

**Gateway Development Commission
Hudson Tunnel Project
NEPA Re-Evaluation Memorandum**

Date:	March 26, 2026
Project:	Hudson Tunnel Project
To:	Dan Moser Lead Environmental Protection Specialist Federal Transit Administration - Region 2 U.S. Department of Transportation
From:	Benjamin S. Engle Senior Program Manager, Program Planning Gateway Development Commission
Subject:	New Jersey Surface Alignment (Secaucus and North Bergen, New Jersey) Proposed Project Modifications to Means and Methods (Track Support Systems; Access Roads; Utility Relocation) and Work Days/Hours

Background

The Proposed Project Modifications along the New Jersey surface alignment portion of the Hudson Tunnel Project (“HTP” or “Project”) would reduce construction risk, improve constructability, promote schedule reliability, and avoid construction delays, as well as achieve cost savings. The Proposed Project Modifications were developed based on advancements in design, industry feedback from potential contractors, and planning discussions with property owners and tenants. This environmental re-evaluation focuses on construction-period effects, changes to operational conditions and mitigation.

Proposed Design/Project Changes

As described in the Final Environmental Impact Statement (“FEIS”)/ Record of Decision (“ROD”) (Section 3.3.1), the New Jersey surface alignment portion of the HTP involves construction of two (2) new tracks from Allied Interlocking in Secaucus (located east of Secaucus Junction Station near County Road) to the new tunnel portal in North Bergen (**Figure A1**). The Proposed Project Modifications in Re-Evaluation 11 include:

1. Track Support Systems

- **Penhorn Creek West Culvert Extension (Figure A2)**: A railroad bridge would be constructed over Penhorn Creek and West Culvert (also known as Culvert No. 3), instead of a widened railroad embankment with a buried culvert extension as envisioned in the FEIS/ROD. The culvert would be extended below the proposed new access road between County Road and Secaucus Road located south of the Northeast Corridor (“NEC”) right-of-way.
- **Viaduct Extension from Secaucus Road to FEIS/ROD Proposed Viaduct (Figure A4)**: Option 1 would extend the viaduct structure entirely east of Secaucus Road, approximately 550 feet, replacing the previously planned embankment and retaining wall. Option 2 would use a hybrid approach, with approximately 100 feet of widened embankment followed by a 450-foot viaduct extension.
- **Increase in Span Lengths of Viaduct Located East of Secaucus Road (Figures A4, A5, A6)**: The span length between the viaduct piers would be increased from 50 feet to

approximately 100 feet, reducing the total number of pipe piles required for this viaduct section between Secaucus Road and the New York, Susquehanna & Western Railway (“NYSW”) by up to approximately 25% to 50%.

- Rail Bridge Over Conrail and NYSW Freight Tracks (Figure A6): Rather than constructing a rail bridge with two spans connected with a center pier over the freight railroads between the Conrail and NYSW tracks, as was contemplated in the FEIS/ROD, GDC would construct a single-span bridge without a center pier.

2. Access Roads

- Access Road from County Road to Secaucus Road – South of the NEC (Figure A2): Rather than using existing parking lots and driveways serving nearby industrial and warehouse properties, an off-street construction access route would be constructed between County Road and Secaucus Road. The off-street construction access road would be accessible from County Road, Secaucus Road, and the warehouse properties south of the NEC (with street addresses known as 201, 301, 401 and 901, Penhorn Avenue, Secaucus, NJ). This off-street construction access road would be made permanent.
- Aerial Platform Over Penhorn Creek – East of Secaucus Road (Figure A4): An aerial platform would be installed above the open-grate trestle over Penhorn Creek to support relocation of proposed signal bungalow equipment. A signal bungalow platform would be constructed directly above the open-grate trestle access road, approximately 14 feet 6 inches above the access road described in the FEIS/ROD, utilizing the trestle support structure and steel grate surface as its structural base.
- Western Access to Surface Alignment Between Secaucus Road and NYSW & Conrail Freight Railroads (Figure A4): A temporary trestle would be constructed on Amtrak property within the Right-of-Way (“ROW”) and footprint of the permanent trestle already permitted by the New Jersey Department of Environmental Protection (“NJDEP”) and United States Army Corps of Engineers (“USACE”). This change would eliminate the need for temporary construction easements on warehouse properties located at 2806 Secaucus Road, 2820 16th Street, and 2400 16th Street in North Bergen, New Jersey and would also no longer require the use of approximately 57 warehouse parking spaces (approximately 50 permanently from 2820 16th Street and 7 temporarily from 2806 Secaucus Road).
- Western Access - Temporary Access Trestle from Secaucus Road to NYSW Viaduct (Figures A4, A5, A6): A 40-foot-wide temporary trestle would be constructed in place of a temporary filled access road. The temporary trestle would support construction access and be removed following construction.
- Eastern Access to Surface Alignment Between Secaucus Road and NYSW & Conrail Freight Railroads (Figures A6 and A7): GDC proposes two options for temporary eastern access from Secaucus Road to the proposed viaduct, both of which would involve constructing an off-street access road starting at Secaucus Road on the NYSW Auto Facility and NYSW Lumber Facility property.

