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A P P E A R A N C E S

THE ILLINOIS POLLUTION CONTROL BOARD:

- Richard McGill, Senior Attorney for Research and Writing
- Thomas E. Johnson, Board member
- Anand Rao, Senior Environmentalist Scientist
- Nicholas Melas, Board Member
- Alisa Liu, P.E., Environmental Scientist
- Tanner Girard, Acting Chairman

1 MR. MCGILL: Good evening. I'd like
2 to welcome everyone to this Illinois Pollution
3 Control Board hearing. My name is Richard McGill.
4 I am the hearing officer for tonight's hearing in
5 docket R 089, a rulemaking preceding captioned Water
6 Quality Standards and Effluent Limitations for the
7 Chicago Area Waterway System and Lower Des Plaines
8 River. Proposed amendments to 35 Illinois
9 Administrative Code 301, 302, 303, and 304.

10 Also present this evening on
11 behalf of the board is chairman Tanner Girard, the
12 lead board member for this rulemaking. To his
13 right, board member Nicholas Melas, and on the far
14 left board member Thomas Johnson. On either side of
15 me from the Board's technical unit, Anand Rao and
16 Alisa Liu, and I believe Board legal intern Katie
17 Hindell is here as well. Would Chairman Girard like
18 to make any remarks at this time?

19 MR. GIRARD: Yes. Good evening. On
20 behalf of the Board, I welcome everyone to the
21 hearing tonight. We are very grateful for the
22 district's hospitality in providing a venue for this
23 meeting. We are also pleased to see such a large
24 crowd of people fill the room, and we are very

1 grateful for your time and effort, and we look
2 forward to your testimony and questions tonight.
3 Thank you.

4 MR. MCGILL: As indicated in hearing
5 officer Marie Tipsord's order of May 8, the purpose
6 of tonight's hearing is to allow members of the
7 public to testify on the Illinois Environmental
8 Protection Agency's proposed rule. Witnesses will
9 be sworn in and subject to cross examination.
10 Tonight's hearing is scheduled to go no later than
11 8:00 o'clock and may be adjourned earlier, although
12 that's unlikely. But if we are at that point and
13 everyone who wishes to testify has done so, we'll
14 wrap it up at that point.

15 Persons wishing to testify were
16 asked to either sign in before 5:30 tonight or
17 contact hearing officer Tipsord by phone or email
18 prior to this evening. Through those mechanisms, we
19 have roughly 800 -- 800 -- excuse me. We definitely
20 don't have enough time. 70 persons have indicated a
21 desire to testify tonight. Accordingly, as the May
22 8th order indicated might be the case, the time
23 available for each person to testify will
24 necessarily be limited. Specifically, we're going

1 to restrict testimony to roughly a minute and a half
2 per person. That's really the only way we can hear
3 from everyone. Again, we're doing this to try to
4 accommodate each person who wants to testify
5 tonight. We will proceed in the order in which we
6 were contacted. Before we got started tonight, I
7 had a couple requests from witnesses who asked to be
8 juggled around in the order, and we can accommodate
9 them. But for the most part, we'll be proceeding in
10 the order in which people either contacted us or
11 signed up on the sign-in sheet tonight.

12 After each member of the public
13 testifies, we will allow for a brief period of
14 questions for the panel of eight witnesses. As I've
15 mentioned before we went on the record, the
16 facilities here are terrific, and they'll allow us
17 to bring up eight individuals at a time. Each one
18 can provide their testimony, and then we can open it
19 up to any questions for any of those eight
20 witnesses. When we finish with that question and
21 answer period, which will be roughly two or three
22 minutes, we'll move on to the next panel of
23 witnesses. If you do have a question for any one of
24 the witnesses, if you would please signal me first,

1 and after I acknowledge you, state your name, and if
2 applicable, a title or organization you're
3 representing.

