

**MEETING SUMMARY**

of the

**VIRTUAL TOUR AND PUBLIC COMMENT SESSIONS**

of the

**NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL**

**December 3 and 4, 2001  
Seattle, Washington**

**Meeting Summary Accepted By:**



**Charles Lee  
Designated Federal Officer**



**Peggy Shepard  
Acting Chair**

**CHAPTER TWO  
VIRTUAL TOUR AND  
PUBLIC COMMENT PERIOD**

**1.0 INTRODUCTION**

On December 3rd, 2001, a “virtual” tour of local sites with environmental justice concerns was presented to the members of the National Environmental Justice Advisory Council’s (NEJAC) Executive Council. The tour was intended to provide to the NEJAC information that is representative of the environmental concerns of local communities in the Seattle region. Individuals representing communities in Washington, Oregon, Idaho, and Alaska discussed their concerns about fish consumption and contamination.

The Executive Council of the NEJAC also held one public comment period on December 4, 2001. During the session, 29 individuals offered comments.

This chapter presents summaries of the testimony the Executive Council of the NEJAC received during the virtual tour, the public comment period, and the comments and questions that the testimony prompted on the part of the members of the Executive Council. Section 2.0, *Virtual Tour Held on December 3, 2001*, summarizes presentations made on fish consumption and contamination. Section 3.0, *Public Comment Period Held on December 4th, 2001*, summarizes the testimony offered on that date related to fish consumption and water quality. It also summarizes the dialogues between presenters and members of the Council that followed those presentations.

**2.0 VIRTUAL TOUR HELD ON  
DECEMBER 3, 2001**

Five individuals presented information during the virtual tour; their presentations are summarized below.

**2.1 Frank Roberts, Coeur d’Alene Tribe, Idaho**

Mr. Frank Roberts, Coeur d’Alene Tribe, Idaho, explained to the members of the Executive Council that he had worked with the Coeur d’Alene tribe for 10 years, performing GIS work and developing baseline information about the contamination and consumption of fish in the tribal region. Waterways on which members of the tribe depend for subsistence living are being contaminated with heavy metals and lead from strip mining operations, he said. The elders are passing away, he explained, and, because members of the tribe cannot live off the land’s resources, the tribe’s traditions and culture are disappearing with the elders. Fewer than five remaining members of the tribe speak the native

language, and the tribe’s legacy soon will be lost, declared Mr. Roberts. In closing, Mr. Roberts pointed out that the government protects endangered species and plants, but is not doing anything to preserve the well-being of the “endangered” Coeur d’Alene tribe.

Ms. Savonala Horne, North Carolina Association of Black Lawyers and chair of the Enforcement Subcommittee of the NEJAC, asked Mr. Roberts about the loss of heritage and culture among the Coeur d’Alene people. Mr. Roberts replied that, since the advisories tell people not to eat fish, the people must purchase their food in stores. That practice adversely affects the culture, he explained, because people are not exposed to nature and tribal heritage. It also creates a “generational disconnect,” he stated. Mr. Roberts then pointed out that it is not difficult to obtain money for performing studies of contamination, but it is difficult to obtain money for studying cultures and for preserving those cultures.

**2.2 Daniel Morfin, Farm Worker, Granger, Washington**

Daniel Morfin, farm worker, Granger, Washington, who reported that he has worked in the agriculture industry for more than 20 years, stated that many farm workers suffer from ailments caused by exposure to pesticides. The water quality in Washington is poor, he continued, and many canals in the Aquemine Valley are polluted. Thousands of gallons of herbicides and pesticides are applied to the land, he stated; those materials can travel for miles and pollute rivers far from the source of contamination, he pointed out. Orchards often are located near towns and cities, he added, where population density is high. A recent medical study conducted among residents in the valley had revealed that the rates of respiratory ailments among those residents are among the highest in the nation, continued Mr. Morfin. Laws that are intended to protect farm workers are not enforced, he declared. Farm workers have tried to alert agencies about the harmful pesticides that are being used, he continued, but the agencies have not taken action.

Mr. Morfin stated that in Oregon and Washington, more chemicals are used for agriculture than any other states in the nation. Farm workers are the only people who know exactly which illegal chemicals and mixtures of chemicals are being used and stored, he claimed. Those farm workers are the only people who will tell agencies the truth, he emphasized, because they have no reason to lie. Mr. Morfin said

reiterated that regulatory agencies continue to neglect to take action.

Ms. Wilma Subra, Louisiana Environmental Action Network and member of the Air and Water Subcommittee of the NEJAC, asked Mr. Morfin whether the pesticides that farm workers are using are illegal or whether it is the mixing of the pesticides that is illegal. Mr. Morfin replied that some of the pesticides in use have been banned by the federal government, and the mixing of the pesticides is illegal, as well. In addition, he asserted, families are being exposed to the chemicals, and many communities are located along fields that are treated by aerial spraying. Children living in those rural areas exhibit high levels of exposure, he declared, and asthma rates are elevated. Salmon in the Columbia River are contaminated with DDT, he stated. Mr. Morfin then said that farm workers often have advance notice of inspections, so they remove labels from the tanks in which chemicals are stored so that inspectors will not be able to determine what chemicals are present. Mr. Larry Charles, ONE/CHANE Inc. and member of the International Subcommittee of the NEJAC, pointed out that there are similar cases throughout the country. The NEJAC should make an effort to influence EPA to address such issues, declared Mr. Charles. He then suggested that Mr. Morfin attempt to contact the regional administrator of EPA to solicit the agency's assistance.

### **2.3 Jeri Sundvall, Environmental Justice Action Group, Portland, Oregon**

Explaining that when her tribe lost its status as a federally-recognized Indian tribe in 1954, Ms. Jeri Sundvall, Environmental Justice Action Group, Portland, Oregon, stated that it's members were expected to assimilate into the general population. Although the tribe's status was reinstated in 1986, she continued, it had been "robbed of its heritage." Portland is affected by issues related to water, she explained, and contamination has created a Superfund site on the banks of the Willamette river. Fishermen are developing cancers, she stated, and Native American fishermen are more susceptible because their rate of consumption of fish is high. There is a "large disconnect" between Native Americans and regulatory agencies, she pointed out.

Ms. Sundvall informed the members of the NEJAC that her tribe currently is fighting a proposal for the development of a highway through their community. The issue is an environmental justice issue, she stated, explaining that air quality in the community already is poor. The rate of asthma in her

community is much higher than the national average, she continued, but the asthma rates are much lower in the affluent section of southwest Portland. The U.S. Federal Highway Administration currently is examining models prepared by the state that predict that air quality will improve by 40 percent in the future, she explained, noting that those data are being used to generate support for the new highway. The problem with the models, she claimed, is that the models assume that nonexistent, efficient technologies will be implemented in the future. It is not logical to base data on such assumptions, she stated.

### **2.4 Rosemary Ahtuanguak, Inupiat Community of Arctic Slope, Barrow, Alaska**

Speaking on behalf of the Native Village of Nuiqsut of Barrow, Alaska, Ms. Rosemary Ahtuanguak, Inupiat Community of Arctic Slope, Barrow, Alaska, explained to the NEJAC that contamination of water caused by the operations of the oil industry is a serious problem in rural Alaska. There are 229 federally recognized tribes in the state, she pointed out, and issues related to environmental justice just recently have begun to be addressed. State agencies often value profit over tribal beliefs and views, she asserted. Only 500 people live in her village, she explained, and their views often are overlooked. Industry representatives typically have the resources to perform studies and analyses, she emphasized, and the results often are misconstrued. For example, she stated, federal agencies say that fish taken from local waters are safe to eat, but those agencies do not account for the high consumption rates of fish among Native Americans. She explained that Native Americans consume parts of the fish that are more contaminated than other parts; the studies do not account for that practice, she noted.

Ms. Jana Walker, Law Office of Jana L. Walker and member of the Indigenous Peoples Subcommittee of the NEJAC, asked Ms. Ahtuanguak about the status of fish advisories in Alaska and what recommendations have been made about cod. The advisories recommend the consumption of no more than six cod per year, she replied, adding that fish advisories are announced in relation to the actions of the U.S. Department of Defense (DOD). The quantity and quality of fish are declining, she continued, and their fat content is lower than it was in the past.

Mr. Charles then pointed out that the NEJAC would be much more effective if it could influence the way EPA acts, as opposed to focusing on the small

issues brought before it. Ms. Ahtuanguaruak asked the NEJAC how she can gain access to the resources that the NEJAC has at its disposal. Ms. Annabelle Jaramillo, Benton County Board of Commission and chair of the Air and Water Subcommittee of the NEJAC, replied that the NEJAC does not necessarily have resources. She explained that the NEJAC can advise EPA to enforce existing laws, because the laws should have an equal effect on all communities.

### **2.5 Lee Tanuvasa, Korean Woman's Association, Tacoma, Washington**

Mr. Lee Tanuvasa, Korean Woman's Association, Tacoma, Washington, informed the council that, with the assistance of funding from EPA, his organization is conducting a study to determine whether it is safe for Asian Pacific Islander communities to consume shellfish. In such communities, consumption of fish is part of the everyday diet, he added. Mercury contamination in fish is the principal problem. The language barrier poses a significant problem to informing residents about the dangers of consuming some shellfish, he pointed out, adding that there is a need to provide more education to the communities. Mr. Tanuvasa requested advice about the most effective way to present the findings of the study to communities.

### **3.0 PUBLIC COMMENT PERIOD HELD ON DECEMBER 4, 2001**

This section summarizes the comments presented to the Executive Council during the public comment period held on December 4, 2001, along with the questions and observations those comments prompted among members of the Executive Council.

Comments are summarized below in the order in which they were offered.

#### **3.1 Dr. Mildred McClain, Citizens for Environmental Justice, Savannah, Georgia**

Dr. Mildred McClain, executive director of Citizens for Environmental Justice, Savannah, Georgia, submitted a written statement to the members of the Executive Council. In that statement, Dr. McClain stated that, despite numerous revisions, the fish advisory that was issued for Georgia and South Carolina several years earlier remains at a "disconnect" from citizens who frequently fish in waterways in Georgia and South Carolina. The outreach activities of the South Carolina Department of Health and Environmental Control, the Georgia Environmental Protection Division, and the

Savannah River Community Advisory Board, have "failed to substantially inform economically challenged individuals," the statement continued. Advisories often are written only in English, the statement pointed out, and signs are not posted in many of the popular fishing locations. When fact sheets and guides are written, community involvement is not encouraged, wrote Dr. McClain; such documents therefore often present information in a way that is ineffective.

