
The Section 4(f) resources in the Area of Potential Effect (APE) within the BRPR Historic District that would be affected by the Preferred Alternative are:

1. The Bronx River Parkway Reservation (BRPR) is an historic district listed on the National Register and includes the Parkway roadway, the Bronx River, and landscape features and ranges in width from about 200 feet to 1,200 feet for some 10 miles from the Sprain Brook Parkway near Bronxville northward to the Kensico Dam near Valhalla, New York. Although not specifically listed as contribute features of the BRPR Historic District, the County’s preservation consultant has also identified particular contributing features of the BRPR adjacent to the project that include Scarsdale Lake, the dam impounding Scarsdale Lake, and the pathways.

2. The two existing bridge structures that comprise the Viaduct are both contributing resources to the Bronx River Parkway Reservation, an historic district listed on the National Register of Historic Places.
The entire length of the existing Viaduct, including approaches, is some 600 feet and consists of two bridges. The westernmost bridge, which crosses the Bronx River, is 336 feet long. The easternmost bridge, the through girder bridge that spans the Metro-North Railroad, is approximately 77 feet long. Both bridges have concrete abutments faced with stone in random ashlar. The Viaduct is owned by the Westchester County.

a) The westernmost bridge is made of reinforced concrete, arranged in eight “mushroom units” (“Mushroom Bridge”). It was completed in 1924 as part of the Bronx River Parkway. It is listed on the National Register as a contributing element of the Bronx River Reservation Historic District. It was designed by a nationally prominent architect William Adams Delano in collaboration with Arthur Hayden, Designing Engineer for the Bronx River Parkway. It was published in two well-known architectural and engineering journals of the period and is a unique bridge form for which no direct precedent is known to date and which embodies innovative engineering solutions to the constraints of the site. It is listed as a contributing element of the National Register-listed BRPR Historic District; the NYSHPO found that it was not individually eligible for the National Register.

b) The easternmost bridge is a through plate girder bridge, with the external face of the girder encased in concrete. It was also completed in 1924 as part of the Bronx River Parkway and was also a product of collaboration between Architect W. A. Delano and Designing Engineer Arthur Hayden. This span is a typical steel girder railroad
bridge, a type long used in conjunction with railroads. The concrete casing is its only
distinctive treatment, which was meant to reflect the aesthetic of the BRPR. It is listed
as a contributing element of the BRPR Historic District.

The primary function of the Viaduct is to carry vehicles over the Bronx River and the
Metro North Railroad on the Bronx River Parkway. Bicycles and pedestrians are
permitted on the crossing only when that section of the Parkway is closed to vehicular
traffic in weekends during the summer months.

Primarily vehicles use the bridge, with pedestrians and bicycles using it only on Sundays
from 10am to 2pm between Scarsdale Road and the County Center in the months of May,
June, and September. The existing ADT [vehicle trips/day] for the Viaduct is 36,000.
Pedestrian and bicycle traffic volumes are highest during the summer months, when the
Parkway is closed to vehicular traffic as stipulated above.

There are no similar bridge structures in the immediate area.

3. Location maps (1-3) are attached hereto as Appendix A. A map identifying the
relationship of the proposed alternative to all the Section 4 (f) properties within the BRPR
Historic District is attached hereto as Appendix B.

F. IMPACTS ON THE SECTION 4(F) PROPERTY
The Preferred Alternative will replace the existing bridge structures on a new alignment,
located slightly south of the existing Viaduct (Appendix C, Figure 1). Construction would be
phased to maintain traffic on the existing structure throughout the construction of the
replacement structure. The new alignment of the replacement structure would allow for a
modest improvement in the roadway geometry.

Proposed modifications include:

1. Replacement of the Mushroom Bridge superstructure and substructure with a deck
widening of 5.8 m (19 ft) on a similar alignment.