3. Utility Relocation

- Aerial Utility Crossing Over Penhorn Creek and Construction Staging (Figure A3): Rather than relocating roadbed utilities under and above Secaucus Road, as contemplated in the FEIS/ROD, GDC would utilize a new permanent aerial utility crossing to carry relocated utilities over Secaucus Road and Penhorn Creek. The relocated utilities would be installed on property that is currently privately owned and would require the acquisition of land.

4. Schedule

- Modification of Working Days/Hours: Construction activities for the portion of the alignment from Allied Interlocking to the new tunnel portal would be performed 24 hours a day, 7 days a week, rather than from 7 AM to 11 PM on weekdays, as contemplated in the FEIS/ROD, regardless of the proximity of work to the NEC. Work would require coordination with NJ TRANSIT and Amtrak to avoid or minimize service disruptions, especially during peak periods.

Summary of Vegetation Impacted from Proposed Project Modifications

Proposed Project Modification	Figures (Appendix A)	Permanent Vegetation Removal (acres)*
Access Road from County Road to Secaucus Road	Figure A2	0.3
Aerial Utility Crossing Over Penhorn Creek and Construction Staging	Figure A2	0.03
Western Access to Surface Alignment between Secaucus Road and NYSW & Conrail Freight Railroads	Figure A4	0.39
Western Access - Temporary Access Trestle from Secaucus to NYSW Viaduct	Figures A4, A5 and A6	0
Eastern Access to Surface Alignment Between Secaucus Road and NYSW & Conrail Freight Railroads	Figure A6 and A7	0.28

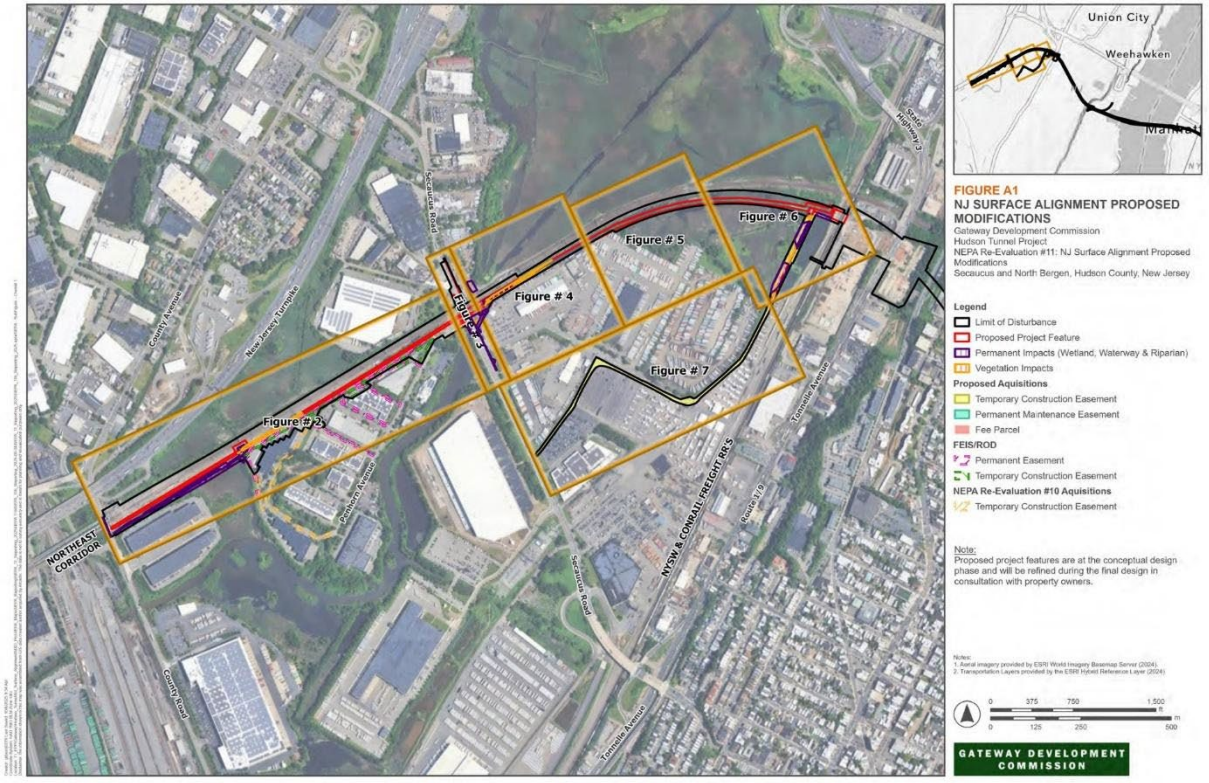
* Vegetation proposed to be removed includes a mix of trees, shrubs, and herbaceous plant species, typical of successional Hardwoods communities. These communities consist of hardwood or mixed forests that occur on sites that have been cleared or otherwise disturbed by other projects. Dominant plant species found in these communities are discussed in the FEIS/ROD (Section 11.3.5.1).

