



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

70271

JUN 29 2001

David A. Stilwell
Field Supervisor
U.S. Fish and Wildlife Service
Division of Ecological Services
3817 Luker Road
Cortland, New York 13045

RE: Hudson River Superfund Site

Dear Mr. Stilwell:

On October 16, 1991, the Environmental Protection Agency (EPA) initiated informal consultation with the U.S. Fish and Wildlife Service (FWS), to determine whether there are any federally-listed or proposed endangered or threatened species or critical habitats present on or in the vicinity of the Hudson River PCBs Superfund Site, located in New York State. Your response of November 13, 1991 indicated that except for the occasional transient individual, no federally-listed or proposed threatened or endangered species is known to occur within the vicinity of the project area. Consequently, you determined that no further consultation with the FWS was necessary pursuant to Section 7 of the Endangered Species Act, unless additional species are listed or project plans change.

Since additional species have been listed in the interim, we are reinitiating informal consultation for this site. Please note that while the Hudson River PCBs Superfund Site extends from the Fenimore Bridge in Hudson Falls to the New York Battery, most remedial activities associated with the cleanup now proposed are confined to the portion of the Hudson River north of the Federal Dam at Troy. To assist you in your review, I have enclosed both the December 2000 Proposed Plan (hard copy) and Phase 3 Report, Feasibility Study (FS) (on CD-ROM). We direct your attention particularly to the following portions of the FS:

- Section 8.5, a detailed analysis of the preferred remedy;
- Plate 17, which identifies removal areas and depths for the preferred remedy;
- Appendix E.6. a Semi-Quantitative Assessment of Water Quality Impacts Associated with Dredging Activities
- Appendix E.8. a Habitat Replacement/River Bank Restoration Concept Development; and
- Appendix F: a Habitat Replacement Program Description.

Other sections of the FS may also be of interest, so please do not necessarily limit your review to the aforementioned sections.

In compliance with the mandate of Section 7 of the Endangered Species Act of 1973, as amended, EPA is requesting a written statement from you indicating whether any endangered or threatened species which are listed or proposed to be listed may be present in the project area. Please advise us concerning the range of territory covered by any federally-listed endangered threatened species that may be found in the area, and whether the proposed remedial action for the site may result in impacts to these species or their critical habitats.

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If you have any questions or require additional information, please contact Steven Ferreira of my staff at (212) 637-3759. We appreciate your assistance in this matter.

Sincerely yours,



Grace Musumeci, Chief
Environmental Review Section

Enclosure

cc: P. Nickerson, FWS (w/o enclosure)
A. Raddant, DOI (w/o enclosure)

bcc: D. Tomchuk, ERRD|SP-CT (w/o enclosure)
A. Hess, ERRD-SP-CT (w/o enclosure)
D. Fischer, ORC (w/o enclosure)