



*Nez Perce*

*Attachment 2  
1/18/16*

TRIBAL EXECUTIVE COMMITTEE  
P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

January 15, 2016

Senator Steve Bair, Chairman  
Senate Resources and Environment Committee  
Idaho Legislature  
P.O. Box 83720  
Boise, ID 83720-0081

Dear Chairman Bair and members of the Committee,

The Nez Perce Tribe would like to submit this letter and attached information to the Senate Resources and Environment Committee for the record of the hearing on the Idaho Department of Water Quality's proposed water quality standards (Docket No. 58-0101-1201) that are under review for final approval by the Idaho Legislature. The Nez Perce Tribe has participated extensively in the negotiated rulemaking process for the proposed water quality standards by conducting an extensive fish consumption study, the results of which were shared with Idaho, and reviewing and commenting on the various drafts of the rule. Unfortunately, the final rule under review does not reflect water quality standards and human health criteria the Nez Perce Tribe believes are necessary to protect the health and welfare of Nez Perce Tribal members who live and reside in the State of Idaho.

On December 10, 2015, the Nez Perce Tribe appeared before the Idaho Board of Environmental Quality to provide the attached testimony. This testimony expressed in detail the Tribe's concerns with the final proposed rule including the fact that the rule does not adequately protect treaty-reserved resources or allow for unsuppressed fish consumption practices. The Idaho Department of Environmental Quality also did not treat the Nez Perce Tribe as a general population target when promulgating this rule. The Tribe appreciates the Committee's review of its previous testimony today as it considers final approval of this rule.

Sincerely,

*Anthony D. Johnson*  
Anthony D. Johnson  
Chairman