



www.idahoconservation.org

Idaho Conservation League

PO Box 844, Boise, ID 83701
208.345.6933

June 13, 2014

Paula Wilson
DEQ State Office
Attorney General's Office
1410 N. Hilton
Boise, ID 83706

Submitted via email: paula.wilson@deq.idaho.gov

Re: Docket No. 58-0102-1201 – ICL comments regarding DEQ Discussion Paper #4, Market (All) or Local Fish.

Dear Ms. Wilson;

Since 1973, the Idaho Conservation League (ICL) has been Idaho's voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 25,000 supporters, many of whom have a deep personal interest in protecting Idaho's water quality and fisheries.

Thank you for providing us an opportunity to review and comments on DEQ Discussion Paper #4, Market (All) or Local Fish.

After careful review we have concluded that the citizens of Idaho are best served by including market fish in the calculation of a fish consumption rate. Doing so ensures that Idaho water quality standards are developed in such a manner that the health of Idaho citizens is protected and that the inclusion of locally caught fish in one's diet does not result in causing harm to one's health.

The consumption of Idaho fish must be considered within the context of the actual (surveyed) eating patterns of Idahoans. If Idahoans are consuming market fish, and thus being exposed to contaminants in these fish, Idaho water quality standards must be set such that the consumption of Idaho fish does not add to a consumers pollutant burden in a way that results in physical harm to the consumer. Idaho consumers should not have to choose between eating market fish and eating Idaho fish; Idaho's standards should be set such that a consumer can consume fish from both sources and do so at the levels that they are accustomed to. In order to do so safely, Idaho standards should be set in a manner that accounts for the consumption of both local and market fish.

Docket No. 58-0102-1201 – ICL comments regarding DEQ Discussion Paper #4, Market (All) or Local Fish.

In addition to the health reasons that necessitate the inclusion of both local and market fish when calculating Idaho's fish consumption rate and water quality standards, there are some additional practical reasons to do so.

Idaho is the largest producer of farm raised, commercially sold trout in the nation. As such, a significant portion of fresh water market fish consumed in the United States (and Idaho) is actually 'local' fish within the context of Idaho water quality standards.

Further, deciding to include market fish is the same as deciding to include 'all' fish. By deciding now to include 'all' fish, the negotiated rulemaking is also addressing the question of whether or not to include anadromous fish. We believe that it is proper to include anadromous fish when calculating Idaho's fish consumption rate and setting water quality standards. We would prefer to address this issue now within the context of Idaho's population as a whole, rather than to consider the question of whether or not to include anadromous fish separately, because we believe that there is the potential for significant racial issues to emerge if anadromous fish are considered in isolation.

We believe that Native American Tribes are likely to be significant consumers of anadromous fish. If the question of whether or not to include anadromous fish is dealt with in isolation, we believe that Native American Tribes may be singled out and afforded less protection than the population as a whole. Deciding to include all fish ensures that all Idahoans are afforded equal protection and avoids a potentially disruptive environmental justice debate within this rulemaking.

Please contact me if you have any questions at 208-345-6933 x 24 or jhayes@idahoconservation.org

Sincerely,



Justin Hayes
Program Director