



Paula Wilson  
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**Re: DEQ Negotiated Rulemaking - Water Quality Standards/Recreational Use and Criteria and Aquatic Life Criteria for Three Toxics (Docket No. 58-0102-1802)**

Dear Ms. Wilson:

The Upper Snake River Tribes (USRT) Foundation is composed of four Indian tribes of the Upper Snake River region in Idaho, Nevada, and Oregon: the Burns Paiute Tribe, Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Bannock Tribes of the Fort Hall Reservation, and Shoshone-Paiute Tribes of the Duck Valley Reservation. The four tribes have common vested interests to protect rights reserved through the United States Constitution, federal treaties, federal unratified treaties (e.g. Fort Boise Treaty of 1864, Bruneau Treaty of 1866, and Malheur Treaty of 1864), executive orders, inherent rights, and aboriginal title to the land, which has never been extinguished by USRT member tribes. USRT works to ensure the protection, enhancement, and preservation of the tribes' rights, resources, cultural properties, and practices and that they remain secured. These include but are not limited to hunting, fishing, gathering, and subsistence uses.

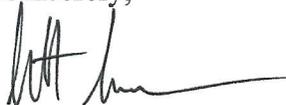
It is USRT's position that the Idaho Department of Environmental Quality (IDEQ) and the Environmental Protection Agency (EPA) should protect to the highest user group to insure adequate protection from all pollutants. The tribal subsistence life-style increases their risk of exposure to pollutants within waterbodies and fish consumption and it is IDEQ and EPA's responsibility to protect high-end tribal fish consumers. USRT will not support rules or standards that are inadequate at providing protection for tribal members and other high fish-consuming/recreation users.

As with any rulemaking decision, frequency of monitoring, location, and enforcement are critical components to protect tribal members and other high-fishing/recreation users. USRT understands there may be budgetary constraints and logistics of sampling waters in Idaho, which is why coordination between the IDEQ and the Idaho Department of Health and Welfare (IDHW) is very important. It is vital to USRT's member tribes that waters used for cultural, subsistence, and recreational uses are monitored, and frequency/timing is adequate to protect their health.

USRT requests that IDEQ Tribal Liaison Susan Burke set up a meeting with USRT staff to discuss how IDEQ and IDHW interact and share information, how IDEQ prioritizes sampling locations, and what the sampling schedule is anticipated to be in 2018.

Please follow up with Scott Hauser, USRT Executive Director, at (208) 331-7880 (office) or (208) 995-4872 (cell) and/or by email at [scott.hauser@usrf.org](mailto:scott.hauser@usrf.org) to schedule a meeting.

Sincerely,



Scott Hauser  
USRT Executive Director