

Crooked River Watershed Council- DEQ fish consumption proposal

My name is Chris Gannon and I represent the Crooked River Watershed Council. Our work focuses on watershed health and function. We assist willing landowners with project selection, design, funding, and implementation to address issues on their land. We partner with various state and federal agencies, as well as local organizations that have special skills or technical capacity, such as OSU Extension, Soil and Water Conservation District, and NGOs such as the Deschutes River Conservancy.

Clearly, we support water quality in Oregon. We also support protection of human health for all Oregonians. However, we have specific concerns about this proposal. Our concerns are for unintended consequences. It is extremely difficult to fully understand the potential economic impacts to our service area, given DEQ has not assessed these to any degree of specificity. We are concerned that without this analysis, producers in our service area could face unknown and perhaps significant direct economic impacts. We request that DEQ develops this information and makes it available before adoption of these proposed rules.

In addition we are concerned about some of the secondary consequences that could occur. These relate to fish advisories and general anxiety that the public could experience as health concerns about fish consumption are magnified. Increased fish advisories in our area impact a significant economic sector related to recreational fishing.

We are also concerned about what could be referred to as an unintended ripple effect on how fish is processed, both from recreational and commercial harvesters. By-products of fish processing have the potential to contain the highest level of contaminants. Use of fish by-products for planting organic gardens, seeding high mountain spawning areas, and in secondary market applications such as pet food all have the potential to be impacted.

The Council is not convinced that this change in consumption rate will have the desired effect of protecting the health of those individuals and groups that consume high levels of fish and shellfish. This is because most of what has^{been} measured in fish tissue is contamination from legacy chemicals long since banned for production or use, for example PCBs and DDT. It seems highly doubtful that the new consumption rate will have any affect at all on controlling health impacts attributed to legacy chemicals.

We suggest the following alternative approach that we believe will meet your goals of protecting human health while minimizing unintended and largely unspecified consequences to the broader population, particularly those whose economic future may be adversely affected by this proposal.

We suggest that DEQ consider developing site-specific criteria for certain water bodies that are the conduits to tribal exposure. Rivers like the Willamette, the Columbia, and perhaps the Deschutes to Pelton re-regulating dam, as well as the Umatilla should be considered. This approach would allow DEQ to focus more tightly on the problem and reduce the potential economic impacts to other water bodies that have little, if any, effect on tribal exposure.

Another viable option for DEQ to consider would be to propose an outright ban on some of the compounds that, under the new consumption rate, will be set at such low levels as to be immeasurable, or nearly so. When allowable quantities in water approach zero, it makes sense to consider regulations that remove the threat completely.

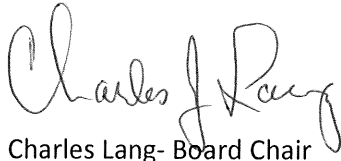
In closing, we offer you the following philosophical concept that has been effectively applied to many challenges facing human populations through time, and that the Council believes should guide your overall analysis of this issue:

Deciding When Intervention is Effective and Appropriate

Raymond C.P. Beamesderfer

It is a systematic decision-making process to determine for a given case if: (1) the problem being addressed is significant enough to warrant action, (2) the solution being proposed is effective in fixing or significantly reducing the size of the problem, and (3) the biological benefits of the action outweigh costs as well as social and political considerations.

Is it significant, can it be affected, and is it acceptable? These three questions form the basis for a systematic decision making process for implementing management actions. This approach suggests that the answer must be yes to all three of these questions for intervention to be effective and appropriate. If any one answer to these questions is no, there's probably no point in proceeding further.



Charles Lang- Board Chair

Crooked River Watershed Council

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