4 I'd ask that everyone conduct
5 themselves with decorum. I most certainly will have
6 to cut some people off tonight because of our time
7 limit, and I apologize in advance for that. Again,
8 we're just trying to accommodate everyone. For the
9 court reporter, who's transcribing this proceeding,
10 I would ask that you please speak up. Don't speak
11 too quickly or talk over one another so we'll have a
12 clear transcript for the Board to consider. Are
13 there any questions about the procedures we'll
14 follow this evening? Okay. Seeing none, I'm going
15 to go to our sheet and ask the following persons to
16 come forward and just take a seat at the eight
17 chairs and mikes that we have up here at the front.

18 Barbara McKenzie, Bill Donahue
19 (phonetic), Charlie Portis, Theresa Frisbie.

20 MS. FRISBEE: Frisbie.

21 MR. MCGILL: Oh, I'm sorry. This is a
22 typo here, as we received it from Friends of the
23 Chicago River. Sorry about that. Theresa Frisbie,
24 Charlotte Lantz, Chris Parson, Chuck Brown, and Dave

1 Olsen. Okay. I have -- four witnesses have
2 appeared, so I'm going to -- each of them will
3 identify themselves before they begin. So I'm going
4 to move down and call up four more. Why don't we go
5 off the record for a moment.

6 (Whereupon, a discussion was had
7 off the record.)

8 MR. MCGILL: Dave Rig, David Anderson,
9 David Plesencha (phonetic) -- you may have more time
10 to testify than we thought. David Solzman, Donna
11 Hriljac, Ed Howlet (phonetic), Ed Zotti, Edward
12 Sitar (phonetic), Eric Yondorf (phonetic), Frank
13 Beluchi (phonetic), Gary Mechanic, Grant Crowley,
14 Griselda Simler. If some of these folks arrive
15 late, we'll certainly just accommodate and then they
16 can testify later. Jackie Low -- I feel like the
17 Price is Right a little bit. James Tibenski
18 (phonetic), Jamie Caston (phonetic), Jessica
19 Goehler, Jim Macdonald. Okay. Number eight. Lucky
20 number eight.

21 I would ask the court reporter to
22 swear in these eight witnesses collectively, please.

23 (Witness sworn.)

24 MR. MCGILL: Before we begin -- and

1 we're going to start from my left and go to my
2 right -- I would ask for each of you that before you
3 start your testimony to state your name, please
4 spell your last name for the court reporter, and if
5 applicable, state your title and the organization
6 you're here on behalf of.

7 MS. MCKENZIE: My name is Barbara
8 McKenzie, and --

9 MR. MCGILL: Could you just get a
10 little closer to the mike? I think they're all on.
11 The little green light should be on.

12 MS. MCKENZIE: Barbara McKenzie,
13 M-c-K-e-n-z-i-e. I'm a special ed teacher at a
14 school that services 36 districts, and I also am a
15 member of Chicago Kayak and kayak also with Chicago
16 Canoe and Kayak.

17 MR. MCGILL: Thank you. You may
18 begin.

19 MS. MCKENZIE: Well, I'm -- I grew up
20 very near the river, and that -- the soil from that
21 river is in my garden, and it was in the garden
22 where I grew up, and the water was the water we
23 bailed if there was flooding. I'm here because I
24 think that it's really very important that the

1 Metropolitan Water Reclamation District work to
2 disinfect the sewage treatment plant effluent and
3 kill bacteria that's in the water.

4 I know that a number of
5 organizations are bringing children on the water,
6 both to care for the river as well as to learn to
7 paddle. I myself learned doing wet exits and
8 reentries in the north branch. So I'm in it, and I
9 really also feel that it's important for us to watch
10 temperature control so that the wildlife balance is
11 correct, and I'm in favor of these procedures.

12 MR. MCGILL: Thank you. Would the
13 next witness provide that same introductory
14 information?

15 MR. PARSON: Yes. My name is Chris
16 Parson, P -- as in Peter -- a-r-s-o-n, and I live in
17 Park Ridge, Illinois, and I've been getting in the
18 Chicago River for the last 12 years. I volunteer
19 with Friends of the Chicago River education program,
20 and I take school children on field trips to the
21 river. While there, we do chemical, physical, and
22 biological tests on the water. Over the years, I,
23 along with thousands of school children as young as
24 six, come in direct contact with the river water.

