

Carter, Katharine@Waterboards

From: Jesse Noell <noelljesse@gmail.com>
Sent: Friday, April 18, 2014 3:53 PM
To: Carter, Katharine@Waterboards; Jennifer Kalt
Subject: Elk bacteria TMDL
Attachments: Lewis Westfall Report.doc; 00-215 OR.doc; NCLabs040709.pdf; NCLabs042909updownSF.pdf; NCLabs050409.pdf; NCLabs090914SFM fecal.pdf; HBSTAC Final Report Feb03.pdf

Dear Katharine Carter:

This TMDL is weak and inadequate. These pollutants are almost entirely man-made, and therefore entirely preventable. The Public must be made aware of the enormous cost in subsidizing these polluting industries. It's simply not enough for Water Quality Board to imperiously state that they have considered the cost and found it reasonable to place on the Public. Democracy demands that these public servants disclose the avoided cost of compliance with the Basin Plan Objectives. Only upon revealing the cost to repair, restore, and revitalize this watershed and compensate those who are sickened, can we the Public determine if privileging pollution is in the public benefit.

Agencies must stop using the "risk avoidance" strategies--those that require the public to avoid the risks imposed on them rather than require the polluter creating the hazards to reduce these risks--as a way to control environmental and health hazards. Rather than placing the burden on innocent members of the public, Water Quality must reduce or even eliminate these risk-generating activities--even the sacred cows of timber and cattle. The Public has never informed our public servants at Water Quality that timber and cattle are more important than a healthy environment. No one has ever told Water Quality that Coho salmon should be sacrificed so that a few ranchers can make burgers.

In Elk River, Water Quality has regulated pollution to benefit the polluters while placing the burden of safety onto the humans who live and recreate here. If anyone can justify how the public benefits from this public policy of privileging pollution from both timber operations and cattle, they aren't speaking out. The public pays the price for restoration, the public pays the price to address health issues as a result of pollution, the public pays the price for a degraded watershed. The residents of Elk River pay a private price with their personal finances, properties, and health. Clearly this is a disproportionate burden placed on the backs of an excluded group.

Besides the obvious health risks from unsanitized cattle feces, timber operations also contribute to the bacterial and pathogen load in Elk River. We've never seen any outhouses or temporary facilities for the scores of timber workers in these forests, yet we have seen wads of toilet paper in the forests. The data and analyses attached to this email demonstrate increases in pathogen load, resulting from a privileged cattle operation. Unfortunately, this cattle operation is located upstream of sensitive domestic water supplies and never would have been authorized five years ago if our community had the political sophistication to contest it. County and state agencies knew fully that our water supplies would be contaminated, yet decided that the humans in our community weren't worth protecting.

Agencies must reverse this ugly trend of risking public exposure to known health hazards in order to please the greedy polluters. No timber operation or cattle grazing can be so valuable to the public that they are willing to pay exorbitant costs for restoration, and to sacrifice real humans, real homes, and this entire watershed. This externalization of costs from polluting businesses onto powerless victims, must be terminated immediately.

Risk reduction (placing burden of responsibility onto the creator of the risk to prove that no risk will occur) is the only moral, efficient, and responsible strategy for our public agencies to employ.

Restrict or even terminate any and all preventable pollution activities that are harming this watershed and degrading the quality of Humboldt Bay.

Please find attached evidence of bacterial contamination.

Sincerely,
Jesse Noell and Stephanie Bennett