EcoRA Work Group Conference Call - April 6, 2000, 9 AM - 10 AM

Participants:

Steve Hughes, URS
Phil Cernera, CDA Tribe
Don Heinle, CH2M Hill
David Fortier, BLM
John Roland, Ecology
Matt Kadlec, Ecology
Brad Frazier, USFWS
Jeff Fromm, IDEQ
Joe Goulet,EPA
Dick Martindale, EPA
Merril Coomes, City of Coeur d'Alene
Dana Houkal, URS
Joe Goulet, EPA
Anne Dailey, EPA
Julie Campbell, USFWS
Jack O'Brien, CAC
Harry Ohlendorf, CH2M Hill
Cliff Villa, EPA
Dan Audet, USFWS

Migratory Bird Treaty Act of 1918:

>>What the MBTA covers:
- MBTA initially enacted to control the trade in feathers and bird parts in the late 1800s and early 1900s and is the implementing legislation for several treaties concerning migratory birds
- MBTA designed to protect a wide range of birds including hawks, falcons, songbirds, and waterfowl making it unlawful to "hunt, take, capture, kill" or engage in various other actions adversely affecting migratory birds
- the MBTA protects almost all species of native birds in the US from unregulated "take" which can include poisoning at hazardous waste sites (EPA Guidance, 1989, EPA/540/1-89/001) and so mortality of migratory birds due to poisoning is not a permitted take under the MBTA
- permits may be issued for take (e.g., for research, etc.) or killing of birds (e.g., hunting licenses) and taking a migratory bird without a permit is a criminal offense
- some legal controversy over the applicability of the MBTA Federal government but the MBTA it is still appropriate to be considered

Application of MBTA to CDA EcoRA:
- development of the CDA EcoRA has identified migratory birds covered by the MBTA as receptors to be evaluated at individual-level of biological organization
- contaminated sediment is main exposure pathway for the birds (incidental sediment ingestion during feeding)
- metals concentration in much of the lower CDA basin sediment exceeds sub-lethal and lethal effects thresholds for migratory birds
- concentrations of the metals in the habitat should be at concentrations lower than those that would cause poisoning of migratory birds

How does MBTA and protection at the individual level translate into remedial activities....this is the big question. Actual clean up goal will be the product of EcoRA, HHRA, RI and risk management components. Could envision a situation where corrective actions could be more extensive if protecting at the individual level but this will be addressed during the FS and risk management phase of the project

- EcoRA will look at what contaminants are in the environment that may cause unregulated take (kill or harm via poisoning) of the birds
- harm could be impacts that are significant regarding the health and survival of the birds since sick birds don't survive very long or effects that would impact the health, survival, and reproduction of individual migratory birds.
- to look at sublethal measures that are indicators of significant health impact, one could look at blood measurements of live birds which indicate levels of stress (e.g., ALAD inhibition, protoporphyrin, hemoglobin, hematocrit, etc.)
- through feeding studies, USFWS have found a continuum or series of markers which are indicators or trends of bird health that lead to death
- recent paper by Beyer and Audet addresses these issues
- need to make use of NRDA studies to evaluate the health of the migratory birds and use other data sets from outside the basin
- ultimately will need a very clear set of cleanup goals that can readily be implemented
- monitoring program will need to be established but not sure what form this will take
- remedial goals in the basin may be structured as a certain percentage reduction of bird mortality or a reduction in metals contamination in a certain area or something else; goals are likely to be staggered over a number of years
- area use factors do not come into this situation because the whole lateral lakes area is impacted
- duration may be a factor since some birds are residents and some are shorter term residents but since are the birds die within a matter of weeks this may not be a significant factor

<u>Dan Audet's Report on Spring 2000 Bird Migration</u>
- spring has been warm and as a consequence the bird migration has moved through relatively fast this year
- the peak number of birds is down from the past but no dramatic change in total number of birds in the flyway (peak number of birds this year is about 500/day but in the past it has been around 2000-3000/day)
- USFWS has found 28 dead birds in two driving visits to the lateral lakes; these included swans and Canada geese; based upon visible indications of lead poisoning in the birds chances are that most of these birds died from lead poisoning (e.g., drooping wings and green discharge)
- most of the dead birds were spotted near Thompson Lake and Strobel Marsh

Habitat Classification

- Dana Houkal, URS, mentioned that the wetlands inventory was received from the CDA tribe. Phil Cernera noted that the wetlands data should go all the way to Montana
but a lot of the mapping is from photo interpretation
- URS is also using the Bookstrom and Box data for wetlands classification but only in the lower Basin
- David Fortier mentioned that the BLM vegetation GIS data update will identify areas that are riparian, wetland, etc. (Leann Eno, BLM, has done this mapping from photos, ortho-photos and field visits) and the GIS data layer will cover the area from Post Falls to Mullan
- Don Heinle noted that it is very important to get this information so that URS/CH can properly classify sample results into the proper habitat categories; for example, classification of samples as soil vs. sediment, lake sediment vs. wetland sediment has not necessarily been done consistently among samplers but getting this clarified is very important to the EcoRA analysis
- also it's important to identify areas that are in the flood plain since these areas can alternate habitat type...need to integrate USGS & BLM information into the risk characterization so that we will be able to account for areas that are flooded in high water times

Schedule

- current plan is to have the draft RI/FS completed by late 2000. The draft EcoRA schedule is still under discussion but would likely be available for comment in the late summer/early fall of 2000
- EPA's contractors at URS/CH2M Hill are pulling together Eco effect information, working on exposure side of equation, finishing QA/QC of the exposure database, habitat mapping (most complicated in CSM 3 where we have lacustrine, palustrine and agricultural areas intermingled --- need to put samples in the proper habitat for analysis (see above discussion)

Next Teleconference

- Next EcoRA call will be on April 20, 2000 at 9 AM PST (call-in number is 206-553-4557; no pass code required)
- topics of discussion will include:
    - schedule and status of the EcoRA
    - other topics as appropriate