



# Seattle Human Rights Commission

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March 9, 2015

Mayor Ed Murray  
600 4<sup>th</sup> Ave  
Seattle, WA 98104

Seattle City Council  
P.O. Box 34025  
Seattle, WA 98124-4025

## **RE: Requesting Comments on Washington State's Proposed Revised Water Quality Standards**

Dear Honorable Mayor Murray and Honorable Councilmembers:

We are writing on behalf of the Seattle Human Rights Commission (the "Commission") to request that you submit formal written comments on behalf of the City of Seattle (the "City") urging the Washington State Department of Ecology ("DOE") to (1) move forward in resetting the State's fish consumption rate to 175 grams per day and (2) reject the tenfold increase to Washingtonians' cancer risk level. Public comments on the State's proposed revised Water Quality Standards ("WQS") are due March 23, 2015. We ask that you submit your comments in advance of that date. We also ask that you attend a public hearing on the proposed WQS that the Commission is hosting at City Hall on Tuesday, March 17 from 6 to 8 p.m. in the Bertha Knight Landes Room, and that you request DOE's attendance as well.

The State's current WQS are woefully outdated. They are based on national data gathered in the 1970s and they enable Washingtonians to safely eat just one fish meal per month. Seattleites who eat fish likely consume far more than one fish meal per month, and by doing so place themselves at an increased risk for developing cancer and other chronic diseases. WQS affect the health of our waters, our fish, and all of us who depend on fish for our food and livelihood. Contaminated fish are the primary pathway for human exposure to chemicals which cause cancer, irreversible neurological damage, and other harmful effects to human health and well-being. As you know, Washington's waters are currently contaminated with PCBs, PAHs, methylmercury, and a host of other chemicals that are toxic to humans. Our City residents and our economy are strongly rooted in fish. City residents should be able to eat fish caught in Washington waters without fearing that they have exposed themselves to harmful levels of toxics or placed themselves at undue risk of cancer. Indeed, City residents have (1) a human right to health—such as the healthful consumption of the State Department of Health's recommended two 226 gram servings of fish per week; (2) a human right to subsistence—such as the right to freely fish the waters of our City and State to put food on their tables without putting their health at undue risk; and (3) a human right to conditions that enable their health—such as waters free from toxics that pose a tenfold increase in cancer risk level.

Additionally, our City residents of Native American, Asian, and Pacific Islander heritage are at disproportionate risk of adverse effects with respect to the change in cancer risk level because they

consume fish at higher rates. For example, Lummi tribal members consume fish at a rate of 800 grams per day at the 90<sup>th</sup> percentile, and members of Asian and Pacific Islander communities in the State consume fish at a rate of 236 grams per day in the 90<sup>th</sup> percentile. To get a sense for what this means for Seattle residents, note that 0.8 percent of our residents are Native American, 13.8 percent are Asian, and 0.4 percent are Native Hawaiian or Pacific Islander.<sup>1</sup> That means that a low fish consumption rate or a high cancer risk level could leave roughly 15 percent of Seattleites, or 91,299 individuals, without even minimal protections. This raises a serious health equity issue.

DOE's proposed increase in the State fish consumption rate from 6.5 grams per day to 175 grams per day is a tremendous stride in the direction of providing greater human health and human rights protections to Seattleites. This will allow City residents to safely eat one fish meal per day. DOE's proposed tenfold increase in the cancer risk level from one in a million to one in 100,000, on the other hand, is unacceptable and renders the increased fish consumption rate meaningless. That change will mean that Seattleites eating one fish meal per day will have a tenfold increase in their cancer risk level. This will mark a tremendous stride backwards for Washington, and will undermine fish consuming Seattleites' health and human rights.

The Commission thus urges you, our Mayor and our City Council, to take affirmative steps to protect the health and human rights of Seattleites by submitting formal written comments to DOE urging it to protect Seattleites' rights to health, subsistence, and the conditions that enable their health by (1) resetting the State's fish consumption rate to 175 grams per day as proposed by DOE and (2) rejecting the tenfold increase to Washingtonians' cancer risk level. Over 600 Washingtonians, many Seattleites, have joined in expressing these same human health and human rights-based concerns regarding the fish consumption rate and cancer risk level to DOE over the last week. Their letter, signatures, and comments are attached. Please submit comments on behalf of the City to DOE by the March 23, 2015 public comment deadline and please urge DOE to attend the public hearing that the Commission has scheduled for Tuesday, March 17 at City Hall. DOE itself has not scheduled a public hearing in King County, despite it being home to roughly a third of our State residents.

Thank you,



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Ethel Branch, Co-Chair



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Sarah Bishop, Co-Chair

cc: Patricia Lally, Director of Seattle Office for Civil Rights  
Cheryl Niemi, Washington State Department of Ecology  
Maia Bellon, Director of Washington State Department of Ecology  
Dennis McLerran, EPA Region 10 Administrator  
Gina McCarthy, EPA Administrator

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<sup>1</sup> <http://www.seattle.gov/dpd/cityplanning/populationdemographics/aboutseattle/raceethnicity/default.htm>