



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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April 3, 2013

Mr. Barry Burnell
Water Quality Division Administrator
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706

Dear Mr. Burnell:

On behalf of the Columbia River Inter-Tribal Fish Commission (CRITFC), I would like to thank you for this opportunity to provide feedback on the presentations and timeline that were shared at the February 6, 2013 meeting in Boise, Idaho. We support IDEQ's efforts to fully evaluate regionally relevant fish consumption surveys as part of the rulemaking process in order to protect Idaho's water quality to ensure that fish can thrive and, when caught, be safely consumed.

The presentation made by Lon Kissenger, Environmental Protection Agency (EPA), makes clear that after a re-analysis of the National Health and Nutrition Examination Survey (NHANES), 2003-06 fish consumption data (slide 14) using the National Cancer Institute method, the fish consumption rate of our nation's fish consumers is significantly higher than the current default rate of 17.5 g/day. While there is little reason to believe that the NHANES data would be representative of Idaho populations where access to fresh fish from regional fisheries is readily available, the analysis fully supports a reevaluation of Idaho's fish consumption rate.

In regards to the proposed timeline, the policy rulemaking discussions that are currently scheduled to begin in mid-October 2013 should be initiated as soon as possible. The policy options that will be decided in this process will impact the scope of the tribal fish consumption survey design phase that is currently underway and would also likely influence any fish consumption surveys that the state chooses to conduct. It is difficult to understand why key decisions need to be delayed until after the surveys are concluded. CRITFC is more than willing to immediately engage in discussions with the State on these policy issues through the EPA's proposed conflict resolution process.

In addition to the timing of policy decision making, we would suggest that the analysis of fish consumption data currently scheduled for March 2015 be initiated whenever the fish consumption survey technical reports have completed the peer review process in order to streamline the rulemaking process. It might also be beneficial to add evaluation of implementation strategies like variances or background intake credits to the timeline.

Again, CRITFC is willing to engage in discussions on ways that Idaho dischargers can be ready to adapt to the challenges of more protective water quality standards.

Thank you for considering our comments during this rulemaking process and taking steps to fully evaluate the impact of fish consumption rates on the health of all Idaho residents. If you have any further questions please contact me or Dianne Barton at 503-238-0667.

Sincerely,

A handwritten signature in blue ink that reads "Babbist Paul Lumley". The signature is written in a cursive style with a large initial "B" and a long horizontal stroke at the end.

Babbist Paul Lumley
Executive Director

Cc: Dennis McLerran, Regional Administrator, U.S. Environmental Protection Agency