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How much local fish is safe to eat?



PHOTOS BY ERIKA SCHULTZ / THE SEATTLE TIMES

Tiffany Hoyopatubbi, left, digs for butter clams (top photo) with fellow state Department of Ecology water-quality technician Annitra Ferderer at Lone Tree Point. Swinomish Water Resources Program scientists test the clams monthly for paralytic shellfish poisoning.

Toughening water-quality standards could let people consume more



Swinomish tribal historian Larry Campbell: "Even if the fish is poisonous ... we're still going to eat it. Our spirit demands it."

BY CASSANDRA BROOKS
Seattle Times staff reporter

From the shores of Lake Washington to the Duwamish River and other state waters, signs alert locals about toxic fish:

Warning: Fish from these waters contain high levels of mercury.

Caution: Trout contain high levels of DDT.

Advisory: Shellfish contain high PCBs, do not eat!

Under state law, Washington's lakes, streams, estuaries and nearshore coastal waters only need to be clean enough for residents to safe-

ly consume one serving of fish a month.

Yet, for many state residents, local fish and shellfish are a much bigger part of their diet than that, whether it's bass caught from the dock of a lake, a dozen oysters served up at a waterfront restaurant or salmon grilled on a backyard barbecue.

And for many tribes across Washington, fish are not just central to their diet but a core part of their cultural and spiritual lives as well.

After years of prodding by
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tribes and other parties, the state Department of Ecology will begin taking a new look this fall at the state's water-quality standards.

Using Oregon as a model, the department hopes to turn what could be an impossibly long, hard and hugely expensive battle into a more amicable process, one that produces results acceptable to all the key players.

Recognizing the vital importance of clean water and fish, Oregon's Department of Water Quality has been working closely with state, federal and tribal governments and with industries to set a stricter water-quality standard, one that would allow people to safely eat not just one serving of fish or shellfish a month, but one serving a day.

Just agreeing on the numbers has taken years, and the job of making sure industries can meet the new standards is still ahead. But the process has gone smoothly thus far, and other states have been watching, hoping to follow Oregon's lead.

The point has not been to shut down industry or cripple the economy, said Rick George, environmental planning manager with the Confederated Tribes of the Umatilla Indian Reservation in Oregon.

"We can't do that, and we don't want to do that," he said. "The goal is to get adequate protection for higher fish consumers but also to make sure it's doable for the industries as well."

In Washington, "we've wanted to change the standard for some time," said Melissa Gildersleeve, policy manager at the Ecology Department. "It's a huge and costly project that may take a decade, but even so, it's the right thing to do."

Food for the spirit

For the Swinomish of La

Conner and other tribes in Washington, local game and seafood are an integral part of every funeral, birthday celebration or other family gathering.

"We were at a clambake one time eating mussels, and I saw this one elder who was just shoveling mussels into her mouth," said Larry Campbell, Swinomish tribal historian.

When he asked friends why she was eating so fast, they told him she was allergic to shellfish and wanted to eat as many as she could before she broke out in hives.

"Even if the fish is poisonous to our bodies, we're still going to eat it," Campbell said. "Our spirit demands it."

But high levels of toxins have limited fishing and shellfish harvesting for the Swinomish in recent decades.

The tribe in 2002 received a large grant from the Environmental Protection Agency (EPA) to put local shellfish and crabs under the microscope and found flesh riddled with hazardous levels of suspected carcinogens such as dioxins and PCBs. Other tribes throughout the state have found similar toxins in their food.

The Ecology Department now is poised to invite the key stakeholders — tribal

leaders, regional EPA officials and representatives of industry — to share their concerns and desires in hope of reaching a timely agreement.

"It's gratifying that Oregon is out front and we're going to learn from what they're doing," said Cheryl Niemi, environmental scientist with the Ecology Department. "And there will definitely be a special focus on tribes, but the conversation will be open to everybody."

Protecting waterways

Because toxic contaminants accumulate in fish tissue, part of the federal Clean Water Act requires that state waters be clean enough for local residents to safely consume certain amounts of fish: The greater the amount eaten, the cleaner the water must be.