1 A major part of my introduction on
2 each field trip is the fact that the water may
3 contain harmful bacteria and that students must keep
4 their hands out of their mouths, wash or clean their
5 hands before eating, and do not get river water in
6 open wounds. I've also been paddling on the river
7 for many years as a volunteer canoe guide for
8 Friends of the Chicago River. Before every trip, we
9 inform guests of the health risks from bacteria in
10 the water. It's impossible to paddle a canoe, or
11 especially a kayak, without coming into contact with
12 river water. On occasion, our guests and guides
13 fall into the river exposing them to even greater
14 risk.

15 I'm also the safety director for
16 this year's Friends of the Chicago River, Naftec
17 Flat Water Classic Race, which is going to involve
18 about 300 boats that paddle from Clark Park, which
19 is at Addison -- between Addison and Belmont, and
20 they will also come in direct contact with the
21 river. It's simply not right that the water is not
22 disinfected. It's not right that we must be exposed
23 to harmful bacteria when we use the river for
24 educational or recreational purposes. It plants

1 fear in children and adults that the outdoor and
2 nature are dangerous places, an attitude that will
3 have broad implications as we seek more sustainable
4 ways of living within nature.

5 It's not right that the MWRD is
6 one of the few sewage agencies in major metropolitan
7 areas around the country, including New York, that
8 is not required to disinfect its effluent. This
9 fact damages the units of Chicago as a green city,
10 because it appears that we are not really committed
11 to protecting our environment and our citizens. We
12 must take action to protect the public health.

13 The river is being increasingly
14 used by the citizens of Chicago. The number of
15 people paddling and boating on the river has
16 increased exponentially in the last decade. Every
17 day, more riverfront property is being converted to
18 residential use as more and more people want to live
19 near the water. Why is this happening? In my view,
20 it's because the MWRD consistently meets or exceeds
21 the water quality standards set forth for them by
22 this body. They have also built tarp to drastically
23 reduce the number of CSOs that occur in the river.
24 Water quality has gotten better.

1 We have one more step to go, in my
2 view. I have nothing but compliments for the MWRD
3 and the job they do, but it is time that we raise
4 these water quality standards and ask the MWRD to
5 disinfect their effluent. At the same time, we as
6 citizens have an obligation to provide the district
7 with enough resources to disinfect and to finish
8 tarp, but first you must act to raise the water
9 quality standards. Thanks for giving me the
10 opportunity to speak to you tonight.

11 MR. MCGILL: Thank you for your
12 testimony. Again, the next witness.

13 MS. FRISBIE: My name is Theresa
14 Frisbie, F-r-i-s-b-i-e, from Oak Park, Illinois, and
15 I'm here both as a concerned citizen and as a parent
16 of daughters who will be spending a lot of time this
17 summer rowing on the Chicago River with Lincoln Park
18 Juniors. Lincoln Park Juniors is a rowing club that
19 has been rowing on the Chicago River for
20 approximately seven years. These kids are out there
21 two hours a day, six days a week, from February to
22 November. It's been said these kids spend more time
23 on the river than anybody else. My understanding is
24 there are about 90 kids involved in the program.

1 There are other schools and clubs that also spend a
2 lot of time rowing on the Chicago River. Saint
3 Ignatius has about 40 kids, others include Loyola,
4 New Trier, North Park College, Woodlands Academy,
5 and there are more.

6 This evening I'd like to ask you
7 to think about the proposed water quality standards,
8 in terms of the children who row on the river and
9 all of the children in Cook County, as well as the
10 children of future generations. The water at this
11 time is not safe enough. For example, it's common
12 knowledge among the rowers that rowers have gotten
13 eye infections if they're splashed with water from
14 the river.

15 I was just a kid myself when I
16 first saw that public service commercial with the
17 Native American rowing -- you know, paddling in a
18 canoe and feeling sad about the garbage in the
19 river, and I really believed that by the time I was
20 raising my kids we wouldn't have garbage and
21 pollution in the river anymore, and I'm sad to know
22 that the river is still not clean. I believe that
23 we as a society can do much better than this. This
24 issue is so important to the health of the children

1 in this area, that I thought I would let you hear
2 from one of them directly.