Dr. McClain's statement also pointed out that African Americans in Georgia and South Carolina are concerned about the cumulative effect of the consumption of contaminated fish with other vulnerabilities. She explained that citizens are concerned about the close proximity of water bodies to industrial operations and federal facilities. A more aggressive educational and outreach program must be implemented, wrote Dr. McClain. In summation, Dr. McClain recommended in her statement that the pollution of water bodies by industry and military entities be reduced and that communication of risk to the public be enhanced. In addition, minority communities should be involved in research, and easy to understand toxicological profiles of contamination in water bodies should be developed, the statement suggested.

#### **3.2 Chief Johnny Jackson, Columbia EPED, Underwood, Washington**

Chief Johnny Jackson, Columbia EPED, Underwood, Washington, explained to the members of the Executive Council that he lives along the Columbia River and that all the members of his family are fishermen. He stated that, 15 years earlier, he had taken from that river a fish that had no eyes. People today are dying of cancer and diabetes, he continued. The soil, water, and air along the river must be cleaned, he declared, because the residents are suffering. People in the region have been unable to obtain from state agencies information about the source of the problems, he stated. Fishing is an integral part of life for his community, Chief Jackson emphasized, and the issues of contamination are an environmental injustice, he declared.

#### **3.3 Barbara Harper, Tyakama Nation, Yakima, Washington**

Ms. Barbara Harper, toxicologist and environmental health scientist for the Tyakama Nation, Yakima, Washington, submitted to the members of the Executive Council a written statement about the water quality of the Columbia River. In the

statement, Ms. Harper explained that she has been evaluating the health consequences of consumption of fish taken from the polluted Columbia River.

Tribes living along the Columbia River have lived in the Columbia Basin for more than 10,000 years, and salmon always have been a part of the diet, culture, and religion of those tribes, the statement pointed out. Tribal members historically ate two to three pounds of fish per day, and treaties between federal and tribal governments were intended to ensure that tribes could continue to live their cultural lifestyle, she explained. Today, maintenance of a traditional diet of fish would be lethal, she pointed out, because data collected recently indicate that there are high levels of contaminants in those fish. Ms. Harper's statement asserted that the issue is one of environmental justice, as well as a matter of treaty rights and federal trust responsibility.

The statement then pointed out that a lack of technical knowledge among tribal members causes the misinterpretation of risk assessments and fish advisories. When evaluating the health effects of contamination, it continued, existing health disparities must be considered. For example, Ms. Harper's statement continued, tribal members eat more fish than non-Native Americans. Consequently, tribal members may be more sensitive to contamination physiologically, the statement emphasized. Fish advisories do nothing to address the problem, the statement declared; the burden of point and non-point source pollution therefore must be reduced. Ms. Harper pointed out that contamination is not a necessary part of progress or global economic expansion, and tribal people regard contamination as an attack on their cultural resolve. In conclusion, the statement pointed out that tribal members will continue to eat contaminated fish because doing so is an element of their culture and religion.

### **3.4 Marcia Henning, Washington Department of Health, Olympia, Washington**

In September 2001, a section of the Duwamish River in Seattle was declared an EPA Superfund site, Ms. Marcia Henning, Washington Department of Health, Olympia, Washington, reported. The Agency for Toxic Substances and Disease Registry (ATSDR) currently is preparing a public health assessment of the river, she continued. To determine how people are exposed to toxins in the river, community members were contacted about fish consumption habits, she explained. Initial outreach efforts indicated that many immigrant and refugee people eat fish and crabs from the river, she continued.

Those residents often fish without obtaining a license, she said, and agencies must reach out to such communities to educate community members about environmental health issues. However, such individuals often distrust government agencies, she explained. Training members of the community to conduct interviews and translate materials therefore is an effective way to gather information, she said.

Ms. Henning added that when working with immigrant groups, Mr. Alan Rammer, aquatic and marine educator for the Washington Department of Fish and Wildlife, offers several strategies for success. The strategies involve identifying a respectful approach to sharing crucial information with communities, knowing the resource limitations of the agency involved, keeping promises and fulfilling commitments, asking for the views of communities, and building honest relationships, she explained. In closing, Ms. Henning emphasized that community outreach and education are essential components of the health assessment process.

### **3.5 Tom Miller, Columbia River Inter-Tribal Fish Commission, Portland, Oregon**

Stating that his organization provides legal assistance to four Native American tribes, Mr. Tom Miller, Columbia River Inter-Tribal Fish Commission, Portland, Oregon, explained to the members of the Executive Council that, 146 years earlier, the tribes ceded most of their land in the Pacific Northwest to the federal government. The government has not honored the agreement, he stated. Because of contamination of waterways, he pointed out, tribes today are harvesting less than one percent of their historical salmon take. If tribal members continue to eat salmon at the historical rate of two to three pounds per day, they would die because of the hundreds of contaminants in the rivers, he asserted. Tribes bear a disproportionate share of the conservation burden, he added. Mr. Miller concluded his statement by pointing out that the federal government recently had authorized a \$500 million effort to remediate polychlorinated biphenyls (PCB) in the Hudson River. He expressed the hope that a similar effort will be undertaken in the Pacific Northwest.

### **3.6 Joanne Bonnar Prado, Washington Department of Health, Olympia, Washington**

Ms. Joanne Bonnar Prado, Washington Department of Health, Olympia, Washington, explained to the members of the Executive Council that she currently was assisting in the development of a communication strategy for fish advisories. She

explained that the goal of the effort was to identify and understand communities predominantly affected by the issuance of advisories. It also is imperative to promote the reduction of sources of pollution to ensure the health of communities, she added. In addition, she continued, dietary considerations should be taken into account when the need for an advisory is assessed.

### **3.7 Enoch E. Shiedt, Maniilaq Association, Kotzebue, Alaska**

Stating that he was speaking for the northwest arctic region, Mr. Enoch E. Shiedt, Maniilaq Association, Kotzebue, Alaska, explained that the people of Kivalina, Alaska, are concerned about the health of the Wiluk River because of contamination from a nearby mine. Trout in the river have become increasingly scarce, he said, and levels of mercury are rising. Contaminated water and the decline of fish populations in the river forces community members to supplement their source of food, he continued, and people are unable to rely on their subsistence lifestyle. Food sources that once were plentiful are becoming delicacies, he said. As a result, he explained, people are becoming malnourished because they must rely on sources of food that originate in the Western world.

Mr. Shiedt declared that the culture and heritage of Eskimos is disappearing. Eskimos kill, hunt, and trap only the wildlife they need, he explained, and all parts of an animal are used. Inability to harvest game from the natural environment makes it difficult to pass along traditions, he added. Elders are willing to pass along information about the life they historically led, as well as about what they have learned from past generations, he added, but many young people do not wish to learn about their past history. With the decline in water quality and fish populations, the people of the northwest arctic region can be considered an endangered species themselves, Mr. Shiedt stated.

### **3.8 Art Invanoff, Native Village of Unalakleet, Unalakleet, Alaska**

Mr. Art Invanoff, Native Village of Unalakleet, Unalakleet, Alaska, stated that the contamination of subsistence food is a primary concern among tribal members. Subsistence lifestyle is not a derogatory term, he explained, and should not be associated with the poor. It is a spiritual and social lifestyle, he pointed out, and harvesting involves a sharing of tribal heritage with elders. Improving the integrity of aquatic ecosystems is a daunting task, he said, but tribes must work together with the EPA.

Climate change is negatively impacting people who live in the Arctic, he stated. Mr. Invanoff pointed out that the instability of ice in rivers due to warming temperatures makes fishing conditions much more hazardous. With regards to risk assessments, he continued, the best approach is to prevent contaminants from being released into the environment. Persistent organic pollutants (POPs) are accumulating in the Arctic Region, he explained, because they don't degrade in the cold weather.

In addition, he added, fish farms in the United States have accidentally released unwanted parasites and pathogens into waterways. This biological pollution has irreversible and unpredictable ecological impacts, he stated. Mr. Invanoff concluded by declaring that a conservative approach should be taken when considering the impact of pollution on the environment.

### **3.9 Rosemary Ahtuanguak, Inupiat Community of Arctic Slope, Barrow, Alaska**

Stating that she is from the native village of Nuiqsut, Ms. Rosemary Ahtuanguak, Inupiat Community of Arctic Slope, Barrow, Alaska, explained that her village relies on subsistence resources for survival. Villagers harvest only what they consume, meaning they never waste, she said, and resources are left in pristine condition. Few villagers work jobs in oil and gas exploration or development, she stated, because food is too expensive for paychecks to cover. Without a safe supply of food for consumption, there is concern about surviving through the cold winter months, she explained.

Ms. Ahtuanguak emphasized that increasing development around the village has diminished the integrity of the natural resources on which they depend for survival. They are suffering because resources are impacted by the the development of resources the Nation needs to grow, she asserted, adding that the village's complaints are ignored during public meetings. The benefits of living a subsistence lifestyle also have been overlooked, she stated. In closing, Ms. Ahtuanguak reiterated that the quantity and quality of fish in the waterways surrounding her community have declined. Over the past decade, incidences of asthma, thyroid disease, and other health disorders have increased rapidly, but no research for a cause has been pursued, she said.

### **3.10 Wilbur Slockish Jr., Columbia River Education and Economic Development, The Dalles, Oregon**

Telling the members of the Executive Council that he lives along the Columbia River, Mr. Wilbur Slockish Jr., Columbia River Education and Economic Development, The Dalles, Oregon, explained that he is practicing his ancestors' way of life. He has no formal education, he declared, but he has the knowledge that has been passed down from his ancestors. The climate is changing, he pointed out, and the water temperature is rising. In addition, he continued, dams, nuclear materials, and transportation routes are contaminating riverways.

Mr. Slockish emphasized that the absorption of contamination by natural resources should be studied. People are being harmed, he asserted, yet current studies are biased to allow the release of contaminants to continue. The environment should be protected, he said, so that people can continue to gain knowledge and experience by living from the land. His people have been affected since the 1850s, and they now suffer from diabetes and cancer, he added. Mr. Slockish pointed out that people can harvest fish only March through October and therefore cannot gather enough food to survive through the winter months.