2. The MNR through-girder bridge would be replaced with a redundant type structure
(concrete box beam bridge).

3. Replacement piers of the new bridge over the Bronx River would retain the form of the
existing historic pier configuration of the Mushroom Bridge, while relocating them along
a similar alignment (Appendix C, Figures 2 and 3). The Mushroom Bridge superstructure
will be widened and the south abutment and retaining walls will have reconfigured
locations and dimensions. Replacement of the middle abutment (between the Mushroom
Bridge and the MNR through-girder bridge) and the north abutment of the MNR through-
girder bridge will be reconfigured and will be approximately 5.8 m (19 ft) wider to
accommodate the new widened deck over the MNR tracks.
4. Non-standard features including lane width, shoulder width, horizontal curvature, grade, vertical clearance, design speed, minimum stopping sight distance would remain. The calculated design speed with the replacement project would be increased from 35 kph (22 mph) to 51 kph (32 mph) (based on the calculated stopping sight distance of 66 m (217 ft) along the parapet of the southbound right lane).

5. The construction cost would be approximately $35M in 2007 dollars. The construction duration would be approximately 2.0 years.

Since the project involves the demolition of both of the bridges, which are listed as contributing to the NR listed BRPR District, the impact to those Section 4(f) properties is significant.

The impacts to the Bronx River Parkway Reservation Historic District and the Bronx River Parkway itself are anticipated to be de minimus. Approximately 335 meters (1,100 feet) of the parkway would be realigned “in place” to facilitate the Viaduct replacement. The section of Parkway affected would be approximately 2% of the overall Parkway length of 16,100 meters (53,000 feet) in the BRPR.

The area of the Reservation affected by the project would be approximately 1.9 acres adjacent to the existing bridge. This area equates to approximately 0.24% of the 4(f) property (326.59 total hectares, or 807.0 acres). The area of the BRPR permanently affected by the new bridge approach widening (new columns and abutments) will replace existing trees and disrupt existing topography.

As mitigation for the permanent landscape impacts, the County shall develop a landscape plan that will avoid, minimize, or compensate for impacts to identified historic landscapes within the BRPR Historic District and, following the completion of construction activities, shall restore the landscape areas affected by the Project in accordance with that plan, which may include such things as the use and placement of plant materials, alignment and profile of pathways, historic lighting, and other elements of the historic landscape.

G. MEASURES TO MINIMIZE HARM

Since it is necessary for the existing bridges to be removed, measures to minimize direct impacts to them are not possible. However, the Memorandum of Agreement signed by the consulting parties under Section 106 of the National Historic Preservation Act, sets forth a number of measures to minimize and/or mitigate adverse impacts resulting from the project:

1. The new bridge(s) built in accordance with the Preferred Alternative shall be differentiated from the existing in terms of scale and modest shift in alignment. Architectural treatments for each new bridge shall be compatible with the corresponding historic bridge in terms of elements, features, proportion, and massing. Each new bridge, would be constructed of concrete materials, and shall replicate the appearance of the corresponding old bridge in terms of its materials, texture, and color. During the design process, the County and the NYSHPO shall continue to consult on the development and
incorporation of appropriate architectural treatments for the new bridge(s) into the
construction documents.

2. Interpretive signage shall be placed near the reinforced concrete bridge over the Bronx
River (BIN # 3-34877-9), which shall include a narrative history of the original bridge, its
architect, and its cultural significance, and one or more moisture weather- and UV-
resistant and/or otherwise protected photographs of the historic bridge and diagram(s) of
its original alignment.

3. The County shall provide the County with the Project’s final draft of the Survey of
Historic Resources,\(^1\) including both narrative text as well as photographs and
illustrations, which shall be uploaded to the Internet site about the history of the Bronx
River Parkway currently maintained by the Westchester County Archives at URL
http://westchesterarchives.com/BRPR/BRPRHome.html and/or other appropriate web
site(s) to contribute to the County’s efforts to educate the public about topics of local
history.

4. The NYSDOT and the County agree to have the Principal Investigator for the previously
conducted archaeological investigations of the project area complete the NYSHPO
archaeological site form for the Native American artifact previously recovered there,
which shall be submitted to NYSHPO for inclusion in its archaeological site files.

The full mitigation plan for the project is set forth in the Memorandum of Agreement
(MOA), which is attached hereto as Appendix D.

