



October 18, 2006

Chair Tam Doduc and Members of the State Water Board
c/o Song Her, Clerk to the Board
State Water Resources Control Board
Executive Office
1001 I Street, 24th Floor
Sacramento, CA 95814



VIA EMAIL: commentletters@waterboards.ca.gov

Re: Comments on "Proposed 2006 Federal Clean Water Act Section 303(d) List of Water Quality Limited Segments for California"

Dear Chair Doduc and Board Members:

On behalf of the board, staff and supporting members of Humboldt Baykeeper I thank you for the opportunity to comment on the "Proposed 2006 Federal Clean Water Act Section 303(d) List of Water Quality Limited Segments". Humboldt Baykeeper supports all decisions to list waterbodies and waterbody segments made by the State Water Resources Control Board (hereinafter "SWRCB") for Region 1, the North Coast Region. We additionally support the decisions to list as impaired waterbodies in other Regions throughout the state and hope that the goal of achieving water quality standards will move quickly towards attainment.

We are disappointed, however, by the SWRCB's failure to list Humboldt Bay as impaired for dioxins and furans (hereinafter referred to collectively as "dioxins"). The data and information supporting a decision to list this water body for dioxins was readily available to the SWRCB at the time that the list was being prepared and reflects multiple lines of evidence to support such a determination. As you may know, dioxins are some of the most toxic chemicals known to man. Exposure to dioxins can cause a range of health impacts, from cancer to birth defects and developmental harm. They are extremely long lived, bioaccumulating and biomagnifying in the tissues of fish such as salmon, halibut, perch, crabs and oysters. When discharged into the environment, they adsorb to organic material, such as sediments, where they can remain unchanged for many years.

Evidence presented to the SWRCB included sediment sampling conducted by the Army Corps of Engineers, the Humboldt Bay Harbor, Recreation and Conservation District, and the

City of Eureka. It additionally included fish tissue data compiled as a result of a consent decree entered into by the North Coast Regional Water Quality Control Board and Sierra Pacific Industries, a local lumber company whose practices have contributed to the dioxin contamination problem faced by Humboldt Bay and local residents. This data was compiled from 1991 to 2005 by or for government agencies, which is evidence that this information is neither new nor not readily available.

Humboldt Baykeeper appreciates that the assessment and listing of water quality limited segments in California is both an intensive and lengthy process. However, we also believe that this process is designed to both protect our local residents, local economy and environment. The decision of the SWRCB to delay consideration of listing Humboldt Bay for dioxins further delays the protection of our resources and perpetuates the negative consequences for our residents and environment. We therefore respectfully request that the Board reconsider the decision of the staff at the SWRCB to delay consideration of listing Humboldt Bay for yet another listing cycle.

Regards,

/s/ Michelle D. Smith
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