### **3.11 Tom Goldtooth, Indigenous Environmental Network, Bemidji, Minnesota**

Pointing out that too often in history humans have waited for damage to occur before taking precautionary action, Mr. Tom Goldtooth, Indigenous Environmental Network and former member of the Indigenous Peoples Subcommittee of the NEJAC, Bemidji, Minnesota, stated that POPs and persistent bioaccumulative toxics (PBT) have been documented in wildlife and plants in the Minnesota area. Problems associated with releases of those chemicals into the environment could be averted if EPA were to incorporate precautionary measures when assessing risk, he asserted. Uncertainty has plagued environmental regulations, he acknowledged. Regulatory agencies are required to develop safe standards for toxic chemicals, he explained, but science cannot determine what is actually a safe level of a chemical. Native Americans and minority communities have no faith in science, he declared.

Mr. Goldtooth stated that current actions of business and government allow harmful practices to continue until damages occur. Risk assessments designate arbitrarily what is acceptable, he stated, and they

focus on only one chemical at a time, ignoring the facts that most exposures are caused by numerous chemicals and that effects from cumulative exposure occur. In addition, he continued, risk assessments do not account for sensitive populations, such as children, the elderly, or the chronically ill, and they evaluate only cancer risks while ignoring other health problems.

Mr. Goldtooth emphasized that, to avoid irreparable harm in the future, whenever it is acknowledged that a practice could cause harm, the precautionary principle should be implemented. That principle mandates that practices should be prevented and eliminated if the possibility of harm exists, he said, stating that the precautionary principle is intended to prevent harm before it occurs. The principle has been embraced in international agreements that deal with environmental concerns of limited scientific certainty, he pointed out.

POPs and persistent and bioaccumulative and toxic (PBT) chemicals pose a threat of serious and irreversible damage, stated Mr. Goldtooth; the precautionary approach provides the ideal framework through which to address concerns associated with such chemicals, he urged. He emphasized that the lack of scientific certainty should not be cited as a reason for postponing measures that can prevent harm. The Indigenous Environmental Network has recommended that EPA and the NEJAC recognize the precautionary approach as an emerging principle in the environmental decision-making process, he said. In closing, Mr. Goldtooth read Principle 15 of the Rio Declaration on Environment and Development, which states, "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."

### **3.12 Kendra Zamzow, Alaska Community Action on Toxics, Anchorage, Alaska**

Ms. Kendra Zamzow, Alaska Community Action on Toxics, Anchorage, Alaska, explained to the members of the Executive Council that, every summer, people from the Village of Zamuda, Alaska go to subsistence camps located on Saint Barnes Island. The Suqi River, which runs through the island, once was a productive source of plants and fish and other wildlife, she said. However, she continued, recent contamination of the river had an extraordinary effect on the quantity and quality of

fish. Samples have been taken from the river since 1994, and every sample has shown elevated concentrations of PCBs, she stated. In addition, said Ms. Zamzow, many samples have contained hydrocarbons and heavy metals, and pockets of oil are being found in sediments taken from the river. The source for the contaminants is a nearby military site that currently is being remediated, but the job being done is not a thorough one, she charged. Ms. Zamzow requested that EPA investigate the site, because, she said, villagers have been dying from cancer. The site should be listed under Superfund, she asserted, and people should be able to revert to their subsistence lifestyle.

### **3.13 Hilda Booth, Native Village of Noatak, Noatak, Alaska**

Ms. Hilda Booth, Native Village of Noatak, Noatak, Alaska, stated that her village in northwest Alaska depends on the consumption of fish throughout the year for survival. She stated her concern that her village does not have the resources to take samples from rivers. Ms. Booth told the members of the Executive Council that there is chemical contamination in the river; she urged that the council help her identify a way to have the river tested.

### **3.14 Lincoln Loehr, Heller Ehrman, Seattle, Washington**

Mr. Lincoln Loehr, Heller Ehrman, Seattle, Washington, explained that, in many cases, fish consumption advisories have recommended the reduction or elimination of the amount of fish people consume. Choosing an acceptable risk level is questioned by many, he stated, and, in the absence of relevant information, the elimination of risk is always the preferred goal. However, he continued, it is highly relevant when advising people to eat less fish, because they may substitute a more risky product for the fish. A comparison with the risks associated with a diet that includes red meat is appropriate to help people make an informed decision when faced with a fish consumption advisory, he added.

People should be provided with risk-based information related to methods of preparing foods that add risk, such as smoking fish, which adds combustion polycyclic aromatic hydrocarbons (PAH), said Mr. Loehr. In summation, he pointed out that the rates of colon cancer are much higher among consumers of red meat, compared with consumers of fish. Risks associated with eating smoked fish and fish that has not been smoked and red meat should be quantified, he urged.

### **3.15 Bill Doyle, Sierra Club, Seattle, Washington**

Pointing out that most of the evening's discussions had focused on environmental justice issues related to chemical pollution, Mr. Bill Doyle, Sierra Club, Seattle, Washington, stated that, in the Pacific Northwest, environmental justice also is being denied because of the vast number of dams on rivers. That injustice primarily affects Native Americans, he stated. Salmon are protected by treaty right for Native Americans, he explained, and the nation has a moral and legal obligation to honor that treaty obligation.

Environmental justice is also denied to low-income residents of fishing communities in southwest Washington and northwest Oregon, stated Mr. Doyle. As fisheries have declined in those regions, so have the local economies of those communities, he said. Mr. Doyle explained that the bulk of the salmon on which people in those areas depend comes from the Columbia River Basin, including the Snake River, but some salmon runs on the river already are extinct, he pointed out.

For years, continued Mr. Doyle, independent scientists have insisted that the only way to save remaining salmon runs is to remove four federally-owned dams on the river, he said. The four dams were built in the 1960s and 1970s, he added, when there were healthy, sustainable salmon runs in the river. Since construction of the dams, salmon runs on the river have declined by 90 percent, he stated.

Mr. Doyle emphasized that a statutory objective of the Clean Water Act is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." A river can be considered clean only if it is supporting the life and the people that it always has supported, he asserted. We cannot continue to rely on failed technologies to move salmon around the dams, he stated. Environmental justice demands that we preserve the salmon, he declared; to do so, all that is necessary is to enforce existing laws. Mr. Doyle then called for the NEJAC to recommend that existing laws be enforced.

### **3.16 Coleen Poler, Mole Lake Sakoagon Defense Committee, Crandon, Wisconsin**

Ms. Coleen Poler, Mole Lake Sakoagon Defense Committee, Crandon, Wisconsin, pointed out that the introduction of foreign species into riverways in northern Wisconsin is creating harmful competition with native species. Species that are not native to the area must not be introduced, she emphasized. In addition, she continued, water treatment is not

effective. To pollute and then treat, she continued, contradicts the premise of the Clean Water Act. All the earth is sacred, she declared.

Ms. Poler also explained that the members of her community rely heavily on clean water because of their subsistence lifestyle. She stated that she is very concerned about the health of her people. The integrity of the water in the Great Lakes must be preserved, she said, because it is the last great mass of fresh water on the planet. People must stand together to fight negative political agendas, she asserted.

### **3.17 Cheryl Steele, Elem Indian Colony, Clearlake Oaks, California**

Explaining that the Elem Indian Colony is located near a Superfund site, Ms. Cheryl Steele, Elem Indian Colony, Clearlake Oaks, California, told the members of the Executive Council that her organization would like to apply for a grant to perform a study of fish consumption by tribal members. The colony is located approximately 750 yards from a large mercury tailing pit, she continued, and many villages have been built on top of old pits. Fish advisories are posted along waterways throughout the colony, she said, and people are not eating the fish. She explained that her organization would like to conduct a survey to determine how people have been affected by the advisories. Ms. Steele requested practical advice from the NEJAC about what actions the communities can take, given that the fish are inedible.

### **3.18 Dottie Chamblin, Indigenous Women's Network**

Pointing out that the Makah tribe owns land that adjoins the Pacific Ocean, Ms. Dottie Chamblin, Indigenous Women's Network, noted that tribal members rely on seafood for subsistence. She recounted a story that originated in 1968, when a fisherman near her village caught a large halibut, but would not allow the tribal members to eat the fish because he believed it was contaminated with mercury. Recently, overfishing and contamination has depleted the number of fish in the waterways, she said. The members of the tribe must eat fish, she emphasized, because it is a spiritual part of their culture. Because the tribe is unable to practice a subsistence lifestyle, tribal spirituality is declining, she added. Many villagers still eat contaminated fish, she pointed out, because there is nothing else to eat. People are dying of cancer, she continued, and the tribe has no money to fight the polluting entities. Environmental justice has been discussed

since 1968, she stated, but the situation only worsens. Ms. Chamblin concluded her statement by emphasizing that humans are part of the food chain, as well, and that all life must be respected.

### **3.19 Jeffrey Thomas, Puyallup Tribal TFW Program, Puyallup, Washington**

Explaining that the land of the Puyallup Tribe is located south of Seattle, Mr. Jeffrey Thomas, Puyallup Tribal TFW Program, Puyallup, Washington, stated that the tribe has reserved fishing, hunting, and gathering rights on the reservation, as well as some distributed throughout the ceded lands of the tribe. The commitment relies on the natural resources to fulfill the physical and cultural needs of its members, he said. The health and integrity of the waters in the Puyallup watershed are integral to the members of the Puyallup tribe, he added.

Salmon are the symbol of the Puyallup tribal government, Mr. Thomas declared, and the tribe's concerns about the plight of the salmon are evident in the numerous federal court proceedings and decisions associated with decisions related to fishery management. The diminishing condition of the salmon stocks and their habitats are an environmental injustice, he declared. He stated further that zero fish contamination must be the standard, rather than total maximum daily limits. Tribal social and cultural concerns should be incorporated into the NEJAC's fish consumption report, he said. In closing, Mr. Thomas stated that the tribe recommends that the NEJAC fish consumption report be used as the framework upon which additional work and development of the topic are founded.

