

From: [Justin Hayes](#)
To: [Paula Wilson](#)
Subject: Re: Negotiated Rulemaking - WQS/Fish Consumption Rates in Human Health Criteria, Docket No. 58-0102-1201
Date: Monday, September 29, 2014 4:32:53 PM

Paula - thank you for the note. I've tried to "respond all" to it so that I could share my thoughts on this matter with all of the folks participating in this rulemaking. Unfortunately, my computer will not allow me to send an email to that many recipients. I think that it is triggering the server's spam email filters. So, will you please forward the email response below to the rulemaking participants. thank you - Justin

All -

I appreciate the opportunity to hear from the Shoshone Bannock Tribes on this matter.

As has been raised before, the reduced abundance (and range) of anadromous fish has likely driven down fish consumption in Tribes. I look forward to hearing from the Tribes on this sort of abundance and range based suppression and other issues that might be raised.

There is also another significant sort of suppression occurring with regard to fish consumption that I also hope to learn more about. Namely, the State of Idaho has issued a number of fish consumption advisories which caution against eating too much of certain species of fish caught in certain waterbodies because these fish may contain harmful levels of pollutants. This sort of suppression might be called 'health-based suppression.' I believe the Coeur d'Alene Tribes have raised this issue with regard to resident fish. And I know that many non-Tribal folks — myself included — are significantly suppressing fish consumption in our families because we want to follow the health advice of the State on this matter.

It seems very significant to me that the State is telling people to limit their fish consumption — and then potentially using these reduced rates of consumption to set water quality standards. If the standards are set based on today's low, health-based suppression rates, then DEQ might be 'locking in' the current fish consumption rates, even though I (and others) aspire to again be able to eat significantly larger quantities of the readily available, locally abundant resident fish.

I hope that DEQ will be in a position to address this health-based suppression issue.

- Justin

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On Sep 26, 2014, at 12:49 PM, Paula.Wilson@deq.idaho.gov wrote:

DEQ will not be preparing a discussion paper for the October 2nd meeting topic - suppression of fish consumption. The presentation for this topic will be made by Shoshone/Bannock tribe representative, Chad Colter. There will be an opportunity to comment on this topic. Presentation materials will be posted on the web after the meeting.

Paula Wilson
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