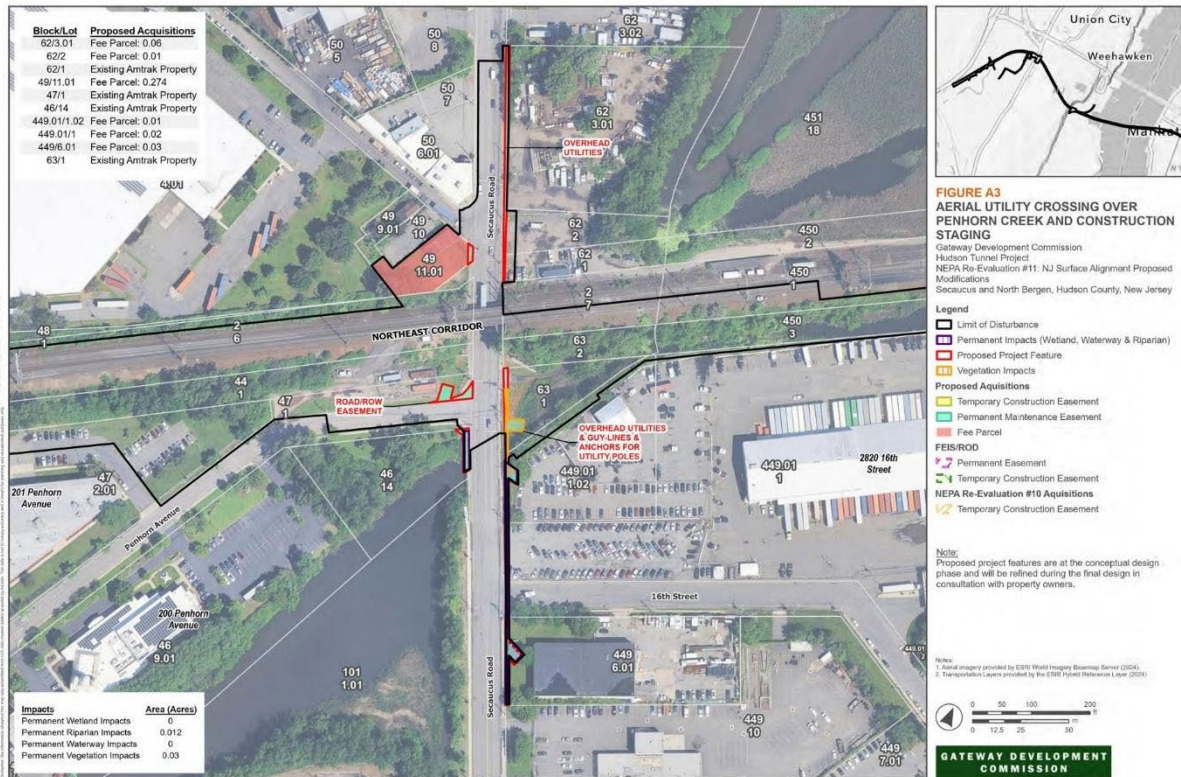
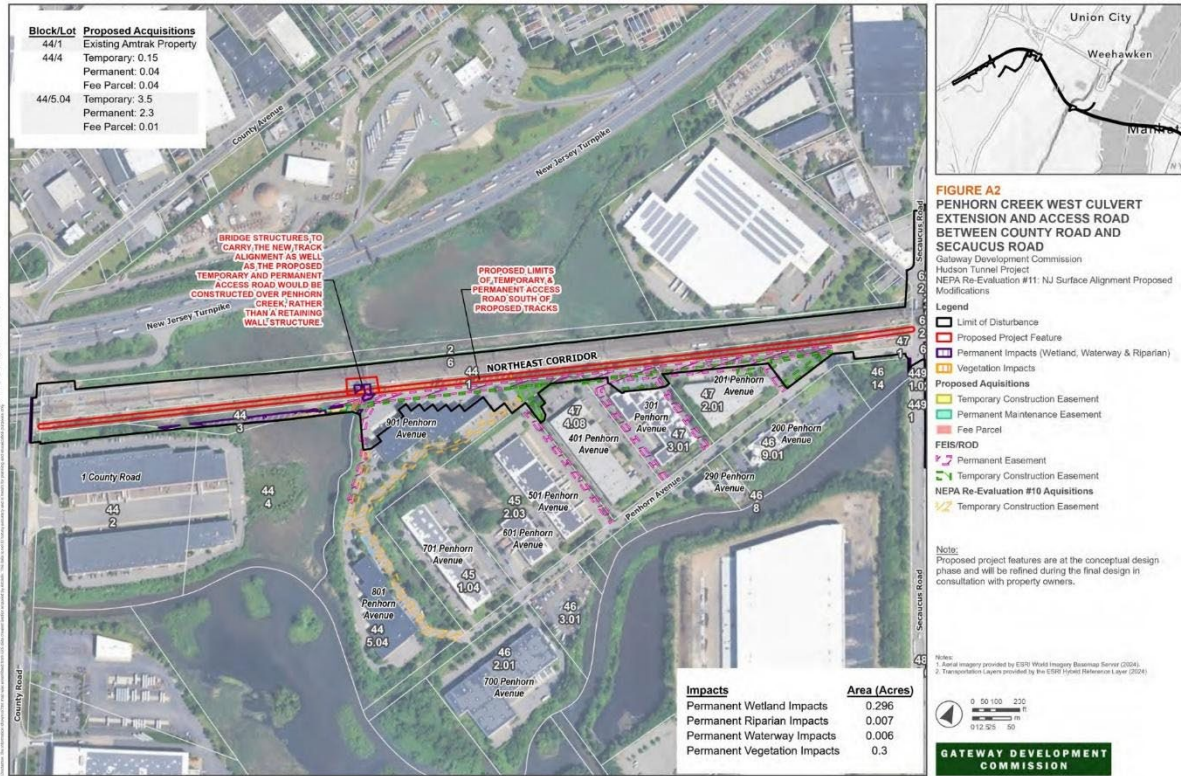
Comparison of Wetlands, Waterways, and Riparian Impacts: FEIS/ROD, Permits and Proposed Project Modifications

