



Kalispel Tribe of Indians
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October 24, 2012

Ted Sturdevant, Director
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: August 15, 2012 Invitation to Join the Key Delegates Table

Dear Mr. Sturdevant:

The Kalispel Tribe of Indians respectfully declines your invitation to join the Key Delegates Table for the Washington State Water Quality Standards Policy Forum. As a sovereign nation, we will not participate in a forum that treats the Tribe as a mere stakeholder and does not afford proper respect to the Tribe's sovereign input. We also do not support a political process that condones further delay in adopting water quality standards that protect Kalispel and other people who eat significant amounts of fish.

As you engage in yet another round of dialogue with the regulated community, please be mindful of the practical consequences of the Department of Ecology's inaction. Ecology's current fish consumption rate ("FCR") of 6.5 g/day has never been protective of people who eat large amounts of fish. For some of these fish consumers, the elevated health risk that they have faced for years has turned or will turn into cancers and other actual health problems. While it is unfortunate that 1 in a million people from the general population will develop cancer due to the amount of fish that he or she eats, it is unconscionable when government knowingly subjects Indians and other highly exposed sub-populations to a much higher cancer risk. Ecology has known for almost two decades that its current FCR is underprotective, and further delay is unacceptable. Even as I write these words, Ecology is in the process of reissuing an NPDES permit to a discharger directly upstream of Kalispel waters based on an FCR of 6.5 g/day. Existing regional fish consumption surveys provide Ecology with ample data to support a more protective FCR. Ecology need only develop the political willpower to protect the citizens of Washington.

The Kalispel Tribe is in the process of exerting its sovereignty to protect all tribal members from elevated health risks due to their fish consumption within Kalispel waters and anticipates submitting revised water quality standards to EPA by year's end. The Tribe would welcome the opportunity to share its expertise with Ecology, but only in a forum that respects the Tribe's sovereignty and affords the requisite sense of urgency to adopting a more protective fish consumption rate.

Sincerely,

A handwritten signature in cursive script that reads "Glen Nenema".

Glen Nenema, Chairman
Kalispel Tribe of Indians