### **3.20 June Martin and Jesse Gologergen, Alaska Community Action on Toxics, Anchorage, Alaska**

Ms. June Martin, Alaska Community Action on Toxics, Anchorage, Alaska, stated that she lives in the Alaskan community of Zamuda, where, every summer, the villagers attend subsistence camp to hunt walrus, seal, whales, and fish and to harvest plants. The villagers recently have been told to consume less fish, she said, because of the increasing contamination of waterways. Elders are dying of cancer, she explained; military sites nearby are the suspected sources of pollution, she added. Ms. Martin emphasized that, if the wildlife are contaminated and inedible, the community's spirit and culture will disappear. The government should protect people from contamination, she declared,

and the NEJAC should recommend that the military site on St. Lawrence Island be listed on the National Priorities List under Superfund. In addition, she continued, a framework should be established so that the rural community can take action on issues of environmental justice.

Ms. Jesse Gologergen, Alaska Community Action on Toxics, Anchorage, Alaska, also stated that people in the community are dying of cancer and that birth weights of children are declining. In addition, marine animals suffer from lesions and other health defects, she said. Members of the community know the military site on St. Lawrence Island is the cause of those problems, she asserted. Ms. Gologergen stated that she would like to speak with organizations or agencies that can provide assistance to the community.

### **3.21 Doris Bradshaw, Defense Depot Memphis Tennessee Concerned Citizens Committee, Memphis, Tennessee**

Stating that she had made earlier presentations before the members of the Executive Council, Ms. Doris Bradshaw, Defense Depot Memphis Tennessee Concerned Citizens Committee, Memphis, Tennessee, voiced concerns about federal facilities. Ms. Bradshaw emphasized that EPA is not the regulatory agency that should deal with the DoD. She questioned the progress the federal facilities working group of the NEJAC had made and stated that communities are willing to wait to see what the results will be.

Ms. Bradshaw stated that, in September 2000, while cleaning chemical warfare out of her community, several U.S. Army Corps of Engineers workers who had been suited in full gear were hospitalized because of exposure to contaminants. On January 18, 2001, mustard gas was being cleaned from soil and taken to an unregulated dump, she alleged. She pointed out that there is no regulated dump in Tennessee that can accept such material. It seems that the representatives of federal government are terrorists, she charged. EPA is supposed to be an enforcer and a regulator, she emphasized. She then asked what are EPA's regulatory capabilities when the agency deals with federal facilities. She pointed out that there are agencies that are supposed to help, but stated that "nothing is getting done."

### **3.22 Richard Moore, Southwest Network for Environmental and Economic Justice, Albuquerque, New Mexico**

Expressing concern about environmental justice and the NEJAC, Mr. Richard Moore, Southwest Network for Environmental and Economic Justice, Albuquerque, New Mexico, and former chair of the Executive Council of the NEJAC, stated that he had been involved in environmental justice issues in EPA Regions 6, 8, and 9. Results of meetings with the Deputy Regional Administrator in Region 6 have been productive, he said. In addition, he said, he had been engaged in dialogue with EPA representatives in regions 8 and 9, and that activity will continue.

Mr. Moore stated that he recently had sent a letter to the new Administrator of the EPA, to initiate a dialogue about EPA and its commitment to integrating environmental justice into its programs and policies.

Mr. Moore expressed dissatisfaction with the NEJAC strategic plan. He took issue with the statement of the NEJAC strategic plan that NEJAC's previous concentration on site specific issues distracted the NEJAC from its original mission as an advisory council. He stated that this was an "insult" to people who bring issues of a site-specific nature before the NEJAC. In addition, he continued, the council should be made up of a majority of "grassroots people." He also questioned why the NEJAC was the only federal advisory council that includes members of grassroots organizations on its Executive Council. All federal advisory councils should have such members, he declared. If the NEJAC is to be respected, the council should encourage other federal advisory councils to follow its lead.

### **3.23 Violet Yeaton, Port Graham Village Council, Port Graham, Alaska**

Ms. Zamzow presented a written statement prepared by Ms. Violet Yeaton, Port Graham Village Council, Port Graham, Alaska. The Port Graham tribe is a federally-recognized tribe, whose village is located southwest of Anchorage, the statement read. Port Graham is heavily dependent on a traditional way of life, which always has been a part of the people's heritage, the statement continued. Knowledge of natural resources has been passed from generation to generation, and the tribal culture is dependent on the health of the traditional resources, Ms. Yeaton said in her statement.

Contamination of food sources has become an emerging concern in rural Alaska, especially among Alaskan natives who consume large amounts of wild food each year, the statement pointed out. An EPA study conducted in 1996 in the lower Cook Inlet found evidence of significant levels of contamination, the statement continued. Over the past five years, the tribes have struggled to have meaningful collaboration with EPA, Ms. Yeaton's statement charged. The tribes that participated in the study do not believe that EPA supports tribal sovereignty, the statement asserted. It is very important that EPA and other federal agencies place tribal concerns above political sensitivity so that actual health risks can be determined, the statement said.

Data on contaminants warn of a global pollution crisis, Ms. Yeaton's statement continued, and the long-term practice of allowing industry to discharge pollution is detrimental to native culture. Contamination that appears in native foods are discharged from the local oil and gas industry, the statement read. EPA currently allows the oil and gas industry in Cook Inlet to operate under a National Pollution Discharge Elimination System (NPDES) waiver from the national zero discharge law under the Clean Water Act, Ms. Yeaton said in the statement. The zero discharge waiver should be repealed immediately, the statement declared.

### **3.24 Pamela K. Miller, Alaska Community Action on Toxics, Anchorage, Alaska**

Ms. Pamela K. Miller, Director of the Alaska Community Action on Toxics, Anchorage, Alaska, explained to the members of the Executive Council that her organization works to stop the production, proliferation, and release of toxic chemicals that may harm human health or the environment. Contaminants from military sites in Alaska pose a serious threat to people who rely on traditional diets of fish and marine mammals, she said. She pointed out that the arctic has become a "sink" for POPs, industrial chemicals such as PCBs, and chemical by-products. Many persistent pollutants originate from thousands of miles away and travel north by wind and ocean currents, she explained, and they accumulate in the cold environment.

The signing of the international treaty on persistent pollutants at the Stockholm Convention in May 2001 is an important first step toward the protection of all people's health, Ms. Miller said. The Alaska Community Action on Toxics, she continued, requests that the NEJAC help ratify the treaty of the Stockholm Convention by the United States Senate, implement regulations to eliminate exposure to

dioxin, and expedite the inclusion of persistent chemicals that merit phase-out and elimination. Ms. Miller emphasized that the harmful use of pesticides that damage the health of people where they are produced and used must be prevented. For example, she continued, the pesticide lindane is toxic and persistent, but it is not included in the current list of 12 chemicals targeted for phase-out through the Stockholm Convention or under EPA's Persistent and Bioaccumulative Toxic Chemicals Initiative. Lindane is banned in numerous countries, she pointed out, and EPA currently is reviewing through a risk assessment process allowable uses for lindane in the United States. Her organization is concerned about the inadequacy and oversimplification of the risk assessment for Alaskan native peoples, she asserted.

In addition, there are five military Superfund sites and approximately 700 formerly used defense sites in Alaska. Many of those sites are contaminated with PCBs and dioxins, she added, and the people who live near those sites are concerned about health problems potentially linked to exposure to chemicals. Many of the sites that are considered remote are actually in close proximity to Alaskan native communities or the traditional fishing and hunting areas of the tribes, she pointed out. Ms. Miller emphasized that EPA must hold DoD accountable for the responsible cleanup of hazardous waste sites in Alaska.

### **3.25 Jonathan Betz-Zall and Kristine Wong, Antioch University Seattle, Seattle, Washington**

Stating that Antioch University in Seattle, Washington, requires that students take a course that deals with environmental justice, Mr. Jonathan Betz-Zall, Antioch University Seattle, Seattle, Washington, introduced Kristine Wong, Antioch University Seattle, Seattle, Washington. Ms. Wong explained to the members of the Executive Council that she had worked from 1995 through 1997 as the project director for the Seafood Consumption Information Project. The project focused on conducting community-based research and education on the issue of consumption of contaminated fish from San Francisco Bay, she stated. Thousands of people regularly fish in the bay, she pointed out, and most of those individuals are people of color who typically eat what they catch. Among Asian Pacific Islanders and Native Americans, fish is a dietary staple, as well as an integral part of cultural tradition, she explained. In 1994, a study conducted by the San Francisco Bay Area Regional Water Quality Control Board indicated

that fish in the bay are contaminated with dioxin, mercury, PCBs, and other harmful chemicals, she stated.

In 1995, the Seafood Consumption Information Project conducted a survey to document who was fishing in the bay, she explained. The study revealed that people of color are affected disproportionately by contaminated fish. Minority populations are more likely to eat the most contaminated parts of the fish, she stated, as well as to be less aware of health warnings associated with that consumption. In addition, she continued, many people exceed the consumption rates recommended by California's Office of Environmental Health Hazard Assessment. Ms. Wong emphasized that many terms frequently used in health warnings should be modified to reflect the language commonly used by those who fish for food.

Ms. Wong recommended that health risk assessments account for people who eat the most contaminated parts of the fish and that health agencies study the synergistic effects of chemicals. In addition, she continued, federal, state, and local governments should enforce strict regulations that work to phase out the production of PBTs.

### **3.26 John Ridgeway, Washington Department of Ecology, Olympia, Washington**

Mr. John Ridgeway, Washington Department of Ecology, Olympia, Washington, commended the NEJAC for developing its fish consumption report. He emphasized that the report provides relevant advice for EPA, community groups, and educators. The report helped him educate his management, he added, and helped his managers understand that the issues of fish consumption and contamination are important and warrant attention.

Mr. Ridgeway encouraged the NEJAC to continue holding meetings in locations around the county and to continue bringing pertinent issues to the attention of policymakers. He also suggested that the NEJAC Council change the unit "grams per day" used in the report to "pounds per day" or "number of fish per day" because most people do not understand grams.

### **3.27 Holly Welles, Pacific Gas and Electric Company, San Francisco, California**

Stating that Pacific Gas and Electric is committed to the fair treatment of all people, Ms. Holly Wells, Pacific Gas and Electric Company, San Francisco, California, reported that her company had adopted a formal environmental justice policy. The company

maintains a training program for employees, she continued, and is working closely with EPA's environmental justice working group to develop a high-quality approach to training in environmental justice.

