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Idaho Conservation League

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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- Fish Consumption Rate and Human Health Water Quality Criteria – Discussion Paper #5: Anadromous 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 and the health of Idaho residents.

Upon review of DEQ's Anadromous Fish discussion paper, we conclude that the DEQ should treat anadromous fish the same as other fish. That is to say that the consumption of anadromous should be included at full value in the development of an Idaho fish consumption rate. We have reached this conclusion after careful review of the materials provided by DEQ, discussion of this matter internally and with outside parties and review of outside material and contemplation.

Our decision to support the full inclusion of anadromous fish in the calculation of Idaho's fish consumption rate is based in part on the fact that various species of anadromous fish spend varying lengths of time in Idaho waters. The Duration of Idaho residency of anadromous fish varies from one to three years and there is scant scientific evidence to determine what proportion of a fish's pollutant burden comes from its time in Idaho or in downstream waters affected by Idaho water quality standards. As such, it does not seem to be defensible to lump all anadromous fish together and develop a one size fits all approach other than full inclusion.

Another factor in our conclusion is our belief that Idaho should develop policies that complement Oregon and Washington. Idaho fish – both anadromous and resident fish – spend time in Oregon and Washington waters and Idaho waters affect Oregon and Washington fish. Thus we feel that, to the degree possible, all three States should attempt to harmonize their water quality standards and the policies that they follow in setting their respective fish consumption rates.

Another part of our decision on this issue has to do with the fact Idaho has made no attempt to differentiate between various species of resident fish with regard to the potential contaminate load that they may carry and the human health implications of eating one species verses another. This is to say that Idaho is not proposing to treat the consumption of large walleye different than the consumption of a 12 inch, planted rainbow trout.

An Idahoan who locally harvests and consumes 4 meals per week of walleye is exposed to a very different health risk than an angler that eats 4 meals per week of small rainbow trout; yet DEQ is not going to make any attempt to pro-rate or discount the consumption of these fish. All resident fish are going to be treated identically when DEQ calculates Idaho's fish consumption rate. So why shouldn't a steelhead caught in Idaho be treated the same way? Some portion of this fish's body burden of pollutants is from its time in Idaho – though we don't really know what portion. Does this fish have a high body burden of pollutants or a low burden? Does it matter? If it does matter, then why isn't DEQ investigating the pollutant levels in all fish caught in Idaho and using this information to discount or multiply their rate of consumption?

And finally, if Idahoans are consuming anadromous 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 anglers should not have to choose between eating anadromous fish and eating resident fish; Idaho's standards should be set such that a consumer can consume fish from all sources and do so at the levels that they are accustom to. In order to do so safely, Idaho standards should be set in a manner that accounts for the consumption of resident fish, anadromous fish and market fish.

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

Sincerely,



Justin Hayes
Program Director