

**Memorandum**

**To:** *Toby Frevert, Illinois EPA  
Rob Sulski, Illinois EPA*

**From:** *Ron French, CDM*

**Date:** *November 24, 2003*

**Subject:** *Safety and Navigational Constraints on Designated Uses in the Chicago Area Waterway System*

**Attendees:**

<b>Name</b>	<b>Organization</b>	<b>Name</b>	<b>Organization</b>
Rob Sulski	Illinois EPA	Nelson Chueng	CDOP
Ron French	CDM	Michelle Woods	CDOT
John D'Aniello	CDM	Cameron Land	USCG
Jeff Wickenkamp	CDM	Bob Balamut	USACE
Colleen Hughes	CDM	Sgt. Rick Erbacci	Police Marine Unit
Stephanie Brock	CDM	A. Ianello	IIPD
Jessica Harker	Primera	Frank Kudrua	IIPD
Joe Deal	Chicago's Mayors Office		

On Wednesday, November 19, 2003 the Illinois EPA and CDM held a meeting to discuss the safety and navigational issues applicable to the Chicago Area Waterway System (CAWS). The Illinois EPA, CDM and the Stakeholders Advisory Committee (SAC) need to establish current and anticipated uses of the CAWS for the next ten years. Therefore, safety and navigational restrictions/constraints need to be incorporated into the decision making to create appropriate designations. The attendees discussed the following items in detail:

- Navigational vs. Recreational Use
- Water Quality Safety Issues
- Homeland Security
- Water Level and Bank Disturbances
- Recreational Uses

## **Navigational vs. Recreational Use**

### **Navigable Areas**

Historically, the navigational and recreational users of the CAWS have peacefully shared the river without regulation. The entire CAWS is labeled as a navigable waterway. However, the North Branch of the Chicago River is not actively maintained for navigation. The United States Army Corp of Engineers (USACE) considers the end of the navigable waterway to occur at Addison Street, and the City of Chicago at Fullerton Street.

### **Enforcement**

Non-motorized boating in some sections along the CAWS is dangerous because of high barge traffic and lack of access points. The US Coast Guard has the authority to set rules and regulations concerning non-motorized recreation along sections of the waterway. The City of Chicago Police and US Coast Guard are responsible for enforcement of the laws. The Illinois EPA is responsible to protect the water quality standards applicable to the assigned use of the waterway.

Currently, the police can ticket non-motorized boaters along the CSSC for reckless behavior. However, the Coast Guard and the Police Marine Unit is not large enough to prohibit all non-motorized boating along the CSSC. The Illinois EPA encouraged the US Coast Guard to explain to SAC members the dangers of non-motorized boating along particular reaches of the CAWS during discussion at the December 16, 2003 SAC meeting.

### **Water Quality Safety Issues**

Because of the diversity of wildlife that exists in and along the CAWS, the sediments must not be at toxic levels. The water quality parameters of concern are salt, dissolved oxygen (DO), and bacteria. The Police Marine Unit has regular body contact with the CAWS on rescue missions and would like to know about health precautions that the Police Marine Unit should take to protect themselves from the CAWS. Rob Suski of the Illinois EPA offered to have a separate meeting with the Police Marine Unit to discuss health issues and precautions associated with body contact with the CAWS and suggested contacting Dick Lanyon of the MWRD for water quality data on the CAWS.

### **Homeland Security**

The Illinois International Port District is currently identifying all vulnerable spots in the port. The study will be completed during the last week of December 2003.

The US Coast Guard implements homeland security controls during emergency situations. There is no blanket homeland security regulations applied to the CAWS.

### **Water Level and Band Disturbances**

The main branch of the Chicago River, several bridges, and areas near marinas are designated as no wake zones. However, up to seven foot elevation changes occur in the water during

wet weather events. Therefore, enforcing wake zones or creating more will create only marginal protection.

The City of Chicago encourages the creation of bio-engineered banks. However, due to dynamic flow changed in the CAWS, such banks are frequently washed away. This issue may increase in severity as the MWRD is considering dropping the CAWS three feet, instead of only two feet, in anticipation of a storm event.

Sheet pile walls are desirable by developers because they maximize the square footage of the land. However, such walls along the waterway are discouraged by the Mayor and are allowed only where necessary.

## **Recreational Uses**

### **Zoning**

The Chicago Department of Planning wants to control waterway use by zoning the riverbanks and controlling access points. The Chicago Park District is also working with the CDOP on the Chicago River zoning plan. CDOT announced the t the legislation for the building of a river walk passed. Therefore, CDOT needs to know what activities to promote along the river walk.

Swimming in the CAWS is not encouraged in any zone. Lake Michigan beaches and City pools provide adequate sources for swimming in the Chicago area.

Speeding is a possible issue when zoning the waterway. If only motorized boats are allowed in the area, they will be tempted to speed and be more likely to have an accident.

Bubbly Creek is currently labeled as an Urban Waterfront Zone in the City's draft zoning plan. The area plans to have a dock and growth in residential development with in the next five to ten years. To achieve these goals, water quality needs to be improved possibly by moving the pump station to create more flow in the Creek.

### **Safety**

Non-motorized boating along the Chicago Sanitary and Ship Channel is not appropriate because of heavy barge traffic and because of lack of access points.

The main branch of the Chicago River is not an appropriate place for river bikes, gondolas, or non-motorized boating because of heavy barge traffic and lack of access points. CDOT and the Velope Center are currently studying the traffic on the main branch of the Chicago River.

The O'Brien Lock is a gateway for many barges. The recreational and commercial uses have a good record of coexistence. However, people have died while waiting for the Locks to open because barges cannot move or turn quickly. Commercial uses have many rules and

regulations and are upset that the recreational users are not expected to uphold the same standards.

CC:

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