



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
WATER AND WATERSHEDS

November 18, 2014

Don Essig  
Idaho Department of Environmental Quality  
1410 N. Hilton  
Boise, Idaho 83706

RE: EPA comments on the October Negotiated Rulemaking Meeting on Suppressed Fish Consumption

Dear Don:

EPA appreciates the opportunity to provide comments to the Idaho Department of Environmental Quality (DEQ) regarding the October negotiated rulemaking meeting during which the topic of suppressed fish consumption was discussed. The issue of the impact of suppressed fish consumption on development of ambient water quality criteria is an important, complicated, and evolving issue. EPA would like to thank DEQ for inviting tribal representatives to present on this topic.

EPA would also like to thank the Shoshone Bannock and Nez Perce Tribes for preparing and delivering clear, well documented and moving presentations as to how tribal fish consumption has been suppressed, the impacts of suppressed fish consumption on tribes, and tribes' understanding of how treaties signed between tribes and the U.S. government guarantee tribal subsistence use of fisheries resources.

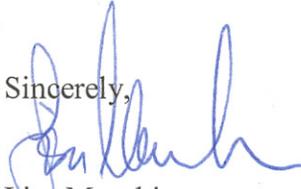
EPA Region 10 has been working with the Idaho Tribal Governments to document suppression as a part of the Idaho Tribal Fish Consumption Surveys. We are hopeful that information once reviewed and approved by the Idaho Tribal Governments will be informative for Idaho DEQ in ongoing and future work efforts.

EPA believes that suppressed fish consumption and the use of those rates in developing water quality standards requires further evaluation. EPA also acknowledges that the issue of suppressed fish consumption affects recreational anglers and other higher fish consumers, in addition to tribes. EPA is examining potential approaches for characterizing suppression and is planning to incorporate those approaches into revised guidance for conducting fish consumption surveys. A draft of this guidance is scheduled for peer review in the spring of 2015.

Given that the recent DEQ negotiated rulemaking meeting on suppression was an educational experience for many parties, EPA would welcome any thoughts DEQ has on further addressing the suppression issue in advance of DEQ's draft rule on revised human health criteria.

We look forward to continued work with DEQ on this effort and are available if you would like to discuss our comments further. Please contact Lon Kissinger (206-553-2115) or myself (206-553-1834) if you have any questions.

Sincerely,



Lisa Macchio  
Water Quality Standards Coordinator