Wetlands, Waterways, and Riparian Impacts	FEIS/ROD Impact Due to Construction Activity (Acres)	USACE Permit Mitigation Requirements	NJDEP Permit Mitigation Requirements	Additional Impact Due to all Proposed Project Modifications (Acres) with Option 1 East Access Trestle	Additional Impact Due to all Proposed Project Modifications (Acres) with Option 2 East Access Trestle
Total Wetlands and Waterways	4.01	4.427	3.988	1.509 (1.408 temporary and 0.101 permanent) ¹	1.782 (1.574 temporary and 0.208 permanent)
Total Riparian Zone	Not Included	Not Included	0.417	0.915	0.915

¹NJDEP considers a temporary disturbance to generally mean to an activity that occupies, persists, and /or occurs on a site for no more than six months. Disturbances greater than six months are considered permanent impacts.

Figures





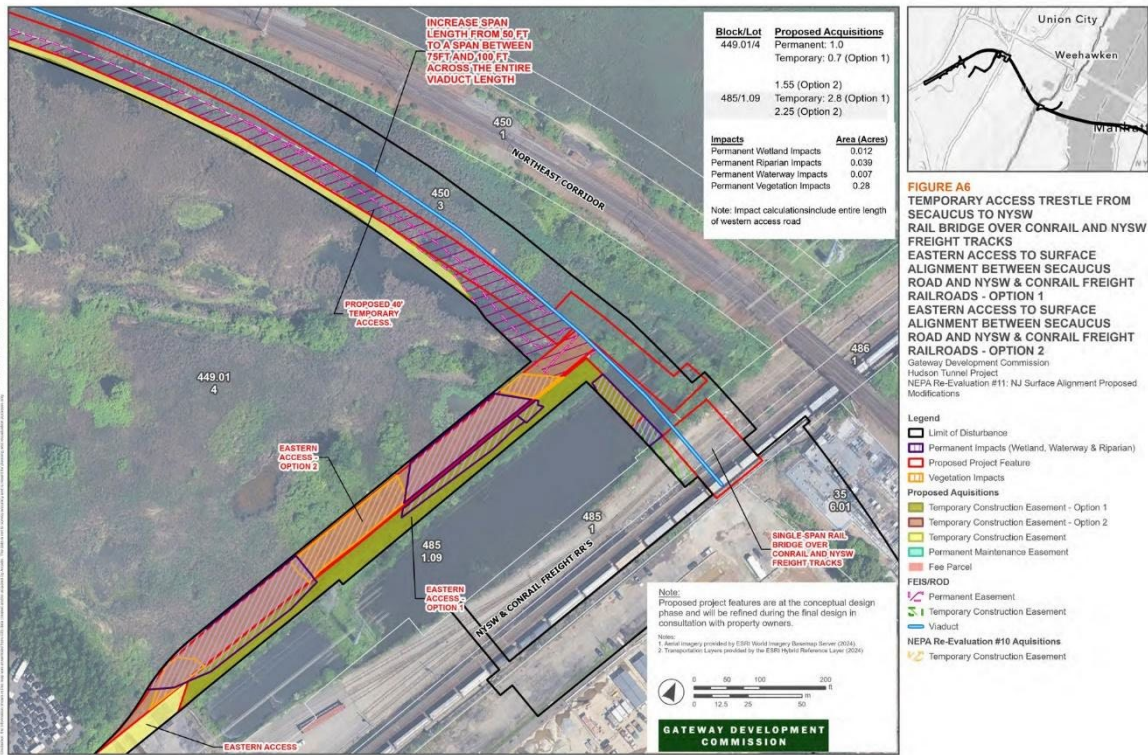


Table 1: Summary of Impacts and Proposed Mitigation

Note: The Federal Transit Administration (FTA) has re-evaluated all applicable resource and impact areas in the FEIS and ROD for the HTP. The summary table below includes only the resource and impact areas for which the Proposed Project Modifications may cause a change in impact or mitigation.