### **3.28 Winona LaDuke, White Earth Land Recovery, Ponsford, Minnesota**

Pointing out that there are 47 lakes on her reservation in northwestern Minnesota, Ms. Winona LaDuke, White Earth Land Recovery, Ponsford, Minnesota, explained that treaty rights have secured the tribe's right to "harvest and sustain." Under the treaties, the members of the tribe have a right to eat fish and rely on them to feed their bodies and souls, she stated. Because more than half the people on the reservation live below the poverty level, she pointed out; subsistence fishing sustains the community. Increasing levels of mercury, heavy metals, and PCBs in the waterways must be addressed, she declared. However, many fish advisories limit consumption to one fish per week, she said. In addition, she continued, contaminated water is affecting wild rice in the region, pointing out that frogs that have extra legs have been found. Ms. LaDuke expressed concern about the effects contamination will have on her community and the economic effects resulting from the community's inability to harvest food.

### **3.29 Sara Koopman, Amazon Alliance, Seattle, Washington**

Ms. Sara Koopman, Amazon Alliance, Seattle, Washington, submitted to the members of the Executive Council a written statement about the effects of fumigation of coca in Columbia, which is funded by the United States. On July 19, 2001, the NEJAC drafted a letter to EPA Administrator Christine Todd Whitman that requested increased scrutiny and public disclosure of the fumigation and its effects, she stated. The reply received from staff of EPA was inadequate, she declared. Ms. Koopman requested that the NEJAC follow up on the letter with another request for Administrator Whitman.

Ms. Koopman noted in her statement that, on a recent visit to Putumayo, Columbia, where most of the fumigation occurs, she was alarmed to see children with skin sores that had appeared shortly after the spraying was carried out and which have persisted for more than six months. People also suffer from constant headaches after the spraying, she pointed out in the statement. When representatives of the United States embassy in

Written Statements Submitted During the Public Comment  
Period of the NEJAC Meeting Dec. 3-4, 2001

## **"Columbia River Water Quality, Contaminated Fish, and Tribal Health"**

Barbara Harper, PhD, DABT  
Toxicologist, Yakama Nation Fisheries Program<sup>1</sup>  
509-967-5174; [bharper@nwinfo.net](mailto:bharper@nwinfo.net)

A Written Statement to the NEJAC at the meeting on  
"Relationship between water quality, fish consumption and environmental justice."  
December 3, 2001, Seattle, WA.

*Note: This statement is a revision of a talk recently given at the 8<sup>th</sup> Annual Joint Conference on Health. Sponsors: Washington State Public Health Association, WA Department of Health, and Yakima Health District, Monday, October 8, 2001, Yakima Convention Center, Yakima WA. This and similar talks and papers were written with Stuart Harris, Confederated Tribes of the Umatilla Indian Reservation; 541/966-2408; [stuartharris@ctuir.com](mailto:stuartharris@ctuir.com).*

**Introduction.** I am the toxicologist, risk assessor, and environmental health scientist for the Yakama Nation Fisheries program, with 25 years of professional experience. I am evaluating the health and cultural consequences of contaminated Columbia River fish. This talk tries to explain the consequences of fish and water contamination in tribal communities. It is formatted as lessons for health professionals, regulators, and risk communicators who need to work in Indian Country, specifically in areas of subsistence foods contamination, fish advisories, Superfund, and environmental justice.

**Background.** Columbia River Tribes have been in the Columbia Basin for over 10,000 years, and salmon have always been a mainstay of the diet, culture, and religion. It is well documented that they ate 2-3 pounds of fish per day, predominantly salmon. The Treaties between tribal and federal governments were intended to ensure that tribal members could continue to live their cultural lifestyle if they chose to do so, so the Treaties reserved (or protected) the pre-existing rights of tribal members to fish stemming from their original ownership and inherent sovereignty. The full exercise of Treaty-reserved fishing rights would result in eating a traditional amount of fish, or 2-3 pounds per day. Recent data on fish contamination indicates high levels of a wide variety of chemicals in fish. If people fully exercised their Treaty rights for very long, it would probably be lethal. So, we are facing a situation where exercising Treaty rights and living a spiritual cultural lifestyle are not safe. We call this chemical assimilation. We are just beginning to develop a response to this information, both in terms of educating tribal members about health effects, and educating regulators on why revisions to water quality standards are needed. This is an enormous Environmental Justice issue and, more importantly, a matter of Treaty rights and federal Trust responsibility.

**Lesson 1: Know the technical details** of what you are communicating very thoroughly. Lack of technical understanding can cause misinterpretation or misstatements, particularly when it implies a degree of safety that really isn't there. Risk assessment is

<sup>1</sup> While this text has been circulated among tribal staff, it reflects the views of the author should not be taken as official tribal policy. The Yakama Nation has received a NIEHS EJ grant to analyze and respond to the fish contamination; Lynn Hatcher, Principal Investigator.

full of vague value words, like threat, harm, safe, danger, etc.. It is easy to misuse words and convey a technically inaccurate message. For instance, people have a hard time understanding why fish can be both contaminated and safe to eat, or why a fish advisory applies to them but not to suburban households.

Lesson 2: We always look for a cumulative and integrated approach, and we always resist looking at fragments of problems. In the case of fish contamination, we need to evaluate contaminants from all sources, not just the fish, and we need to evaluate whether some people are more sensitive to the health effects of contamination. There are existing health disparities that must be considered. There are a disproportionate number of co-risk factors that cluster in tribal communities that could affect how they respond to environmental contaminants. Tribal members not only eat more fish, they may be more sensitive physiologically, as well. We have a method for evaluating disproportionate impacts (or an Equity Assessment) that we are offering to explain at some other time.

Lesson 3: We need data about contaminants. But we also need to see action to address the problem, and we need to see both happening at the same time. We should not have to impose another restriction (the restriction of fish consumption) on people who already bear a disproportionate health and cultural burden, no matter how well-meaning an agency is. Fish advisories are only an unfortunate interim necessity, but do nothing to address the problem itself, so issuing an advisory without also addressing the root problem is unsatisfactory. At least two actions are needed from state and federal agencies: (1) revise the water quality standards to specifically protect tribal members, and (2) decrease the watershed burden of point source and nonpoint source discharges. The initiatives on persistent bioaccumulative toxics are a step in the right direction, but we have children at risk now. Water quality standards need to include Treaty-reserved levels of fish consumption, and they also need to recognize that drinking water intake is higher for these active lifestyles. Water is also used for cultural purposes, and must also be clean enough for these uses as well. A tribal cultural approach to water quality standards might be based on a broader set of criteria and principles than the federal government uses, although we don't have time to discuss them here. We offer to make a presentation on these criteria and metrics to NEJAC and/or EPA at a more convenient time.

What is risk communication in a tribal context? It is not simply a matter of communicating the same message in a different language, or using tribal images on pamphlets, or dumbing it down to the point that is condescending or inaccurate. If anything, the communication with tribes needs to be *more* sophisticated, even if it is less numerical. Tribes can't just focus on a number and forget all the cultural, nutritional, religious, economic and other consequences. In the case of fish contamination, the goal is not necessarily trying to influence people to reduce a risky behavior like smoking or eating too much fish. And it is not about balancing risks of contaminants with the benefits of eating fish. A better goal may be to understand and provide the health care that will be necessary when people *cannot* follow a fish advisory. Why is this?

Lesson 4: Know the culture of the affected people. Know their history and the current adversities that they face. The attempts to annihilate the original indigenous inhabitants

have not stopped. This history is not just water under the bridge; it is a living history. It cannot be set aside so we can 'start over' or 'go on from here' with piecemeal actions. I would advise learning something about wartime psychology, and grief and trauma counseling. Counseling is provided for victims of Oklahoma City, Columbine, the World Trade Center, and airplane crashes because society recognizes the intense psychological consequences of experiencing such an event – shock, denial, anger, grief, depression, anxiety, post traumatic stress disorder, self-abuse, domestic violence, divorce, suicide, substance abuse, and on and on. But there are many tribal members who have to cope with the same thing due to the daily attacks on their rights, health, religion, resources, bodies, and even lives. PTSD is common, and few people are unaffected, to a greater or lesser degree. But FEMA and the Red Cross are not there. The rest of the country does not rally around them, but instead often takes advantage of their vulnerability to get rid of the "Indian problem." Tribes have little or no mental health counseling, no disaster relief, or legal help, technical help, insurance, loans, infrastructure, advanced health care, educational assistance, or even the simple recognition by the American people that there is a problem at all. The Tribes are not getting billions of dollars of aid, and what little they have been getting is likely to be reduced even further now. Since September 11, the American people are saying how stressful it is to live with anxiety and pain and fear and inner turmoil. But I see the same effects on tribal members who have been living under duress for generations. They know and have come to expect that the federal government and their neighbors will continue to break promises and attack every advance they make. If not physically violent, this attack is waged on legal and political grounds.

Lesson 5: Tribes will not say "thanks for telling us that we need to give up another part of our culture in order to be safe." There are many angry and disenfranchised people who do not regard fish contamination as a necessary part of progress or global economic expansion or industrial agribusiness. They do not think they should give up more of their religion so someone else can make a buck. They resent risk communicators who try to explain why white male politicians say that some amount of contamination and risk is economically necessary and medically tolerable for indigenous people. These false "facts" were determined without the Tribal peoples' knowledge, input, or consent. I have talked to Tribal members who regard contamination as an attack on the food supply in order to weaken their cultural resolve, which was an official federal policy in the past. Their food supply has again been poisoned. Contamination can be thought of as a form of abuse, a chemical violence. Some people believe that the contamination and the associated government communication is a deliberate strategy where brute force has failed to exterminate them. Some people believe that risks are deliberately hidden and they are not being told the truth so that they will eat contaminated fish and poison themselves. Other people do not believe the information about contamination, and regard the information itself as propaganda, an attempt to trick them into giving up more of their culture and religion. Health Departments may say this all of is not in their scope of work, that it is not under their control, and that they merely want people to be safer while another agency addresses the root problems. This is why I always ask how the agencies are working together at the state or federal level, and I seldom get a satisfactory answer.