The existing bridges have already been documented as part of the BRPR nomination to the
National Register and the Historic American Engineering Record (HAER) recordation of the
Bronx River Parkway. The history and significance of the Crane Road Viaduct has also been
documented at an intensive level as part of the cultural resource evaluation conducted in
satisfaction of the NHPA Section 106 requirements. Copies of the original engineering
drawings for the bridges are held by the County. Other means of documentation and
recordation may be developed in consultation with NYSHPO.

H. COORDINATION

Coordination with NYSHPO was initiated with regard to the bridge and a Memorandum of
Agreement was signed by the FHWA, the NYSHPO, and the County through procedures
pursuant to NHPA’s Section 106.

\(^1\) Mary Delaney Krugman, JD, MSHP, The Reconstruction REPLACEMENT of the Crane Road Viaduct Bronx River Parkway Bridge
over the Bronx River (BIN 3348779) and Bridge over Metro-North Railroad (BIN 3348789) at Crane Road in the Village of
Scarsdale and Town of Greenburgh, Westchester County, New York (PIN 8119.13), Survey of Historic Resources, prepared for
Programmatic Section 4(f) Evaluation and Approval for FHWA Projects
The necessitate the USE of Historic Bridges

Applicability and Procedures

PIN: 8110.13.121
PROJECT: To replace BIN 3348779, Bronx River Parkway @ Crane Road, Westchester County, New York

Consult the Nationwide Section 4(f) Evaluation as it relates to the following items. Complete all items. Any response in a box ([ ] ) requires additional information prior to approval. Attach any information. This determination will be attached to the applicable NEPA document.

APPLICABILITY

1. Will the bridge be replaced and/or rehabilitated with Federal Funds?
   [ ] YES  X NO

2. Will the project require the "use" of a historic bridge which is on or eligible for listing on the National Register of Historic Places?
   [ ] YES  X NO

3. Will the project impair the historic integrity of the bridge either by demolition or rehabilitation?
   [ ] YES  X NO

4. Has the bridge been determined to be a National Historic Landmark?
   [ ] YES  X NO

ALTERNATIVES CONSIDERED

Consult the Nationwide Programmatic Section 4(f) Evaluation for the generic reasons that might be addressed. The evaluation of alternatives for the subject project, however, must quantify those reasons as applicable and be supported by circumstances of the project. All of the following alternatives must be evaluated.

1. The "Do Nothing" alternative has been studied and it has been determined for reasons of maintenance and safety not to be feasible and prudent.
   [ ] YES  X NO

2. The build on a New Location without using the old bridge alternative has been studied and it has been determined for reasons of terrain, and/or adverse social, economic or environmental effects, and/or engineering and economy, and/or preservation of the old bridge, not to be feasible and prudent.
   [ ] YES  X NO

3. Rehabilitation of the existing bridge without affecting the historic integrity of the bridge has been studied and it has been determined for reasons of structural deficiency and/or geometrics that rehabilitation is not feasible and prudent.
   [ ] YES  X NO
MEASURES TO MINIMIZE HARM
The following must include all possible planning to minimize harm.

1. For bridges that are to be rehabilitated, the historic integrity of the bridge is preserved to the greatest extent possible, consistent with unavoidable transportation needs, safety and load requirements.*

2. For bridges that are to be rehabilitated to the point that the historic integrity is affected or that are to be moved or demolished, the FHWA has ensured that fully adequate records are made of the bridge in accordance with the Historic American Engineering Record (HAER). **

3. For bridges that are to be replaced, the existing bridge is made available for an alternative use, provided a responsible party agrees to maintain and preserves the bridge, and/or, it has been determined that marketing of the bridge is not feasible.***

4. For bridges that are adversely affected, the FHWA, SHPO, and ACHP have reached agreement through the Section 106 process on the Measures to Minimize Harm and those measures are incorporated into the project.

NOTES:
* This criterion and the provisions of Section 4(f) apply when it has been determined by FHWA in consultation with SHPO and ACHP through the Section 106 process that the rehabilitation work will result in an "adverse effect" on the historic integrity of the structure. When through the above consultation, it is determined the rehabilitation work will result in "no adverse effect" on the historic integrity of the structure, the provisions of Section 4(f) and the above Nationwide Programmatic Section 4(f) Evaluation do not apply.