FEIS/ROD Resource/ Impact Area	FEIS/ROD Impact and Mitigation	Proposed Project Change New Impacts and Mitigations
Transportation Services (FEIS Chapter 5B)	<p>As described in the FEIS/ROD Section 5B.6.2.1, careful staging would be necessary during construction activities to reduce potential impacts to transportation services, namely Amtrak and NJ TRANSIT’s train operations along the NEC near the Allied Interlocking portion adjacent to Secaucus Junction. Most construction work immediately adjacent to the NEC would occur during nights and weekends to avoid disruptions to daytime train service. The FEIS/ROD explained that there might be some disruptions to train service or schedules because of construction activities and the corresponding safety measures that would be in place during construction (e.g., slower speeds along segments of the existing NEC surface alignment to accommodate construction safely).</p> <p>As described in FEIS/ROD Section 5B.6.7, a new two-track rail bridge for the new HTP’s approach tracks would be constructed across the railroad right-of-way west of Tonnelle Avenue that is used by Conrail and NYSW freight railroads. This would involve the construction of the bridge abutments, supported by piles, with the bridge spans constructed last to support the new tracks. The FEIS/ROD explained that construction of the viaduct structure would be scheduled in coordination with the freight rail operators to minimize any required disruptions to freight rail operations.</p>	<p>Not constructing a center pier with a single span bridge could result in less outage time required from, and less disruption to, Conrail and NYSW operations (Figure A6). The Proposed Project Modifications would therefore reduce impacts to transportation services.</p> <p>No new adverse impacts; FEIS/ROD mitigation measures remain valid.</p>
Property Acquisition (FEIS Chapter 6B)	FEIS/ROD Chapter 6B: Property Acquisition, identifies acres of temporary easements and acres of permanent property acquisition requirements of the New Jersey surface alignment, both for its construction and operation.	<p>The shift in the types and locations of property acquisitions will mean that some of the easements contemplated in the FEIS/ROD would no longer be required and other new easements would be required. (Figure A2 through A7; Appendix B)</p> <p>No new adverse impacts; FEIS/ROD mitigation measures remain valid.</p>
Historic and Archaeological Resources (FEIS/ROD Chapter 9)	<p><u>Historic Architectural Resources</u> There are eight historic architectural resources located within the New Jersey Area of Potential of Effects (“APE”) as identified in the FEIS/ROD (Section 9.6.1.1). Of these eight, four are located within or immediately adjacent to the area of Proposed Project Modifications: Pennsylvania Railroad New York to Philadelphia Historic District, the New Jersey Midland Railway New York,</p>	<p><u>Historic Architectural Resources</u> There are no additional adverse effects on historic resources. Accordingly, there is no change from the Adverse Effect finding from the FEIS/ROD for the Pennsylvania Railroad Historic District, the New Jersey Midland Railway NYSW Historic District, Substation No. 3 and the New Jersey Waterworks Historic District.</p>

FEIS/ROD Resource/ Impact Area	FEIS/ROD Impact and Mitigation	Proposed Project Change New Impacts and Mitigations