**Lesson 6: Tribal members will knowingly continue to eat the fish anyway.** It is an inseparable part of who they are, what they do, and how God the Creator told them to behave. Fishing is not just a social preference or a nutritional choice. When fish are contaminated, there are many consequences, and they are inter-linked and inseparable. There are not some 'health' concerns that are isolated from culture and economics and other consequences. Health is the whole thing, including quality of life, eco-cultural health, and spiritual health. The river is like a church with all the parishioners inside, or a spiritual health care facility, and fish are co-participants in the shared history and ceremonies. This is absolutely required by the Creator.

- You might as well tell the Pope to give up the sacrament and baptism because his wine and holy water are contaminated;
- Or tell an Orthodox Jew that following kosher practices is simply an optional lifestyle choice that might be quaint but is standing in the way of progress;
- Or tell a soccer mom to limit driving her children to soccer games and piano lessons because the tires on her Explorer are unsafe, and her children really don't need to go to college anyway; a minimum wage job is just fine;
- Or tell a health professional to limit her internet access because there are computer viruses and she doesn't need CME credits or the latest health information, in order to take a blood pressure or give a vaccination.
- Some of these examples are religious and some are secular, but in each case I made a judgement about the value of each practice, and imposed my values on them without their consent, and regardless of the cost to them or to their children.

Eating fish is also a form of resistance and defiance. It expresses solidarity in the face of federal policies that allowed the contamination to occur. It may also be a demonstration of spirituality to knowingly ingest contaminants and accept the health consequences in the course of practicing their religion. A high body burden of persistent bioaccumulative toxics might be a mark of a spiritual person, or a chemical badge of courage.

We can't talk about how many fish meals are recommended, without considering how many ceremonial meals are affected, or how the fish are an extension of the human people. They say "We are the fish and the fish are us." Think about molecules in the body of a person who has eaten even a few fish from the Columbia River. Some of those molecules have been in the Columbia Basin for eons, circulating from water to fish to people to soil to plants to animals and back to water.<sup>2</sup> Those same molecules may have nourished many generations of human and animal children, in an endless cycle of sharing. Eating salmon represents ingestion of molecules that have been in human and/or animal ancestors, a gift from those ancestors and from the fish themselves. A successful risk communication program might be a cultural disaster if it works as intended.

Risk/benefit evaluation is also different. We can't just try to balance the benefits of eating fish with the risk of experiencing an adverse health outcome from contamination. This is illustrated by the attached figure. It is a bar graph with two bars. The left side

<sup>2</sup> For example, at least 20% of the nitrogen and other minerals in the needles of Sitka spruce and other plants near salmon spawning sites comes from the ocean via salmon carcasses. *Science*, 294:479 (2001); *Ecology* 82:2403 (2001).

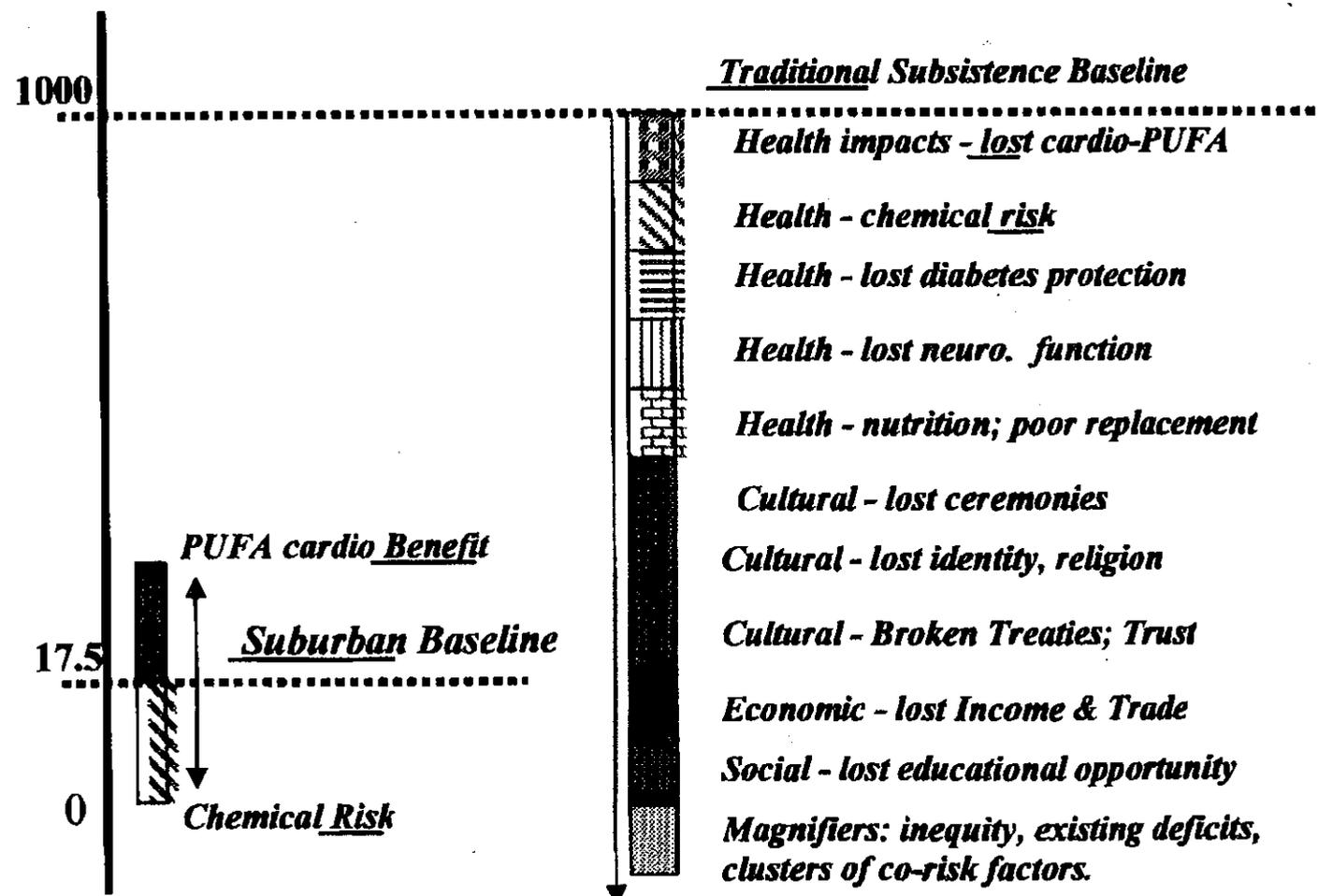
shows a short bar with two segments for suburban situations, one segment for the health benefits of eating fish and the other for health deficits of contaminants. If the segments are the same length, the benefits would be cancelled out by the contaminants, or the adverse impacts of contamination are canceled out by the benefits. Both segments are short, and are centered around a low rate of fish consumption (17.8 grams per day, or a half an ounce, or one bite per day, according to EPA data) or no fish consumption at all, because suburban Anglo communities have a choice of eating a little fish or eating no fish. The ancient Tribes from the Columbia River Basin **do not have that choice**. They ate 2-3 pounds of fish per day, and would still do so if the fish were there. People still try to catch and eat as much fish as they can, up to several meals and snacks per day of fresh, frozen, smoked, canned, or dried salmon. It is also well documented that salmon (the omega fatty acids) protect against diabetes and are good for neurological development and cardiac function. These benefits have already been placed at risk or lost entirely by tribes as the salmon runs have been decimated. The mainstay of the diet has been lost, and the replacement foods are of lower quality. The economic aspects, including commerce and trade and sharing, have largely been harmed. The ceremonial and religious practices have been harmed. Treaty rights have been further eroded. Distrust of federal policies has increased (or remained extremely high). The social and educational roles of fishing have been harmed. Fishing sites and the place names and local knowledge for them have been lost. Fishing skills have been lost. The weaning of infants onto fish, which is or was customary, has been lost. Breast milk is probably also contaminated. And on top of all that, the few fish that remain are contaminated to such a degree by dozens of contaminants that the Tribal people and their families and communities who eat a lot of fish are probably experiencing health effects.<sup>3</sup> If they ate as much as their Treaty reserves the right for them to catch and eat, it would be lethal.

So, providing information about contaminants in fish advisories may be given in the spirit of trying to help people make healthy choices, but Tribal members may hear just another chemical attack on Indian people. If biological warfare, soldiers, economic policies, land theft, boarding schools, missionaries, assimilation policies, and downright attempts of genocide couldn't exterminate them and their culture, or make them into Anglo-Americans, then chemicals and the law may do the job. You have to realize that on top of all the other attacks or encroachment on their culture and lives, now they have to listen to federal and state people tell them that they will be eating unsafe levels of chemical contaminants. And they will continue eating the fish. Furthermore, the way our American society is structured, Tribal people are the ones who are blamed and maligned if they continue to live their lives as spiritual people with ancient religious and cultural practices, once they have been told about the risks. Any consequence after that point in time is now their own fault. After being told it is their own fault often enough, they come to believe that they deserve to be poor and sick. I have personally observed the sense of resignation and martyrdom and despair, as health professionals or regulators visit and dump another load of negative information on them and then silently turn away, leaving them to dry their tears once more and deal with the aftermath however they can.

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<sup>3</sup> This statement is supported by the database on fish contaminants in the lower Columbia River developed by EPA (Region 10) and the Columbia River Intertribal Fish Consortium. For database access contact Pat Cirone, EPA Region 10. Technical questions about tribal risks may be addressed to Dr. Harper.

Figure. The left hand panel reflects a suburban baseline fish consumption rate of 17.5 grams per day. The cardiac benefits of eating more fish can be weighed against the health risks from any chemical contaminants in the fish. The right hand panel reflects the traditional subsistence fish consumption baseline rate of 2-3 pounds per day. That ingestion rate, and all the health and cultural benefits it provided has already been lost, and chemical contaminants merely add another negative health burden in addition to the health burden posed by loss of the traditional healthy diet.



NEJAC meeting Public Comment period December 4, '01

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written comments from Sara Koopman,  
activist with Witness for Peace and the Amazon Alliance

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Please forgive the handwritten nature of these notes. I had hoped to speak to you but did not arrive in time to get on the speaking list and so am writing my request to you, impromptu.

I thank all of you on the NEJAC for hearing testimony on the impact of US funded coca fumigation in Colombia at previous meetings and for drafting a powerful letter to Christie Whitman dated July 19<sup>th</sup>, '01 in which you requested greater scrutiny and public disclosure of the fumigation and its effects.