3 MS. LANTZ: Hi. I'm Charlotte Lantz,
4 L-a-n-t-z. I'm going to be rowing crew on the river
5 this summer, and I think it's really important that
6 the river is clean for, like, future generations and
7 stuff, because if it's still polluted and it keeps
8 on being polluted, it'll just, like, get worse, and
9 that's not healthy. And for the species of animals
10 living in the contaminated water, they could, like,
11 die out and stuff if it got worse. Like, if we take
12 these little small steps, like cleaning out a river,
13 and then maybe we can inspire other people to clean
14 out more stuff, and then the world can be, like,
15 healthier. And when future generations, when they
16 study us, they will see us as people who try to
17 rebuild and, like, clean up instead of our faults
18 that we've made by not keeping the world as clean as
19 it should be. Thank you.

20 MR. MCGILL: Thank you very much. The
21 next witness.

22 MR. SOLZMAN: Thank you I'm Dr. David
23 M. Solzman, S -- as in Sam -- o-l-z-m-a-n. I served
24 as a professor of urban geography at the University

1 of Illinois at Chicago for about 40 years, and I'm
2 now retired, or at least that's the title. In
3 addition to that, I've -- my doctoral work had to do
4 with the Chicago River. I wrote a book called
5 Industrial -- Waterway Industrial Sites on the South
6 Branch of the Chicago River. Since then, I've
7 written another book, The Chicago River and its
8 Waterways, now in its second edition, University of
9 Chicago Press.

10 I've spent 15 years on the Board
11 of the Friends of the Chicago River and have a
12 lifelong association with causes to bring nature and
13 human activity into balance. I also give tours for
14 the University of Chicago, the University of
15 Illinois, and other organizations in which we travel
16 around virtually the whole of the river system,
17 omitting only the north branch. We leave the
18 main -- we go east down the main stem into the lake,
19 down to the lake front to the Calumet Port, through
20 the Calumet River and the Cal Sag to Sag Junction,
21 through the Sanitary Canal, and back to the south
22 branch of the Chicago River, a trip of roughly
23 75 miles.

24 I've been giving these tours for

1 something around 35 years, and so I have a long
2 timeline of observation of these waters. The
3 efforts of citizen groups, scientists, the MWRD, and
4 the City of Chicago have paid off handsomely. The
5 river has gotten -- the river system has gotten
6 cleaner, steel heads are found down on the Calumet,
7 where they were never there in recorded memory, the
8 side stream elevated pool aeration systems installed
9 by the Water Reclamation District have been an
10 enormous success providing habitat, recreational
11 space for the populations, and a low-tech answer to
12 cleaning up the stream. It's been miraculous,
13 really, in its effect.

14 Of course, the reservoir project,
15 enormous in scope, has also paid benefits, and that
16 makes all of these agencies, the river -- the Water
17 Reclamation District, the city, and others complicit
18 in the fact that we now have hoards of people using
19 the river, as others have testified at this point.
20 I personally continue to see children swimming in
21 the river. I see, of course, lots of people in
22 kayaks and other water -- human powering craft, but
23 of course all the people that work on those barges
24 and other ancillary activities also are exposed to

1 the water.

2 Now people say, "Well, I don't
3 know anybody who got sick," and I must say that I
4 don't either. But I would invite anybody who thinks
5 that it's just dandy to go and eat a fish from that
6 river every few days and see what happens. I know
7 that the -- that the Water Reclamation District has
8 been undertaking an effort to consider treating the
9 effluent, but I hear words about complexity,
10 expense, and energy consumption.

11 I would like to report that at the
12 University of Delaware researchers have recently
13 discovered that using a system of zero valent iron
14 nodules passing water over it cleans the water, not
15 only of bacteria, but of a great many viruses, and
16 it is not quite ready yet to be put on stream, but
17 it's a low-cost, very low-energy solution that
18 leaves no leftovers, such as chlorination. So I
19 just mention that to all present, including those on
20 the Board of the Water Reclamation District.