	<p>Susquehanna and Western Railroad Historic District, the New Jersey Waterworks Historic District, and the Substation No. 3 Pennsylvania Railroad. No new or additional historic properties were identified within the APE of the Proposed Project Modifications.</p> <p><u>Archaeological Resources</u> As described in the Section 106 PA, “no testing in advance of construction or monitoring during construction will be implemented for [the portion of the Project that will occur within the area of prehistoric archaeological sensitivity within the Hackensack Meadowlands of New Jersey].” The proposed construction methods will not provide an opportunity for archaeological monitoring and there are no prudent or feasible means to determine the presence or absence of prehistoric archaeological resources in advance of construction given the depth of the resources (if present) and the presence of shallow ground water; however, if historic architectural or archaeological resources are discovered during construction, GDC will implement the six-step process for unanticipated discoveries set forth in Stipulation VII of the PA.</p>	<p>GDC will implement a Construction Protection Plan set forth in Stipulation V.C of the Programmatic Agreement (“PA”).</p> <p><u>Archaeological Resources</u> No change from the No Adverse Effect finding in the FEIS/ROD.</p> <p>GDC will implement the six-step process for Unanticipated Discoveries set forth in Stipulation VII of the PA.</p>
<p>Natural Resources (FEIS/ROD Chapter 11)</p>	<p>As described in the FEIS/ROD, construction activities would result in disturbance to wetlands, trees and vegetation. All vegetation clearing and/or initial placement of fill associated with the Project in the Meadowlands would occur between October 1 and March 14 to minimize potential impacts to bat species protected under the Endangered Species Act (“ESA”) and breeding birds protected under the Migratory Bird Treaty Act.</p> <p>No Endangered Species Act (“ESA”)-listed species under the United States Fish and Wildlife’s (“USFWS”) jurisdiction were identified in the New Jersey surface alignment portion of the Project. Fish species with Essential Fish Habitat (“EFH”) and ESA-listed species under National Oceanic and Atmospheric Administration (“NOAA”) National Marine Fisheries Service (“NMFS”), Atlantic sturgeon (threatened/ endangered) and shortnose sturgeon (endangered), were identified with the potential to occur within the Project area. Limit any in-water or sediment-generating activities and pile driving so that these activities do not occur from March 1 through June 30 to protect anadromous species spawning in Penhorn Creek.</p> <p>Construction of retaining walls, culverts, access roads, and a pile-supported rail viaduct would result</p>	<p>Disturbance of an additional 1.0 acres of successional Southern Hardwoods community (Figures A2 through A7). Similar to the FEIS/ROD, all vegetation clearing and/or initial placement of fill would occur between October 1 and March 14. Two proposed threatened and endangered species under USFWS jurisdiction with potential to occur within the Project area were identified: tricolored bat (proposed endangered) and monarch butterfly (proposed threatened). No critical habitat was identified within the Project area.</p> <p>Increased sediment resuspension and underwater noise would be minimized through the implementation of Best Management Practices (“BMPs”). Same as the FEIS/ROD, fish species with EFH were identified with the potential to occur within the Project area. ESA-listed species under NOAA NMFS jurisdiction remain the same as those identified during the initial consultation with NOAA NMFS and as set forth in the FEIS/ROD.</p> <p>Adherence to permit conditions and implementation of BMPs would result in floodplain impacts similar those identified in</p>