** The HAER Record has been completed.

*** Marketing is not required when through the Section 106 consultation process between the State or local agency, FHWA, the SHPO and the ACHP, it is determined not a feasible option.
Procedures

This programmatic Section 4(f) approval applies only when the FHWA Division Administrator:

YES  NO
1. Determines that the project meets the applicability criteria set forth above. [ ]  [ ]

2. Determines that all of the alternatives set forth in the Findings section have been fully evaluated. [ ]  [ ]

3. Determines that use of the findings in this document that there are no feasible and prudent alternatives to the use of the historic bridge is clearly applicable. [ ]  [ ]

4. Determines that the project complies with the Measures to Minimize Harm section of this document. [ ]  [ ]

5. Assures that implementation of the measures to minimize harm is completed. [ ]  [ ]

6. Documents the project file that the programmatic Section 4(f) evaluation applies to the project on which it is being used. [ ]  [ ]
Reconstruction/Replacement
Crane Road Viaduct
Bronx River Parkway
Town of Greenburgh
and Village of Scarsdale
Westchester County, New York

KEY:
A. Bronx River Parkway Reservation
   Historic District (BRPR HD - NR listed)
B. Contributing Bridges (BRPR HD)
C. Vicinity of other contributing features (BRPR HD).
D. Scarsdale Railroad Station (NR listed)
E. Scarsdale Post Office (NR listed)
F. Scarsdale Village Center Historic Dist.
   (NR Eligible)
G. Edgemont Historic District (NR Eligible)
H. Scarsdale Chateaux (Potentially NR Eligible)
I. BPR Bridge over Bronx River
   (BIN 3348779 - Individually NR Eligible)

Area of Potential Effects (APE)

Historic Resources within the Area of Potential Effects (APE)

Graphic prepared by:
Mary Delaney Krugman Associates, Inc.
Historic Preservation Consultants
36 Park Street, Montclair, NJ 07042
June 7, 2007
Ms. Carolyn M. Ryan, P.E.
Local Program Manager
New York State Department of Transportation
4 Burnett Boulevard
Poughkeepsie, NY 12063-2594

Subject: PIN 8110.13, Bronx River Pkwy. Over Bronx River and MNR
Village of Scarsdale, Westchester County
Section 106 Adverse Effect, 07PR05557

Dear Ms. Ryan:

The Sponsor; Westchester County, NY has prepared a July 2009 Final Design Report and associated plans, and recommended the undertaking will have an Adverse Effect on properties on or eligible for listing on the National Register of Historic Places (NR). The SHPO was consulted, provided background information, and notified of the recommendation by letters of January 23, 2008, and June 18, 2008. Consequently SHPO issued an opinion by letter of June 26, 2008, that the project will have an Adverse Effect to these resources.

In accordance with 36 CFR 800.6 the Advisory Council of Historic Preservation (ACHP) was invited to participate by FHWA letter of August 28, 2009. ACHP responded on September 24, 2009, they did not believe ACHP participation in the consultation to resolve Adverse Effects is needed at this time.

We have reviewed supporting documentation and concur with the sponsor’s recommendation and the SHPO’s opinion that this action will have an Adverse Effect on properties listed or eligible for listing on the National Register of Historic Places.

A Memorandum of Agreement (MOA) has been prepared stipulating a HABS LEVEL II documentation will be undertaken, specifies treatment of cultural resources and historic landscapes, and includes protocol for addressing archaeological resources if unexpectedly discovered during construction. The MOA has been signed by Westchester County, NYS Historic Preservation Office, and NYSDOT. FHWA signed the MOA on September 25, 2009. Copies of the signed signature pages are attached for your use. Please process the MOA for filing with ACHP pursuant to 36 CFR §800.6(b)(1)(iv).
Once the MOA is filed with ACHP the requirements of 36 CFR Part 800 will have been satisfactorily met for this project.

