



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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VIA E-mail and U.S. Post

August 22, 2014

Paula Wilson
Administrative Rules Coordinator
Idaho Department of Environmental Quality State Office
1410 North Hilton
Boise, ID 83706
paula.wilson@deq.idaho.gov

Dear Ms. Wilson:

The Columbia River Inter-Tribal Fish Commission (CRITFC) thanks you for the opportunity to provide comments on the question of whether to include or exclude anadromous species from the calculation of a state-specific fish consumption rate to derive water quality standards. As stewards of the Columbia River fishery resource, we support all efforts to improve water quality to a level that is sufficient to protect tribal fishers and their families from the harmful impacts of waterborne pollutants. CRITFC and its member tribes urge the Idaho Department of Environmental Quality to fulfill its mission to protect human health and preserve the quality of Idaho's waters by adopting policies that will provide the highest level of protection possible by full incorporation of anadromous fish into the state's fish consumption rate.

Environmental Protection Agency (EPA) specifically states in their Frequently Asked Questions on the 2000 Human Health Methodology document that "EPA expects that the standards will be set to enable residents to safely consume from local waters the amount of fish they would normally consume from all fresh and estuarine waters (including estuarine species harvested in near coastal waters)." Per the EPA this "is consistent with a principle that every State does its share to protect people who consume fish and shellfish that originate from multiple jurisdictions". The state of Idaho shares this obligation to protect all people that consume fish that are impacted by contaminants released by Idaho dischargers into the Columbia River watershed.

The anadromous fish that populate Idaho's waters are impacted by pollutants from the Columbia River throughout their lifespan. As juveniles, salmon are exposed to and accumulate contaminants during the time spent in freshwater^{1, 2}. Once in the estuary and near coastal waters, anadromous fish can grow about 0.5 to 1 mm per day³ while feeding in an ecosystem that is

¹ Johnson, L.L. et. al., 2007, Contaminant exposure in outmigrant juvenile salmon from Pacific Northwest estuaries of the United States, Environmental Monitoring and Assessment, 124:167-104.

² Sloan, C. A. et. al, 2010, Polybrominated diphenyl ethers in outmigrant juvenile chinook salmon from the Lower Columbia River and estuary and Puget Sound, Washington, Arch. Environ. Contam. Toxicol., 58:403-414.

³ Quinn T.P., 2005. The Behavior and Ecology of Pacific Salmon and Trout, American Fisheries Society,

directly impacted by pollutants from the Columbia River. Many populations of Chinook salmon remain largely or entirely in coastal waters⁴ and will feed on forage fish that can also accumulate contaminants from terrestrial sources including the Columbia River plume.

The combined impact of direct contact with pollutants in the Columbia River and from indirect uptake of contaminants through food webs associated with the river are evident in tissues of adult Chinook salmon. O'Neil et. al. (2006)⁵ analyzed the body burdens of persistent organic pollutants in adult salmon returning to the non-urbanized north-central coast of northern British Columbia and to more urbanized areas including the Lower Columbia River. O'Neil's results show a distinct difference between the concentrations of persistent organic pollutants (PCB, DDT, and PBDEs) in adult salmon from the Columbia River as compared to northern British Columbia. Adult Chinook salmon from the Columbia River, despite time spent in the ocean, contain higher body burdens of organic pollutants than anadromous fish from non-urbanized watersheds.

Another consideration that supports the inclusion of anadromous fish in Idaho's fish consumption rate is that doing so will be consistent with the approach taken by both Oregon and Washington in setting statewide fish consumption rates. Oregon followed the direction of the Human Health Focus Group⁶ and included Pacific salmon and other migratory species in their consumption rate to adequately account for pollutants. Oregon justified this choice because data are not available to calculate accurate relative source value corrections for these species. Also, the relative source contribution process does not account for carcinogenic risk. In July 2014, Governor Inslee's presented a policy approach⁷ for Washington State that incorporates a fish consumption rate of 175 grams per day, which includes anadromous fish. Inclusion of anadromous fish in Idaho's fish consumption rate will provide regional continuity in managing water quality in the river and preventing downstream impacts from dischargers in Idaho.

Excluding anadromous fish from Idaho's fish consumption rate would have the effect of significantly decreasing the protectiveness of the state's environmental water quality standards. The people that consume anadromous fish from the Columbia River will not be sufficiently protected if anadromous fish are omitted from the fish consumption data set. Idaho has an obligation to future generations to protect the tribes' treaty reserved fishing right. This requires that the state make policy choices that will address the difficult issues of legacy and emerging contamination in our watersheds. One of these choices is the inclusion of anadromous fish in the state's fish consumption rate.

CRITFC believes in a future where the Columbia River fishery is once again free of harmful contaminants, where all residents can enjoy the benefits of living in a land where it is healthy and safe to eat our local fish because the waters that we all share are protected from toxic

University of Washington Press, Seattle, Washington, 235-240.

⁴ Ibid., pg. 42

⁵ O'Neil, S.M., et. al., 2006, Regional patterns of persistent organic pollutants in five Pacific salmon species (*Onchorhynchus* spp) and their contributions to contaminant levels in northern and southern resident killer whales (*Orcinus orca*), 2006 Southern Resident Killer Whale Symposium, extended abstract.

⁶ Oregon Department of Environmental Quality, 2008, Human Health Focus Group Report – Oregon Fish and Shellfish Consumption Rate Project, 69 pp.

⁷ http://www.governor.wa.gov/documents/2014_clean_water_policy_brief.pdf

pollutants. Thank you for considering our comments during this rulemaking. If you have any further questions please contact me or Dianne Barton at 503-238-0667.

Sincerely,

A handwritten signature in blue ink, appearing to read "Babbist Paul Lumley". The signature is stylized and cursive.

Babbist Paul Lumley
Executive Director

Cc: Dennis McLerran, Region 10 Administrator, Environmental Protection Agency