The reply you received from an EPA staffer, dated Oct. 1<sup>st</sup>, was sorely inadequate and did not address your specific requests.

I am here to ask you to please follow up on your previous letter with another request for specific responses from Ms. Whitman's direct office.

I was recently in Colombia, in the area of Putumayo where most of this fumigation is being done, on a Witness for Peace delegation (July '01). I was alarmed to see kids there with very strange skin sores that appeared immediately after the spraying and which they were still suffering from 6 months later. They also told me that many of them have suffered from constant headaches since

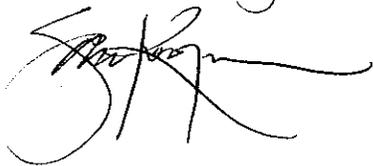
the spraying. As a headache sufferer this really seemed hellish to me.

As part of the Witness for Peace delegation we spoke about the effects that we had seen with the officials at the US embassy in Colombia. We were told that there was no proof that these sores and headaches (and many other effects too numerous to mention) were a result of the fumigation.

I was flabbergasted! If my middle class white neighborhood was sprayed and I and my neighbors were suffering from this kind of mysterious health problems immediately afterwards I believe that the government would stop the spraying until it was proven that it wasn't because of the spray, I don't think that I would be asked to prove that it was.

I am sad to say that the communities I visited in Colombia have been sprayed again in the last month. I dread to think what the health of those kids is now.

This is an ongoing environmental & health disaster paid for by US funds and I thank you again for your past concern and wonderful letter and very much appreciate any follow up you can do on this issue.



Sara Koopman  
Seattle, WA

spanish@drizzle.com

PUBLIC COMMENT  
By: Dr. Mildred McClain  
NEJAC  
SEATTLE, WA  
December 4, 2001

The Fish Advisory for Georgia/South Carolina was issued several years ago and has undergone changes and revisions -- yet the advisory is still elusive to sectors of the population who frequently fish in the rivers and streams for both recreation and food consumption.

Economically challenged African Americans, whites, senior citizens and new arrivals from Mexico have not benefited from the issuance of the Fishing/Consumption Advisory. When an informal survey was conducted assessing the extent to which local people had seen or heard of the fish advisory, the results indicated the outreach activities of South Carolina Department of Health and Environmental Control, the Georgia Environmental Protection Division and the Savannah River Site Community Advisory Board had failed to substantially inform these stakeholders.

Several editors of the advisory fact sheet and the guide were designed and written in a manner unsuitable for a diverse audience which includes illiterate people and those who only read at a 3<sup>rd</sup> grade level. Signs posted were in English only and placed at places with big names. The siting of signs often did not include "favorite spots" that existed as a part of the river/stream network. Review of the guide for Georgia/South Carolina by lay people who fish regularly suggest the current version is still complex and does not help people heed the advisory's recommendation.

One person pointed out that the names of the fish are confusing because they do not coincide with the local indigenous names, i.e. the guide talks of the bow fish -- which people know as mullet.

The fact sheets and guides appear to not have the involvement of communities who both know the best way to get information out and the best language and images to use. Therefore, the primary recommendation from the communities of Augusta, Keysville, Guyton and Savannah, Georgia and Blackville, Aiken, New Ellenton

and St. Helena, South Carolina is to involve communities who fish in the design and distribution of fact sheets and guide. The communities should provide assistance in identifying the sites for signage and the content of the signage.

A major issue for African Americans in South Carolina and Georgia is related to health. The question is "what are the health effects of eating contaminated fish combined with other vulnerabilities. For people who are suffering from various illnesses and disease, how does eating certain amounts of contaminated fish impact existing health conditions? Are we currently carrying toxins in our bodies because of our consumption of fish? How are we impacted when we swim and bathe in these bodies of water where advisories exist? If fish is contaminated, what about other life forms in the water?

The source points of the contamination in the water and the fish are highly questioned when both industries and a federal facility like Savannah River Site are in close geographical proximity. Citizens most want to know where the contamination is coming from; in what amounts of consumed fish is harmful; how people can tell they have been exposed and what to do. The citizens we work with want a more aggressive educational and outreach campaign specifically targeting those groups of people out of the ordinary loop of information dissemination.

Signs are needed in Spanish and in some areas of South Carolina, in Gullah, a language spoken by African Americans in the Beaufort-Jasper County area. Local fishermen and women need to be integrated in the activities related to providing information to those who may be at risk of consuming fish beyond the acceptable levels.

Much can be done in our region through existing collaborative partnerships to insure an effective implementation strategy of the fish advisory. There are many distribution outlets that have not been touched, e.g. churches, schools, PTA's, civic organizations, veteran and Masonic groups. If we are serious about getting the word out so that we can prevent the resulting negative outcomes from the consumption of contaminated fish, it is critical that communities are involved at every junction, from beginning to end. The National Fish Advisory effort provides us a very easy win/win scenario for government and community.

Dr. Lynn Waishell of Rutgers University, Dr. Richard Gragg of Florida A&M University and Citizens For Environmental Justice have gathered important data on

fish consumption patterns in Georgia and South Carolina levels of knowledge about the fish advisory, methods people prefer receiving information and most trusted sources of information – this data could be used to further the work being done on the fish advisory in EPA's Region IV.

What are the environmental justice concerns? Very simply, those who are being left out of the information cycle are primarily poor African Americans. The quality of water and the quality of the seafood goes hand in hand. We are concerned about the care of our lakes, streams, rivers and our ocean – yet our voice is not being heard.

Through diligent efforts, we have made some progress in changing how things are being done – but we still have questions about the water quality analysis, contaminant profiles and community involvement efforts that directly relate to environmental justice communities. We need to be involved in all research and outreach efforts to distribute findings and recommendations.

#### Recommendations

- Clean up water bodies to a standard set by community – in collaboration with scientists and other experts
- Insure that communities of color are involved in research, standard setting and scientific processes
- Inform communities of the real risk that is involved with current fish advisories
- Work closer with industries and the military to stop polluting our waters
- Assume a zero tolerance of water contamination
- Create easy to understand toxilogical profiles of the contamination found in the water bodies, fish and shellfish (in collaboration with health agencies)
- Strengthen and enforce regulations on the use/emissions of Mercury (the cleanup of Mercury should be a priority)
- Identify and describe all radionuclides found in the water bodies near military/nuclear production weapon sites, including nuclear power plants. The description should include the health impacts of all identified radionuclides
- Tailor and design risk communication strategies for differing populations based on culture and community values



**NETWORK**  
For Environmental and Economic Justice

## Southwest Network for Environmental & Economic Justice

P.O. Box 7399 Albuquerque, New Mexico 87194 (505) 242-0416 FAX (505) 242-5609

November 1, 2001

**Staff**

Richard Moore,  
Executive Director  
Rosa Cruz-Samudio  
Joaquin Lujan  
Bianca Encinias  
Roberto Contreras  
Alma G. Vizcaino  
Aditi Vaidya

The Honorable Christine Todd Whitman  
Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave. N.W.  
Washington D.C. 20460

**Coordinating Council  
Representatives**

**Arizona:**

Teresa Leal  
Nogales

**California:**

Geri Almanza  
San Francisco  
Robin Cannon  
Los Angeles

**New Mexico:**

Daniel Fuentes  
Sunland Park

**Texas:**

Susana Almanza  
Austin  
Brenda Moore  
Dallas

**Youth:**

Chc Lopez  
San Antonio, TX

**Native American  
Representatives:**

Carletta Tilousi  
Havasupai Tribe  
Jose Matus  
Yaqui Tribe

**Mexico:**

Enrique Hernandez  
Coahuila  
Jesus Emiliano  
Chihuahua  
Carmen Valadez  
Baja California

Dear Governor/Administrator Todd Whitman,

On behalf of the Southwest Network for Environmental and Economic Justice (SW Network), this letter is to initiate a dialogue with you concerning the commitment of the Environmental Protection Agency to environmental justice and its integration into all programs, policies, and activities of the United States Environmental Protection Agency. Also on behalf of the Southwest Network, we would like to congratulate you on your position as the Administrator of the Environmental Protection Agency.

The Southwest Network for Environmental and Economic Justice is a multi-cultural, multi-national organization comprising over 60 community based, student, native and labor organizations throughout the Southwest and Western United States and the Northern border states of Mexico. The SW Network formed to address environmental degradation and other social, racial and economic injustices that threaten our communities and workplaces.

It has been well documented that people of color and working class people in the United States suffer from environmental racism. Children, the elderly, and women (especially women of color) are the poorest of the poor and are paying the highest price from pollution with increased health problems and economic devastation. As Administrator, your role is critical in terms of implementing immediate solutions to address the adverse health and environmental effects that disproportionately affect people of color and the poor of this nation.

In your Memorandum (dated August 9, 2001) you reaffirm the agency's commitment to environmental justice as well as its pursuance in seeking that all communities and persons across the nation are guaranteed equal access to the decision-making process to have a healthy environment in which to live, work and play and for this we congratulate you. In spite of the progress that has been made and even with the best of intentions, grassroots communities remain left out at all levels of the discussion, development, and implementation of policies. The Southwest Network sees the development of strong grassroots organizations as essential for the inclusion of people

of color and working class people in the building of a truly democratic process in this country and throughout the world.

In this regard, we respectfully request a meeting, to take place in the Southwest, between you and representatives of the SW Network and we invite you to tour our communities. In taking this initiative, we believe that we speak to concerns that are shared by millions of people throughout the United States and Northern Mexico. We look forward to meeting with you. We would greatly appreciate a response from you by November 29, 2001. If you have any questions or concerns please contact Richard Moore at the SW Network Regional office in Albuquerque, New Mexico at (505) 242-0416.