FEIS/ROD Resource/ Impact Area	FEIS/ROD Impact and Mitigation	Proposed Project Change New Impacts and Mitigations
	<p>in a temporary loss of approximately 1.5 acres of wetlands and waterways due to the installation of erosion and sediment control measures and security fencing.</p> <p>The Project would result in approximate 0.05 acres of temporary impacts to the NYSW Mitigation Site from the installation of erosion and sediment control measures and security fencing, and culverts with associated riprap outlet protection. Following the completion of construction, the 0.05 acres impacted would be restored. To facilitate construction, a partial release of the Conservation Easement was obtained from NJDEP.</p>	<p>the FEIS/ROD. Increase in temporary and permanent impacts to wetlands and waterways (1.408 or 1.574 – temporary, 0.101 or 0.208 – permanent acres depending on the East Access Trestle Option). The Proposed Project Modifications would also result in approximately 0.915 acres of additional riparian impacts (Figures A2 through A7). A permit modification from the USACE and a new permit from NJDEP would be obtained for additional wetland, waterway, and riparian zone impacts.</p> <p>No change in impacts due to adherence to NJDEP and USACE permit conditions, adherence to work restriction window requirements from USFWS and NOAA NMFS, and implementation of BMPs and wetland restoration/mitigation activities. Mitigation for direct and indirect impacts to wetlands (including the NYSW Mitigation Site) (Figure A6) and Penhorn Creek (Figure A2 through A7) would be determined in consultation with NJDEP and the USACE and would include the purchase of mitigation credits. Wetlands temporarily impacted during construction will be restored upon completion of construction (Detail Available in Appendix B)</p>
<p>Utilities (FEIS/ROD Chapter 17)</p>	<p>The FEIS/ROD (Section 17.6.2) identified utilities which would be relocated or removed as a result of construction of the New Jersey surface alignment. These utilities include the Secaucus Road PSE&G electric line which would be relocated to underground conduit duck banks and on aerial utility poles. In addition, wood poles with electrical lines near Secaucus Road which would require removal/relocation of several poles.</p> <p>Utility relocation associated with the Proposed Project Modifications is described in Section 2.4. Property acquisition associated with this utility relocation is identified in Section 4.4.</p> <p>As described in the FEIS/ROD (Section 17.6.2), for any utilities to be relocated, the Project Sponsor would consult and coordinate with the affected utility owners and operators (PSE&G). Where utilities would be relocated, new portions of the utility lines would be constructed, and then service would be transferred to the relocated utility lines. No service disruptions would occur since these affected utilities would be relocated and reconnected prior to shut off of existing lines or protected in place by a concrete slab or casing.</p>	<p>The Secaucus Road PSE&G electric line would be relocated to underground conduit duct banks and on aerial utility poles. In addition, wood poles with electrical lines near Secaucus Road would be removed or relocated (Figure A3; Appendix B)</p> <p>No new adverse impacts related to utilities.</p>

Table 2: Consulting Party Correspondence

This re-evaluation is based on the following correspondence with consulting parties.

