



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
Edward K. Thomas Building
9097 Glacier Highway • Juneau, Alaska 99801

CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA
Eighty-First Annual Tribal Assembly
April 20-22, 2016
Juneau, Alaska

Resolution TA/ 16-14

Title: Encourage EPA to Utilize its Administrative Authority

By: Ketchikan Tlingit and Haida Community Council

WHEREAS, the Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe with more than 30,000 tribal citizens; and

WHEREAS, the State of Alaska has the authority under the Clean Water Act to control the discharge of contaminants into the aquatic environment based on Human Health Criteria; and

WHEREAS, many of these contaminants bio accumulate in the food chain and end up in the fish and water consumed by the citizens of Alaska and may or may not be carcinogenic; and

WHEREAS, the Clean Water Act prescribes a formula to limit the amount of these contaminants in fresh and marine waters based partially on an estimation of the amount of fish residents consume and an acceptable risk of contracting cancer created by these contaminants; and

WHEREAS, the federal agency with oversight responsibility for the Clean Water Act is the Environmental Protection Agency (EPA) and the EPA recommends that the fish consumption rate is set based on local data; and

WHEREAS, Alaska instead uses a fish consumption rate based on an outdated national survey of 6.5 grams/day/person (g/d/p); and

WHEREAS, the current national estimate since 2000 is 22g/p/d and EPA recommends 142.4 g for populations that utilize subsistence resources and both Oregon and Washington States are adopting or in the process of adopting 175g/d/p as a reasonable fish consumption rate; and

WHEREAS, most States use a cancer risk value of 1:1,000,000, Alaska is ten-fold less protective with a rate of 1:100,000; and

WHEREAS, some local data indicates an Alaska specific fish consumption value would be closer to 240g/d/p; and

WHEREAS, the State has failed to act to resolve this discrepancy for over 15 years, and has indicated it will not act during this Triennial Review period either; and

WHEREAS, if and when the State does update these factors it must then go through an implementation period to assure compliance with new criteria.

NOW THEREFORE BE IT RESOLVED that the Eighty-First Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska delegation convened in Juneau, Alaska on April

20-22, 2016, that Central Council petitions EPA to use its administrative authority under the Clean Water Act to increase Alaska's Human Health Criteria based on a Fish Consumption Rate of 175g/d/p as an interim step until such time as local data may be collected; and

BE IT FURTHER RESOLVED that EPA use its authority to increase the acceptable risk of cancer to 1:1,000,000; and

BE IT FINALLY RESOLVED that Alaska work with industry to implement these changes in a timely fashion.

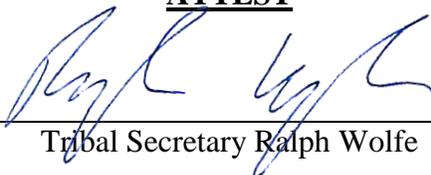
ADOPTED this 22nd day of April 2016, by the Eighty-First Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Ralph Wolfe