Sincerely,

Willet R. Schraft, PE
Senior Operations Engineer

Attachments

cc: T. Kligerman, NYSDOT DQAB, POD23
   T. Dewey, R8 Cultural Resource Coordinator
   M. Santangelo, NYSDOT Office of Environment, POD41
   K. Markunas, NYSOPRHP, Peebles Island, PO Box 189, Waterford, NY 12188-0189
MEMORANDUM OF AGREEMENT

PURSUANT TO 36 CFR SECTION 800
REGARDING THE REPLACEMENT OF THE BRIDGES
OF THE CRANE ROAD VIADUCT
(BIN 3348779 AND BIN 3348789)
ON THE BRONX RIVER PARKWAY OVER THE BRONX RIVER
AND THE METRO-NORTH RAILROAD
VILLAGE OF SCARSDALE and TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK

WHEREAS, the County of Westchester ("Westchester County" or "County"), New York, proposes to replace the Crane Road Viaduct on the Bronx River Parkway in the Village of Scarsdale and the Town of Greenburgh, Westchester County (the Project), which is comprised of two bridges: 1) a reinforced concrete bridge over the Bronx River (BIN 3348779, a/k/a the "Mushroom Bridge"); and 2) a steel girder bridge over the Metro North Railroad (BIN 3348789, a/k/a the "Railroad Bridge" or "MNRR Bridge"); and

WHEREAS, the Mushroom Bridge is in a state of advanced deterioration and is becoming unsafe for the traveling public and the MNRR Bridge, although in fair condition overall, contains non-redundant elements so that the failure of a major element will lead to a complete collapse of the entire bridge, resulting in the County's need to demolish and replace both bridges; and

WHEREAS, both of these bridges are contributing resources within the Bronx River Parkway Reservation ("BRPR"), which is listed on the National Register of Historic Places ("National Register" or "NR"); and

WHEREAS, the National Register documentation notes that the BRPR is culturally significant under Criteria A and C of the National Register evaluation criteria in the areas of conservation, recreation, transportation, landscape, architecture, and engineering; and

WHEREAS, the County has identified other historic properties that are listed on or eligible for the National Register as per the U.S. Secretary of the Interior's National Register evaluation criteria and are located within the Project's Area of Potential Effects ("APE") and has submitted a report about those properties to the New York State Historic Preservation Office ("NYSHPO"). The NYSHPO has concurred with the findings of the Survey of Historic Resources, exclusive of the recommendation that the Mushroom Bridge is individually eligible for listing on the National Register; and

WHEREAS, the involvement of the Federal Highway Administration ("FHWA") constitutes an action under Section 106 of the National Historic Preservation Act, and will also include the involvement of the New York State Department of Transportation ("NYSDOT"); and

WHEREAS, Westchester County has consulted with the New York State Historic Preservation Office (NYSHPO) pursuant to 36 CFR Part 800 - Protection of Historic Properties, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and


5/29/09         Page 1 of 10
WHEREAS, the FHWA, the NYSDOT, the NYSHPO, and the County have agreed that replacement of the Mushroom Bridge and MNRR Bridge is necessary, and that the alternative proposed by the County and set forth in the Design Report and its appendices is the preferred alternative; and

WHEREAS, the FHWA, the NYSDOT, the NYSHPO, and the County acknowledge and have agreed that the Project will result in adverse effects to the Mushroom Bridge and MNRR Bridge of the Crane Road Viaduct as well as the Bronx River Parkway Reservation Historic District, but that it will not adversely affect other historic resources identified in the APE.

NOW, THEREFORE, FHWA, NYSHPO, NYSDOT, and Westchester County agree that the following stipulations will be implemented in order to take into account the effect of the Project on historic properties and to mitigate the Project’s adverse effects:

STIPULATIONS

Westchester County shall ensure that the following measures are carried out:

I. DOCUMENTATION; RECORDATION:

The two bridges that comprise the Crane Road Viaduct shall be recorded equivalent to Level II Documentation Standards of the Historic American Buildings Survey and the Historic American Engineering Record (HABS/HAER), including drawings (select existing drawings, where available, photographed with large-format negative or photographically reproduced on Mylar); photographs (photographs with large-format negatives of exterior or historic views, where available); and written data (history and description) in the form of a report. Two (2) copies of the documentation shall be prepared in report form and they shall be distributed as follows: one copy to the NYSHPO (to be forwarded to the State Archives) and one copy to the Westchester County Archives (“WCA”).