Sincerely,

*Rich Moore*

Richard Moore  
Executive Director  
SW Network

*Susana Almanza*

Susana Almanza  
Co-Chair EPA Accountability Campaign  
Austin, Texas

*Henry Clark*

Henry Clark  
Co-Chair EPA Accountability Campaign  
Richmond, California

CC:

Gregg Cook, Regional Administrator, EPA Region 6  
Jack McGraw, Acting Regional Administrator, EPA Region 8  
Wayne Nastri, Regional Administrator, EPA Region 9  
Charles Lee, Associate Director, EPA Office of Environmental Justice

**Contaminated Fish Consumption, People of Color,  
and Environmental Justice**

**A Written Statement to the NEJAC Meeting in Seattle, WA, Dec. 3-6, 2001**

Submitted by Kristine Wong, MPH  
Correspondence: PO Box 80082, Seattle, WA 98108  
kristinewong@yahoo.com

Good evening, and thank you for taking my testimony. My name is Kristine Wong. From 1995 - 1997, I worked as the Project Director for the Seafood Consumption Information Project, which focused on conducting community-based research, education, outreach, and advocacy on the issue of contaminated fish consumption in San Francisco Bay.

My testimony will focus on what we learned from our community-based research and outreach efforts, and what can be done to address these problems.

Thousands of people regularly fish San Francisco Bay. Most of those out on the piers and shorelines are people of color, and many eat what they catch. Among Asian Pacific Islanders and Native Americans, fish is not only a dietary staple, but a strong part of their cultural traditions as well. At the same time, a 1994 study by the San Francisco Bay Area Regional Water Quality Control Board has shown that Bay fish are contaminated with dioxin, mercury, dieldrin, PCBs, DDT, and chlordane.<sup>1</sup> These chemicals have been linked to serious health problems such as cancer, birth defects, and dysfunction of the immune, nervous, and reproductive systems.

In 1995, the Seafood Consumption Information Project conducted a survey of 228 people fishing from San Francisco Bay piers and shorelines.<sup>2</sup> The purpose of the survey was to find out who was fishing from the Bay, what their fishing and fish consumption habits were, how aware they were of the health advisories, and whether or not they reduced their consumption, based on the advisories.

Our survey results concluded that:

- People of color, many who are limited or non-English speaking, are disproportionately affected by contaminated fish. They are the majority of people fishing from the piers and shorelines, are more likely to eat the most contaminated parts of the fish, and are less likely to be aware of the health warnings about the consumption of seafood from San Francisco Bay. This makes the consumption of contaminated fish a major environmental justice issue in the San Francisco Bay Area.

<sup>1</sup> San Francisco Bay Regional Water Quality Control Board (1995). *Contaminant Levels in Fish Tissue from San Francisco Bay*, Oakland, CA.

<sup>2</sup> Wong, K (1997). *Fishing For Food In San Francisco Bay: Part II*, The Seafood Consumption Project at Save San Francisco Bay Association, Oakland, CA.

- When calculated at a monthly rate, 90% of those who ate fish in the last week exceeded the consumption limits recommended by California's Office of Environmental Health Hazard Assessment (OEHHA). The median of all respondents ate fish at a rate that was 2 times more than OEHHA's recommended amounts. The consumption rate of Caucasians was about the same as OEHHA's limits. At the high end, some individuals reported eating Bay fish at least once a day.
- Current health risk assessments underestimate the risk because they (a) do not take into account the consumption of fish organs, guts, and eggs which contain higher concentrations of contaminants than the fillet, and (b) do not take into account synergistic effects of multiple chemicals.
- Government-issued health warnings are not reaching the most affected populations. Forty-two percent of those surveyed were unaware of health warnings. Latinos and non-English speakers were less likely to have heard the warnings, compared to all other groups.

Other points:

- The majority of respondents were people of color (70%), with Asian Pacific Islanders making up 36% of the total respondent group
- Fishing activity increased with age
- 40% of the survey respondents ate Bay fish in the past month, with Asian Pacific Islanders eating fish the most frequently
- Non-fillet parts, some of the most contaminated parts of the fish, were eaten at a high rate, especially in some of the mid-sized and larger fish, such as perch (98%), striped bass (84%), and white croaker (77%)  
This is especially significant, considering that white croaker was among the most contaminated of all fish studied, considering their bottom-feeding habits and high percentage of body fat.
- 42% had not heard of the health warnings about eating fish in the Bay. Latinos and non-English speakers were the less likely to have heard the warnings compared to all other groups.

The Seafood Consumption Information Project also conducted over 40 community education and outreach presentations at health clinics, community centers, English as a Second Language classes. Our emphasis respected cultural traditions by encouraging people to continue to eat the fish, but make small changes to their cooking techniques. After demonstrating ways with which

**Public Testimony**  
**Tribal Native Village of Port Graham, Alaska**  
**November 27, 2001**  
National Environmental Justice Advisory Council  
Renaissance Madison Hotel, Seattle Washington

On behalf of the Port Graham Traditional Village Council, I would like to thank the National Environmental Justice Advisory Council for taking the time to hear our testimony.

Port Graham, a Sovereign Federally recognized Tribe, is a rural predominately Native village. Located 225 miles southwest of Anchorage, the village is located close to the southern tip of the Kenai Peninsula, nestled off the Cook Inlet, which is accessibly by air or by boat. Most of the "Sugpiat" or "real people" of the Chugach region trace their roots and heritage to the Prince William Sound and Gulf of Alaska.

Port Graham, as many rural villages in Alaska is heavily dependent on our traditional way of life, which has always been an integral part of our heritage. This vast knowledge of the natural resources and its environment has been passed from generation to generation and is a major component of the Native culture. Our traditional way of life is ingrained in our very existence, our lives and culture literally depend on the health of our traditional resources.

Wild food contamination is an emerging concern in rural Alaska, especially for Alaska Natives who consume large amounts of wild food annually. Nowhere in the United States is wild food consumption greater than in Alaska's rural communities. In 1996, the native villages of Port Graham and Nanwalek joined forces in requesting that our traditional foods be tested for contaminants. What resulted was the EPA study on contaminants of our traditional resources in the Lower Cook Inlet. The study results found evidence of significant levels of contaminants.

Port Graham, Nanwalek, Seldovia and Tyonek have been meeting with EPA since the preliminary findings report came out in 1999, and met with EPA to discuss the final draft just a couple of weeks ago. None of the contaminant work done so far has been easy, in fact it has been far from it. The villages have been meeting with EPA's Region X and Anchorage area office since 1999. Meetings were scheduled to insure that the final report would clearly define the potential risk and concerns regarding the contaminants found. It would also include Tribal recommendations on specific areas needing more work. However, our relationship with EPA regarding the Tribal Consultation process falls short as described in Executive Order 13175 "Consultation and Coordination With Indian Tribal Governments."

Over these last 5 years, the Tribes have struggled to have meaningful consultation and collaboration to strengthen the government-to-government relationship with EPA. But consistently, time and again, the Tribes have had to prompt EPA to initiate this consultation process to ensure meaningful and timely input by Tribes. The Tribes involved in this study, do not feel that EPA recognizes the right of Indian Tribes to self-government nor do we feel that EPA supports Tribal Sovereignty and self-determination. We feel that EPA and other agencies are very concerned about the information getting out about the levels and types of contaminants found, which could be politically sensitive. While we understand the political sensitivity of this information, it is very important that EPA and other federal agencies place the Tribal concerns above the political sensitivity so that we can figure out what the actual health risk may or may not be. It is absolutely essential that these issues are clarified and communicated truthfully to us in regards to any potential health risks from these contaminants based on the data available.

We have seen many disturbing aspects of the study results, which appear to have potential health concerns for our people. We need everyone to understand that regardless of any actual health risk from consuming our traditional foods that may or may not be present, significant levels of contaminants in our

foods is simply unacceptable. We deserve and expect our traditional foods to be free of contaminants. The very fact that our traditional foods are contaminated, is an affront to our culture and our heritage.

We view this contaminant data at the very least as a huge red flag, warning us of what seems to be a global, national, state and local pollution crises. The long-term practice of agencies allowing industry and others to dump and discharge huge amounts of pollutants is obviously severely detrimental to our long-term existence on this earth. Our Native culture finds these practices very disturbing. It is difficult to understand how a shortsighted pollution dilemma could have ever been allowed to reach its present condition. After all that has been revealed about significant external costs of this pollution friendly practices, we are perplexed, disappointed and angry that the EPA continue to permit billions of gallons of contaminated water to be regularly discharge into the Cook Inlet.

The fact that EPA allows the Cook Inlet Oil and Gas industry an NPDES waiver from the national zero discharge law under the Clean Water Act, which is one of two such waivers', allowed in the entire United States, is truly outrageous and inexcusable. We recognize that much more work is necessary to get more information about what risk may be present from consuming our traditional foods. It is very clear that some of the contaminants showing up in our foods are discharged from the local Oil and Gas industry. This fact alone yields consideration that the zero discharge waiver should be immediately repealed. The very fact that many of the chemicals used by this industry are present in levels of concern in Cook Inlet is enough to support the zero discharge requirement of industry under the Clean Water Act. When the NPDES permit is next up for review, Tribes that are impacted by the permitted discharge in Cook Inlet should be directly involved, sitting at the table with EPA for the evaluation and formulation of the permit.

In closing, the Port Graham Village Council would like to urge the following recommendations to the National Environmental Justice Advisory Council to begin to address our concerns mentioned in our testimony:

- **When agency is consulting with Tribes, the objective of building a “meaningful relationship” with Tribes should be upheld in its fullest intent. Recognizing Tribal governments in a sensitive manner and respectful of Tribal Sovereignty is essential. Truthful, timely and concise communication throughout the process of consultation is critical.**
- **When a situation potential impacts Tribes, Tribes should be involved and participating from initial planning to the final completion of a project, working towards consensus reflecting the concerns of the Tribes**
- **Incorporating Tribal Scientist in research & planning and implementing is imperative**

Our health and safety of these traditional resources is at stake. As caretakers of our land and environment, we will not stand by and watch as our traditional foods and the natural ecosystem that they depend on are continually degraded and threatened. We are no strangers to struggles and difficult times. We will work hard to join forces in this battle to help protect to insure the future of our children, our culture, our traditional resources and the environment. We want nothing more than to restore our traditional foods to the truly pristine state they once were for our ancestors before us and for the seven generations to come. Thank you.

Sincerely,

Violet Yeaton/Environmental Planner  
Port Graham Village Council

Columbia were informed about the side effects, those officials claimed that there was no proof that the problems were a result of the fumigation, she stated. If such problems were occurring in a middle-class, white neighborhood, the government would stop the spraying immediately, the statement asserted. The situation is an ongoing environmental injustice, Ms. Koopman's statement declared. She urged that the NEJAC follow up on the issue.