21 The number of wild fowl, the
22 number of boaters and fishermen continues to rise.
23 The number of marinas slows my trip. We used to be
24 able to make it much quicker. Now it's well over

1 seven hours, because we have to have zero wake when
2 we go by all of these facilities. One final thing I
3 wanted to mention, I think it would be a mistake for
4 us to view this too narrowly, as if Chicago and its
5 water systems could be somehow plucked out of the
6 world and treated separately.

7 My friends, if you think that is
8 true, I invite you to look at the published maps of
9 cancer incidents in the United States, and as you
10 go -- you see, we live high on the water. We get
11 our water out of Lake Michigan, and most of that
12 water comes from rain, so we're up at the top as if
13 we were at the continental divide. But as you
14 progress southward through the river systems, you
15 would see that the effluent of Chicago, Milwaukee to
16 some degree, Minneapolis, Denver, Omaha, Sioux City,
17 up into Montana, Memphis, Pittsburgh, all of these
18 cities dump their effluent into the Mississippi, and
19 the result is that as you go south along the
20 Mississippi water shed, the cancer rates spiral
21 upward until New Orleans. Even before Katrina, you
22 could never drink the -- pardon me -- you could
23 never drink water out of the tap.

24 So I urge you to consider this

1 issue, not just in the most local terms because, it
2 is not. It's part of a vast system, and we owe our
3 fellow citizens, since we have such magnificent
4 water for ourselves, to give them at least a
5 fighting chance. Thank you.

6 MR. MCGILL: Thank you, sir. Next
7 witness, please.

8 MS. HRILJAC: My name is Donna Hriljac
9 and I live in Niles, Illinois, and I want to --

10 MR. MCGILL: Could you just spell your
11 last name for us? Thanks.

12 MS. HRILJAC: H-r-i-l-j-a-c. I'm one
13 of the many people who also canoe on the north
14 branch of the Chicago River, and if you've ever
15 canoed, you know that you will come in contact with
16 the water. There's no way around it. When you get
17 out of the canoe, the paddles and the canoe is wet.
18 You have to carry them wet to the loading dock, you
19 have to carry them wet to get them on the racks to
20 take them back, and then there's also the
21 possibility when you're paddling that you're going
22 to push a branch out of a way, grab some trash
23 that's floating in the water. You'll get wet.
24 There's no doubt.

1 It would really be nice to know
2 that the wastewater is being treated to kill human
3 pathogens throughout the Chicago River System, and I
4 ask that you please treat the water. Thank you.

5 MR. MCGILL: Thank you. Next witness,
6 please.

7 MS. SIMLER: Griselda Simler,
8 S-i-m-l-e-r. I would like to thank you for having
9 me here. It's an honor to be here. I am a
10 volunteer for the Friends of the Chicago River. I
11 am a canoe volunteer. I've been volunteering since
12 1995, and over the last years I've seen an increase
13 in activity in the Chicago River that's a lot of
14 fishermen. There's people fishing on the Lawrence
15 by Francisco. They eat their fish. There's people
16 -- I've seen two years ago water skiers. Over the
17 years, we have a lot of canoe people returning back,
18 turning -- returning from field trips. I have
19 seen -- we have trips -- about 15 canoe trips every
20 summer. People come all over the place, all over
21 Chicago, to be at these trips.

22 I have seen new species, I have
23 seen birds, new birds, new fish. I've seen minks,
24 we're doing -- I believe we're doing a great job

1 cleaning the river, however we need to do a better
2 job at it. We need to protect the habitat that
3 these animals have chosen, and we also need to
4 protect those people that choose to enjoy the river,
5 choose to be outdoors and canoe, fish, jet ski.
6 This is a great opportunity for us to do that.
7 Thank you.

8 MR. MCGILL: Thank you. Sir.

9 MR. MACDONALD: My names is James
10 Macdonald, M-a-c -- small d -- o-n-a-l-d, and thanks
11 for the opportunity to comment. I live about two
12 blocks from the north branch of the Chicago River.
13 I am the vice president of the North Mayfair
14 Improvement Association, which represents about
15 3,000 households on north Mayfair. I'm also a site
16 steward of the wetland at Gompers Park.