II. TREATMENT OF CULTURAL RESOURCES:

A. The bridge(s) shown in Preferred Alternative C shall be differentiated from the existing, in terms of scale and modest shift in alignment. Architectural treatments for each new bridge shall be compatible with the corresponding historic bridge in terms of elements, features, proportion, and massing. Each new bridge shall replicate the corresponding old bridge in terms of their respective materials, texture, and color. During the design process, the County and the NYSHPO shall continue to consult on the development and incorporation of appropriate architectural treatments for the new bridge(s) into the construction documents.

B. Interpretive signage shall be placed near the Mushroom Bridge over the Bronx River, which shall include a narrative history of the original bridge, its architect, and its cultural significance, and one or more moisture weather- and UV-resistant and/or otherwise protected photographs of the historic bridge and diagram(s) of its original alignment.

6/2/2009 -- Page 2 of 10 --
C. The County shall provide the WCA the Project’s final draft of the Survey of Historic Resources, including both narrative text as well as photographs and illustrations, which shall be uploaded to the Internet site currently maintained by the WCA about the history of the Bronx River Parkway at URL http://westchesterarchives.com/BRPR/BRPRHome.html and/or other appropriate web site(s) to contribute to the County’s efforts to educate the public about topics of local history.

D. The NYSDOT and the County agree to have the Principal Investigator for the previously conducted archaeological investigations of the project area complete the NYSHPO archaeological site form for the Native American artifact previously recovered there, which shall be submitted to NYSHPO for inclusion in its archaeological site files.

III. TREATMENT OF HISTORIC LANDSCAPES:

The County shall develop a landscape plan that will avoid, minimize, or compensate for impacts to identified historic BRPR landscapes within the APE and, following the completion of construction activities, shall restore the landscape areas affected by the Project in accordance with that plan, which may include such things as the use and placement of plant materials, alignment and profile of pathways, historic lighting, and other elements of the historic landscape.

IV. ARCHAEOLOGICAL SITES:

Previously completed archaeological investigations of the area of potential effect for the project did not encounter archaeological resources. Accordingly, Westchester County and NYSHPO officials agree that it is unlikely that such resources will be impacted by the Project. However, the County in consultation with NYSHPO will establish a protocol for addressing archaeological resources in the event that unexpected archaeological resources are encountered during construction activities. The protocol, prepared during final design will ensure that the potential significance of any such resource is evaluated. It also will ensure that project related impacts to a significant resource are mitigated.

V. COORDINATION OF REVIEWS FOR PROJECT ACTIVITIES:

Due to the need to expedite the project in the interests of public health and safety, the NYSHPO will have 30 days to review and comment on all plans, documents, reports, and materials submitted to the NYSHPO by the County or its representative unless otherwise stipulated. If the NYSHPO fails to comment within the specified time, the County may assume concurrence with the findings or conclusions contained in the documents submitted. If interested parties are participating in any reviews conducted hereunder, the County shall ensure that all interested parties are provided documentation at the time it is forwarded to the NYSHPO and are also afforded a 30 day review.

2 Mary Delaney Krugman, JD, MSHP, The Reconstruction/Replacement of the Crane Road Viaduct Bronx River Parkway Bridge over the Bronx River (BIN 3348779) and Bridge over Metro-North Railroad (BIN 3348789) at Crane Road in the Village of Scarsdale and Town of Greenburgh, Westchester County, New York (PIN 8119.13), Survey of Historic Resources, prepared for Westchester County, New York (Montclair NJ: Mary Delaney Krugman Associates, Inc., December 10, 2007 (Draft)).
period. As appropriate, the County shall provide to the NYSHPO copies of interested party comments to facilitate the project.

VI. DISPUTE RESOLUTION

A. The NYSHPO shall have 30 days to object to project documents submitted by the County. The County and NYSHPO shall attempt to resolve any disagreement arising from implementation of this Memorandum Of Agreement (“MOA”).