Document	Date	Summary
Endangered Species Act (USFWS NOAA NMFS)	10/10/2025 10/7/2025	Per a discussion on January 8, 2026, between FTA, GDC, and USFWS, as the monarch butterfly and tricolored bat are currently only proposed to be listed and the Proposed Project Modifications are not likely to jeopardize the continued existence of these species, re-initiation of ESA consultation is not required. The FTA has decided to not engage in the voluntary informal consultation for species that have not been listed as endangered. The USFWS acknowledged this decision on January 8, 2026. On December 3, 2026, NOAA NMFS confirmed that no re-initiation of consultation was required.
Magnuson-Stevens Act (NOAA NMFS)	10/6/2025	On December 9, 2025, NOAA NMFS indicated via email that migrating anadromous species are not anticipated within Penhorn Creek near the New Jersey surface alignment due to the presence of two tide gates on Penhorn Creek. On January 28, 2026, NOAA NFMS confirmed that the time-of-year restriction for anadromous fish (03/01 – 06/30) is not required.
Section 106 National Historic Preservation Act (FTA, NJHPO, et al.)	10/7/2025	Concurrence 10/22/25 – Proposed Project Modifications would have no additional adverse effect on Section 106 resources.
Coastal Zone (NJDEP)	10/6/2025	Concurrence 1/14/26 – Proposed Project Modifications remain consistent with New Jersey’s Coastal Zone Management Rules N.J.A.C. 7:7-1.1.

Table 3: Changes in Mitigation Commitments

GDC will undertake the following mitigation measures not previously identified in the FEIS/ROD.

#	Subject Area	Mitigation or Commitment Description
1	Wetlands	Mitigation credits will be purchased from an approved mitigation bank within the same watershed unit(s) as the Project site in accordance with NJDEP and USACE permit requirements to offset any permanent wetland impacts (i.e., in any instance in which the Proposed Project Modifications will be in place for longer than six months). Mitigation credits will be purchased in lieu of construction of a mitigation project prior to or at the start of the Proposed Project Modification impacts to the regulated wetland resource.
2		Wetlands temporarily impacted during construction of Proposed Project Modifications will be restored back to original condition, topography, and stabilized upon completion of construction.
3		The portion of the NYSW Wetland Mitigation Site that will be temporarily impacted during construction of the temporary eastern access road to the New Jersey surface alignment between Secaucus Road and NYSW & Conrail Freight Railroads will be restored back to original condition, topography, and stabilized upon completion of construction pursuant to USACE and NJDEP permits. Prior to construction, GDC will obtain a temporary, partial release of the conservation restriction area placed on the NYSW Wetland Mitigation Site from NJDEP. Prior to temporarily impacting the NYSW Wetland Mitigation Site, GDC will purchase mitigation credits from an approved mitigation bank within the same watershed unit(s) as the Project.
4	Aquatic Biota	Underwater noise levels would be reduced by using a wooden, rubber, and/or composite plastic cushion block to reduce the energy delivered to the pile.

Table 4. Administrative Record Appendices

The following appendices are available upon request from GDC.

A: SUB AREA FIGURES & IMPACT/MITIGATION SUMMARY TABLE	B: PROPERTY ACQUISITION	C: SECTION 106 CONSULTATION	D: NATURAL RESOURCES CONSULTATION	E: COASTAL ZONE CONSISTENCY ASSESSMENT	F: TECHNICAL MEMORANDUM
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Decision

**Federal Transit Administration
Decision**

Based on the information summarized above, the Federal Transit Administration concludes that the Hudson Tunnel Project’s Final Environmental Impact Statement and Record of Decision remain valid pursuant to the National Environmental Policy Act, 23 U.S.C. 139, Section 106 of the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act, and related environmental laws and regulations.

The Gateway Development Commission’s proposed modifications to the project do not warrant the preparation of a supplemental environmental document, subject to the additional or modified mitigations included in this re-evaluation.

Approved by:



Michael L. Culotta
Regional Administrator
Federal Transit Administration
U.S. Department of Transportation
One Bowling Green, Suite 429
New York, NY 10004

April 1, 2026
Date