17 The river runs through our park
18 through our community, and through our hearts. We
19 care about this river. Over the past 50 or
20 60 years, we've seen our stretch of the north branch
21 deteriorate from a time when kids could swim at our
22 "bareass beach" to turning into, basically, a murky
23 serpent running through the community. But it's
24 getting better. It is improving to the point where

1 we can get the occasional caddis fly out there and
2 other clear water invertebrates.

3 Part of this recovery is because
4 of the work of Friends of the Chicago River, Part 2,
5 community groups like the North Mayfair Improvement
6 Association, which cares for the river, and
7 especially to responsible government agencies, of
8 course like the MWRD and the IPCB. Our community
9 monitors the river because we use it. We walk past
10 it, we bicycle past it, we jog along it, we canoe on
11 it, or we just watch the wildlife that's there.
12 More and more of our neighbors are coming out to be
13 on and along the river.

14 It can be better. We need better
15 controls, stricter controls over the release of
16 harmful biologicals. Father's Day has just passed.
17 As members of the IPCB, you act as parents to the
18 river and to us. We encourage you to be responsible
19 fathers and mothers, and to make us all safer.
20 Thank you.

21 MR. MCGILL: Thank you. I would ask,
22 are there any questions that anyone has for any of
23 these witnesses? Seeing none, I'd like to --

24 MR. MELAS: Richard?

1 MR. MCGILL: Go ahead, Member Melas.

2 MR. MELAS: Doctor, I was very
3 interested a moment ago when you mentioned something
4 going on at the University of Delaware.

5 MR. SOLZMAN: Yes.

6 MR. MELAS: Could you give us a little
7 more elaboration on that and possibly direct us to
8 any literature that may be available?

9 MR. SOLZMAN: In my written testimony,
10 I'll include a complete copy of the research report.

11 MR. MELAS: Thank you.

12 MR. MCGILL: You're referring to
13 filing a public comment with the Board?

14 MR. SOLZMAN: Yes, that's right.

15 MR. MCGILL: Thank you. Any other
16 questions for any of these witnesses? Seeing none,
17 thank you all very much.

18 MS. FRISBIE: Thank you.

19 MR. MCGILL: And I'll call up another
20 group of eight witnesses to testify. Jim McBellowed
21 (phonetic), Jim Thorp (phonetic), John Bosco
22 (phonetic), John Bricnch.

23 MR. BRICNCH: Bricnch.

24 MR. MCGILL: Yeah, I apologize. It's

1 spelled on my list here B-r-i-c-n-c-h.

2 MR. BRICNCH: Sounds like me.

3 MR. MCGILL: Is that the correct
4 spelling? Jonathan Slatick (phonetic), Janelle
5 Nifinager (phonetic), Katie Coleman, Kelly Dougherty
6 Ken Arenberg (phonetic), Larry Kaplan, Linda Braash,
7 M. Kelly, Margaret Frisbie, Maryanne Preker, Mark
8 Shields (phonetic), Michelle Kunze, Michelle Uting,
9 N. Norris.

10 I would ask the court reporter to
11 please swear in these witnesses.

12 (Witness sworn.)

13 MR. MCGILL: Thank you. Again, with
14 each witness, if you would begin by stating your
15 name, spelling your last name, and then giving your
16 title and any organization you're representing here
17 this evening. Thank you. Sir.

18 MR. BRICNCH: Thank you, IPCB, for
19 giving me the opportunity to speak. My name is John
20 Bricnch and I'm a member of the development team for
21 the Compass Rows Boat Club. I represent
22 approximately 450 potential boat owners and slip
23 owners for the Friends of the River. The Compass
24 Rows Boat Club is basically a condominium form of

1 boats on the south fork on the south branch of the
2 Chicago River. Unfortunately, it's also known as
3 Bubbly Creek. Our facility is recreational use.
4 Our slip owners will be using the river for
5 recreation as well as a permanent place to call a
6 home for the boat.

7 The Compass Rows Boat Club will be
8 restoring contaminated site and shoreline of the
9 former Velspar Painting Company. We will be doing
10 our share to improve the water quality and ecosystem
11 on and around our site. We want to protect our slip
12 owners, our employees, investors, and our children's
13 children from any future hazards that may exist in
14 the river, some known, some unknown.