VII. PUBLIC INVOLVEMENT

A. The County shall inform the interested public of the existence of this MOA and the steps it is taking to satisfy its provisions. Copies of this MOA will be available for public inspection. Any comments received from the public under this MOA shall be taken into account by the County.

B. The County shall review and resolve timely substantive public objections to the project. The County shall consult with the NYSHPO to resolve objections. Project actions which are not the subject of the objection may proceed while the consultation is conducted.

VIII. AMENDMENTS

Any signatory to this MOA may request that it be amended, whereupon all the parties will consult in accordance with 36 CFR Part 800.13 to consider such amendment. Any amendment will be subject to approval of the Westchester County Board of Acquisition and Contract.

IX. TERM AND TERMINATION

This MOA shall commence upon execution and continue in full force and effect until terminated. Any signatory to this MOA may terminate it by providing thirty (30) days notice by certified mail, return receipt requested, to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

X. EXECUTION AND IMPLEMENTATION

Execution and implementation of this MOA, and the implementation of these stipulations provide evidence that the County has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment.

XI. SUNSET CLAUSE.

This MOA will continue in full force and effect until the construction of the Project is complete and all terms of this MOA are met, unless the Project is terminated or authorization is rescinded.
Execution and implementation of this MOA satisfies the need for other involved (funding, licensing, permitting or approving) federal agencies to consult with the NYSHPO under the Section 106 Regulations with regard to the Project, and the need for other involved state agencies to consult with the NYSHPO under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law.

XII. MISCELLANEOUS.

This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.
MEMORANDUM OF AGREEMENT
CRANE ROAD VIADUCT PROJECT
VILLAGE OF SCARSDALE AND TOWN OF GREENBURGH, WESTCHESTER COUNTY, NY

AGREEING:
NEW YORK STATE HISTORIC PRESERVATION OFFICE

[Signature]  DSHPO

Date: 6/12/09

FEDERAL HIGHWAY ADMINISTRATION

[Signature]  Dist Eng

Date: 9/25/09

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

[Signature]  Joan Depa

Date: 8/28/09

CONCURRING:
COUNTY OF WESTCHESTER

[Signature]  Noah Antle

Date: 4/23/09

Approved as to form

[Signature]  Janis Ahlström

Sr. Assistant County Attorney
County of Westchester

7/2/09
ACKNOWLEDGMENT

STATE OF NEW YORK
COUNTY OF Albany

On the 12th day of June, in the year 2009 before me, the undersigned, personally appeared Keith L. Thigpen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: 6/12/09

Notary Public

LINDA C. CHRISTOPHER
Notary Public, State of New York
No. 01CH481ST71
Qualified in Albany County
Commission Expires Jan. 31, 2010
STATE OF NEW YORK )
 ) ss.: 
COUNTY OF )

On the __________ day of ______________ in the year 2009 before me, the undersigned, personally appeared __________________________, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: ________________________________

Notary Public

5/29/09
NEW YORK STATE DEPARTMENT OF TRANSPORTATION

ACKNOWLEDGMENT

STATE OF NEW YORK               )
                                 ) ss.
COUNTY OF  DUTCHESS            )

On the 28th day of August in the year 2009 before me, the undersigned, personally appeared Joan Dupont, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: 8/28/09

Wendy S. Cobb
Notary Public

WENDY S. COBB
Notary Public, State of New York
Qualification in Dutchess Co. No. 01205038797
Commission Expires February 6, 2011
COUNTY OF WESTCHESTER

ACKNOWLEDGMENT

STATE OF NEW YORK  )
COUNTY OF  ) ss.:  

On the 23rd day of June in the year 2009 before me, the undersigned, personally appeared Ralph Butler, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: 6/23/09

Kathleen A. Wright
Notary Public

KATHLEEN A. WRIGHT
Notary Public State of New York
License # 01WRS695909
Qualified in Westchester County
Commission Expires October 27, 2012
Andrew J. Spano  
County Executive
Department of Parks, Recreation & Conservation
Joseph A. Stout, CPRP  
Commissioner
May 20, 2009

Mr. Edward Goff
NYS DOT Local Projects Unit
4 Burnet 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)
BINs 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,

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