The EPA encourages individual states to set standards if they have data showing how much fish people typically eat from state waters. Otherwise, the federal standard applies — 6.5 grams of fish per day per person, or about one 7-ounce serving of fish per month.

That's been Washington state's standard for nearly two decades.

"We know that populations here in Washington,

like Asian-Pacific Islanders, local tribes and Russian immigrants, all have much higher consumption rates," said Dale Norton, environmental scientist with the Ecology Department.

And those fish-rich diets can come with a slew of potential health risks.

Paper mills, oil refineries and municipalities all release into the water effluent that often contains such suspected carcinogens as heavy metals, dioxins and hydrocarbons. Runoff from farmland can be rich with chlorinated pesticides, which also may lead to cancer.

Then there are "legacy contaminants" such as DDT and PCBs, which have been banned for decades but persist in the soil, ever leaking out into the food chain.

Local waters also are laden with naturally occurring volcanic products such as arsenic or mercury, while fossil fuels and landfills leach mercury.

When Native American tribes in Oregon found their fish loaded with such toxins, they pushed the state to change its standard. After

four years of negotiations, Oregon agreed to the thirty-fold increase in its fish-consumption rate.

The standard awaits a final public hearing and EPA approval, but state officials predict it will go into effect next summer.

Once it does, the onus will be on most local businesses — including municipalities, pulp and paper mills, oil refineries and farms — to come up with safer chemical alternatives or put fewer toxins into the environment.

The new standard also would mean that more historically polluted areas would need to be cleaned up, likely by state or federal agencies.

"We support the tribes' efforts to bring this to everyone's attention, but we want a package and regulation that works," said Llewellyn Matthews, executive director for Northwest Pulp and Paper Association. "When the standard is too strict, then the industry or state might have to clean up naturally occurring substances, which defies common sense."

Oregon's Department of

Water Quality and the EPA already have indicated they will work with industries to set realistic timelines and grant exceptions, when necessary.

In Washington, even before the fish-consumption rate review officially begins, the Swinomish have said they will be pushing for historical consumption rates, perhaps as high as a pound of fish per person per day.

But they also have said they are willing to negotiate with the state and local industries.

"Washington state has been reaching out to the tribes and EPA and asking how they can make changes to protect people," said Debra Lekanoff, governmental liaison for the Swinomish.

"And not just tribal people, but people throughout the Northwest because we all eat the salmon, we all use the water and we all eat the shellfish."

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HOW MUCH LOCAL FISH IS SAFE TO EAT by Cassandra Brooks

My story revealing how much local fish was safe to eat was by far the most challenging and rewarding piece I reported and wrote for *The Seattle Times*.

Prior to coming to Seattle, I had seen advisories throughout the country warning locals not to eat the fish and shellfish. Washington state waters were no exception. I had always assumed these advisories were evidence of extreme and potentially illegal pollution. But through reporting my story, I realized and revealed that the state and national standard offered by the EPA was that local waters only had to be clean enough so that locals could safely consume one single serving of fish per month - never mind that the American Heart Association recommends two servings per week.

I was turned onto the story while speaking with representatives of the Swinomish Indian Tribal Community in La Conner, WA. For years, they had been conducting their own research assessing the toxin levels in their local fish. The "one fish per month" standard was impossible for the Swinomish since eating fish was such an integral part of their physical and cultural health. The Swinomish and other tribe members throughout the state had been urging Washington to up their water quality standards for some time.

Meanwhile, just south in Oregon State, officials were on the brink of updating their fish consumption guidelines from one fish per month to one fish per day, largely due to the urging of Oregon's tribes.

Reporting the story was intense. To grasp the full complexity of the policies and diversity of parties involved I had to speak with dozens of sources from the state and federal government, tribes in Washington and Oregon, local industry representatives, lawyers, and others. While some representatives were hesitant to speak with me, after multiple interviews I was able to get the full story and to wrap my head around the politics (and realities) governing water quality regulations.

Perhaps the most rewarding aspect of this story was having the power to educate the public about the toxins in their local waters and fish, while also giving hope of changes to come.

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