

Mission "Building on the tradition of special interest in birds, Yellowstone Valley Audubon Society is organized to promote enjoyment and protection of the natural environment through education, activism, and conservation of bird habitat."

PO Box 1075, Billings MT 59103 www.yv Audubon.org

January 5, 2017

Mr. Joe Vranka, Unit Superfund Manager
Federal Building
10 West 15th Street
Suite 3200
Helena, MT 59626

Subject: Berkeley Pit Superfund Site waterfowl deaths and Sacajawea Audubon Society December 9, 2016, letter to your Office

Dear Mr. Vranka,

Yellowstone Valley Audubon Society (YVAS) and many other groups and individuals are disappointed and angered by the waterfowl deaths at the Montana Berkeley Pit Superfund Site. YVAS agrees with the points raised and supports the recommendations in the attached Sacajawea Audubon Society December 9, 2016, letter to your Office regarding this circumstance.

We appreciate the opportunity to provide our support in this regard and will appreciate resolution of the destructive situation.

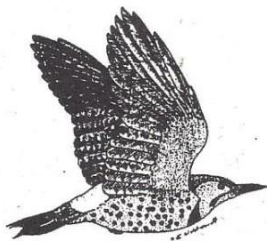
YVAS and Sacajawea Audubon and other local, regional and national organizations and individuals will collaborate on research, development and implementation of mitigation measures for Berkeley Pit impacts to migratory birds and other wildlife. We will communicate with your Office, U.S. Fish and Wildlife Service, and other appropriate entities in these regards.

Thank you for your considerations about this very serious situation. We anticipate expedited implementation of effective and permanent solutions at the Berkeley Pit superfund site to protect waterfowl and other wildlife species, as well as all the human users and uses affected by your decisions.

Sincerely

Stephen M. Regele
President, Yellowstone Valley Audubon Society
9872 US Highway 212
Joliet, MT 59041
sregele@juno.com
1-406-962-3115

- c. Ms. Karen Nelson U.S. Fish and Wildlife Service, Ecological Services
- Ms. Lorene Reid, President, Sacajawea Audubon Society
- Mr. Dave Pauli, Humane Society, Western Regional Office
- Mr. John Vore, Montana Fish Wildlife and Parks



Sacajawea Audubon Society

Post Office Box 1711 • Bozeman, Montana 59711-1711
www.sacajaweaaudubon.org

December 9, 2016

Mr. Joe Vranka, Unit Superfund Manager
Federal Building
10 West 15th Street
Suite 3200
Helena, MT 59626

Dear Mr. Vranka.

We are providing this letter on behalf of the Sacajawea Audubon Society, headquartered in Bozeman, Montana. Our members are located throughout southwestern Montana. We understand that you are EPA's Unit Superfund manager and that the Berkeley Pit site is in your management area.

We were very saddened to learn of the deaths of many thousands of snow geese due to recent exposure to the toxic water in the Berkeley Pit operated by Montana Resources under the regulatory jurisdiction of US EPA. Our concern is due to several environmental effects listed below that are occurring due to the inadequacy of the current bird hazing program being implemented at the site.

- illness and mortality of birds exposed to the pit water, including seasonal migratory waterfowl and local birds
- subsequent contamination of scavenger birds and mammals that eat the sick and the dead birds exposed to the pit water
- potential that hunters during the 2016 and future waterfowl hunting season could shoot and consume a contaminated bird that was exposed to the pit water

Due to the acidic and highly mineralized pit water chemistry, the water surface stays clear of ice later into the winter than local ponds and lakes. This makes the pit water an attractive place for migrating waterfowl and local birds, thereby increasing risk of exposure.

Based on recent events it seems that EPA must conclude that the current bird hazing protocols that are in place at the pit are not effective and need to be replaced with a structural barrier to prevent future incidences like this. It is not feasible for any bird hazing program to be effective for all seasons, bird migration patterns, and local bird water needs. We question whether any bird hazing and monitoring program is capable of being effective 24 hours/day for every day of the year. It is likely that migrating and local birds are landing at the pit for water during daylight and night hours, including times that the bird hazing program is ineffective. It is apparent that global climate change is causing bird migration patterns to change, which could bring more birds to the Berkeley Pit area.

Structural barrier options that should be considered include, but are not limited to, a suspended net over the pit to prevent birds from attempting to land and/or a floating cover over the pit to prevent water contact. Use of a structural barrier would mean that we would not have to rely on the effectiveness of a clearly inadequate bird hazing program. We realize that the pit water surface is quite large, covering an area of approximately a square mile. This means that these options will be quite expensive. However, the cost is justified in order to prevent a recurrence of this massive bird kill, subsequent contamination of scavenger birds and mammals, and possible consumption of contaminated birds by waterfowl hunters.

Thanks for your consideration

Sincerely,

Loreene Reid
President
Sacajawea Audubon Society

A chapter of the National Audubon Society