15 As part of the development team,
16 I'm accepting the challenge of not only redeveloping
17 a challenge site in our current economic climate,
18 and I think you basically get what you put out of
19 your efforts. I think we can do a whole lot better
20 as a community, as individuals, as a nation to do
21 our share. If everybody does just one part, the
22 river will be a whole lot cleaner. If personally
23 offered to the Chicago Park District to clean the
24 shoreline along the park, it's our commitment to

1 this development. Thank you.

2 MR. MCGILL: Thank you. Next witness,
3 please.

4 MS. COLEMAN: Hi. Thank you for
5 giving us the opportunity to speak today. My name
6 is Katie Coleman, C-o-l-e-m-a-n. I am from Oak
7 Park, Illinois, and I'm a grant writer for the
8 Environmental Law and Policy Center, although I am
9 here just representing myself today.

10 I started kayaking about three
11 years ago, going just maybe two or three times a
12 summer. So I'm not an expert, but I have been in
13 various types of kayaks and canoes on several
14 different rivers, and I typically know how to keep
15 my boat straight and keep myself dry, but during my
16 first and ever experience -- during my first and
17 last experience ever kayaking on the Chicago River,
18 which was in July of last year, I had a little bit
19 of an accident. I lost control of the boat, I
20 flipped the kayak upsidedown, and I was completely
21 submerged in the Chicago River.

22 As you can imagine, that
23 unexpected fall, as well as the next ten minutes I
24 spent trying to get back in the boat, caused me to

1 swallow a little bit of water, and it was, you know,
2 everywhere and in my eyes, and I'm sure I didn't
3 swallow a lot, but it appeared to be enough to make
4 me pretty sick the following day. Obviously I can't
5 ever know for sure if polluted water from the
6 Chicago River was the cause of that illness, but it
7 seems an awfully big coincidence to me, and I
8 haven't kayaked in the Chicago River since then
9 because it freaked me out so much. And I was sick
10 enough to miss a day of work, if that gives you a
11 point of reference.

12 And I came here today to tell you
13 that story for two reasons. The obvious reason is I
14 got sick, but the second reason, which I think is
15 even more important, is just the fact that I fell
16 in. I didn't intend to take a dip in the Chicago
17 River that night, but it happened. And since what
18 happened to me could easily happen to anyone else, I
19 think it's important to make sure that the river
20 water is as safe to float on top of as it is to fall
21 in. If people can find themselves there easily,
22 then we need to make sure that they will not get
23 sick. And that's why I'm here to express my support
24 for the proposed IEPA standards. Thank you for

1 letting me speak.

2 MR. MCGILL: Thank you. Sir.

3 MR. DOUGHERTY: My name is Kelly
4 Dougherty, D-o-u-g-h-e-r-t-y. I'm just a concerned
5 citizen. I've never spoken before at a meeting such
6 as this, but the subject at hand compelled me to do
7 so tonight. I mention this not to seek forgiveness
8 for my lack of public speaking abilities, but only
9 to press upon you that this issue goes beyond the
10 interests of river enthusiasts, riverfront home
11 owners, and those whose economic livelihoods are
12 tied directly to the river. Before you sits the
13 average Joe on the street.

14 I don't need to tell you that the
15 issue before you of setting new water quality
16 standards for the Chicago River system has far
17 reaching and long-term impacts for the citizens of
18 Chicago. But I come here to urge you in your
19 support in establishing water quality standards
20 recommended by the IEPA, and insuring the long-term
21 health and well being of the organisms that rely on
22 the Chicago River system.

23 It's not just a matter of public
24 health, but also of economics, and establishing a

1 new legacy for the citizens of Chicago. On the
2 matter of public health, a river is not a museum
3 piece to be admired from afar. It is intended to be
4 a living, interactive part of our existence. We
5 should not fear to touch it, as one would fear to
6 touch a discarded hyperdermic needle. As I write
7 this, I am looking out my office window on four
8 kayakers. They are braver soles than me.

