Aspirational Fish Consumption Standards

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Clean Water Act Goals

• The Clean Water Act establishes as a national goal “water quality which provides for protection and propagation of fish, shellfish, and wildlife, and recreation in and on the water, wherever attainable.” (“fishable/swimmable” goals).

• Water quality criteria for “fishable” uses must not only protect the aquatic organisms themselves, but also protect human health through consumption of fish and shellfish.
Human Health Criteria

• The goal of water quality criteria for human health is to protect people from exposure to pollutants through fish and water over a lifetime.

• EPA recommends that priority be given to identifying and adequately protecting the most highly exposed population.
Fish Consumption Rate (FCR)

- The fish consumption rate:
  - is the amount of fish and shellfish consumed by a person each day.
  - includes all of the fish and shellfish consumed that are species found in fresh and estuarine waters.
  - includes fish and shellfish from local, commercial, aquaculture, interstate, and international sources.
- Standards should enable residents to safely consume from local waters the amount of fish they would normally consume from all fresh and estuarine waters.
Suppression

- A “suppression effect” occurs when a fish consumption rate (FCR) for a given population is artificially diminished from an appropriate baseline level.
  - The aquatic environment and the fish it supports have become contaminated.
  - Fish are no longer available in historical quantities and kinds.
Determining a “Baseline” FCR

- EPA should identify appropriate “baselines” and use these baselines in setting and approving water quality criteria.
- Tribes may be able to cite a historical “point of reference” that would describe an appropriate baseline in terms of environmental quality, geographic delineation, and treaty rights.
- An appropriate baseline might mean examination into what people *had consumed* as well as aspiration for what people *would consume* were the conditions fulfilled for full exercise of treaty-and trust-protected rights and purposes.

National Environmental Justice Advisory Council, 2002
Heritage Rates

- Approaches
  - Archaeological
  - Ethnohistoric
  - Ethnographic
- Fishing Sites, Productivity, Seasons of Use
- Direct observation of harvest
- Interviews/Recollections
- Dietary approaches
  - Calories/Protein
  - Modified calorie approach (“migration loss factor”)

Schalk, 1986
Heritage Rates

Walker, 1967