**March Point Landfill Cleanup, Department of Ecology**

SHORT COMMENT SAMPLE

**The cleanup must not disrupt the breeding and nesting season at the March Point Heronry**. I support the submitted recommendations of Skagit Land Trust and Skagit Audubon Society.

MESSAGES POINTS FOR LONGER COMMENT

I support the cleanup of the former March Point landfill. The cleanup is necessary to preserve the health of the surrounding environment. Preventing toxic substances from contaminating Padilla Bay is needed and important.

However**, due to the Cleanup location beside the irreplaceable March Point Heronry, I urge the Department of Ecology to require cleanup measures and mitigations that protect the herons’ nesting and foraging areas**.

March Point heronry is the largest and most important heronry in the Salish Sea and on the west coast of the U.S. **The March Point Heronry is critical to maintaining stable and healthy heron populations in Puget Sound. The cleanup must not disrupt the breeding and nesting season at the March Point Heronry**.

WA Dept of Fish and Wildlife and non-agency wildlife biologists tracking Puget Sound heronries have documented that breeding and nesting herons have abandoned heronries, or had lower breeding success, in response to unusual events. The Dept. of Ecology and other involved parties must make sure this does not happen at the March Point Heronry.

 The March Point landfill cleanup is a construction project. It will generate activity to which the March Point herons are not accustomed. All project activities must be taken into account when planning so that these actions do not disturb the herons. Noise, line—of-sight disturbance, and air and water quality should all be considered.

**Prior to the Cleanup Plan being finalized, the Parties must demonstrate that the entire Cleanup, from site preparation onwards, will be undertaken in a way that will not impact the March Point Heronry.**

The March Point Heronry Management Plan must follow the City of Anacortes’ critical areas regulations (CAR). The CAR notes the March Point Heronry as habitat of local importance and requires a scientifically-based management plan to protect it.

Scientifically-based plans should not allow activities that have been documented to disturb nesting herons to take place during the breeding and nesting season. Activities that are mitigated to prevent disturbance or those deemed to not disturb the herons should be monitored to ensure this is the case. The breeding and nesting season at March Point begins in February and ends in mid- August.

Foraging and staging areas that herons use that are located alongside the Cleanup site should be considered in the Cleanup Plan.

A qualified wildlife biologist with experience in the heronries of Puget Sound should be hired to develop the March Point Heronry Management Plan with the involved parties. The plan must incorporate local knowledge and data of the March Point Heronry such as from Skagit Land Trust, heron biologist Ann Eissinger and associated monitoring groups.

ADDITIONAL DETAILS

We strongly recommend that noise studies be conducted to establish the baseline ambient noise levels at the edge of the heronry. Any activities causing noise that exceeds the ambient noise levels must take place outside of the breeding and nesting season or be mitigated to bring noise levels below the ambient level at the edge of the heronry.

Actions that are in the direct line of sight of the heron nests should be carefully orchestrated so as not to disturb the herons.

Monitoring must be part of any Heron Management plan. The plan needs to authorize ways to issue immediate “stop work” orders if disturbance to the heronry occurs, with an agreed to sequence of steps before work can re-commence.

Because herons are wading birds, they can only forage during certain tide levels. Tide levels should be considered when scheduling construction activities so foraging herons are not disturbed.

Ongoing monitoring of toxic substances in the Inner and Outer Lagoons and in Padilla Bay must be done during the cleanup and long afterwards with contingency plans developed for removing and/or containing any identified toxic substances.