



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**


NATIONAL MARINE FISHERIES SERVICE

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 Sciences Laboratory  
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September 28, 2007

To: AKRF Environmental and Planning Consultants  
 100 Centre Boulevard  
 North Marlton Crossing, suite 102H/J  
 Marlton, NJ 08053

SUBJECT: Federal Transit Administration/NJ Transit/Amtrak  
 Portal Bridge Capacity Enhancement Project  
 Kearny and Secaucus, Hudson Co., NJ

  
 Karen Greene  
 (Reviewing Biologist)

We have reviewed the information provided to us regarding the above subject project. We offer the following preliminary comments pursuant to the Endangered Species Act, the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act for all project segments.

**Endangered and Threatened Species**

No threatened or endangered species under NMFS' jurisdiction are expected to occur in project area.

**Fish and Wildlife Coordination Act**

The waters of the Hackensack River provide habitat for a wide variety of species of concern to NMFS including, anadromous and resident fish, forage and benthic species such as American shad, alewife, blueback herring, striped bass, winter flounder, bluefish, bay anchovy, white perch, weakfish, summer flounder, American eel and spot.

DEPENDING UPON THE PROJECT DETAILS POSSIBLE RECOMMENDATIONS INCLUDE:

Impacts to wetlands and other aquatic habitats should be minimized to the maximum extent practicable. Seasonal restrictions on in-water work may be recommended depending upon the project details. The typical seasonal work restriction to protect anadromous fish migration is no in water work from April 1 to June 30 of any year. Compensatory mitigation should be provided for all unavoidable impacts to wetlands and other waters of the US.

**Magnuson-Stevens Fishery Conservation and Management Act**  
**Essential Fish Habitat**

The estuarine waters of the Hackensack River have been designated as Essential Fish Habitat (EFH) for one or more species. Further EFH consultation by the lead federal action agency will be necessary as part of the federal permit process. For a listing of EFH and further information, please go to our website at: <http://www.nero.noaa.gov/hcd>. If you wish to discuss this further, please call 732-872-3023.