9 I cannot be included in the number
10 of people who use the Chicago River for direct
11 contact recreation, because I think it is unsafe.
12 If it was cleaner, I would use it. Others would use
13 it as well. Some would point out that the IEPA
14 study fails to prove that any outbreaks of
15 waterborne illnesses occurred within the last three
16 years. This argument is akin to arguing against
17 installing a traffic light at a busy intersection.
18 It is a sad state of affairs if we need to count in
19 injuries to find the preventative and protective
20 measures.

21 On the matter of economics, San
22 Antonio, Baltimore, Chattanooga, the list goes on of
23 a number of different communities that have invested
24 hundreds of millions of dollars in riverfront

1 development. Nothing against these cities, but
2 Chicago should not take a back seat to any of them.
3 Simply put, a cleaner river equals economic
4 opportunities for the city of Chicago. The required
5 economic outlays or the magnitude required for
6 disinfection will always be argued against on the
7 basis of economic -- economic unreasonableness.
8 They will always be faced with that argument.
9 Therefore, I say that there's no better time than
10 the present.

11 The required outlays to improve
12 water quality should be viewed as an equity
13 investment for economic growth along the river. The
14 Chicago -- the city of Chicago has done, and is in
15 the process of doing, a great deal of riverfront
16 improvements, but we have just yet scratched the
17 surface of what the river can do for us in terms of
18 an economic driver for the city. Currently it is a
19 grossly underutilized asset. Imagine, for example,
20 boatloads of tourists on Fort Sheridan Pier on
21 replica rafts in the Chicago River. That's kind of
22 outlandish and fun to think about, but it's not
23 possible if water quality standards aren't a concern
24 and an issue. Until that's done, it's -- it's going

1 to be a problem in facing the city of Chicago in
2 making any further developments of the riverfront.

3 In terms of establishing a new
4 legacy for the citizens of Chicago, it was once said
5 that the Chicago River was without a friend. Today
6 it has many. Some would argue that the IEPA study
7 fails to consider the increase of greenhouse gas
8 emissions resulting from the sanitation operations
9 or disinfectant operations. It's a fine catch 22
10 for you, because green -- global warming is
11 occurring. It's going to happen, and with that
12 there's going to be increased storm water and wet
13 weather events, and they're also going to be more
14 severe, and the intensity is going to be higher. So
15 what we're actually doing would be preceding the
16 fact that we're going to have more CSO occurrences
17 and not have those occurrences -- or have those
18 occurrences not be disinfected, and would further
19 degrade all the advancements that the city of
20 Chicago and the MWRD has made in the past few years.

21 Closing, I mention that I live and
22 work a few blocks from the Chicago River. I live in
23 a condominium that has 170 units, 170 families
24 living in it, and later this summer we are

1 installing a green roof on our building. We are
2 doing this one, because we hope that it looks nice,
3 and two, we hope that it will potentially reduce the
4 number of CSOs. We are trying to do our part to
5 protect the Chicago River, and I urge you all to do
6 the same. Thank you.

7 MR. MCGILL: Thank you. Next witness.

8 MS. BRAASCH: Okay. Thank you. I
9 appreciate your time and your willingness to listen.
10 My name is Linda Braash, and I live at 3203 North
11 Rockwell. It's in the Belmont River Club, and my
12 townhouse faces the river. I'm probably about 30 or
13 40 yards away from the river. There's a dock there.
14 I use the walking paths by the river several times a
15 week, and during the warm weather months I'll take a
16 long kayak trip about once a week. And when
17 kayaking, my trips will last usually about two
18 hours, but sometimes up to five hours.

19 I truly love the Chicago River and
20 all the animals and birds that it currently
21 supports. I consider myself extremely fortunate to
22 be able to live in an area of the city that's both
23 naturally beautiful and still part of the urban, you
24 know, wonderful city that we have. Moving by the

1 river has actually kept me in Chicago, because being
2 an outdoor enthusiast, it's given me enough nature
3 to satisfy my deep desire for, you know, seeing
4 natural environments and things other than
5 buildings, cars, and streets.

6 I love to share the river with
7 others whenever possible. I've invited local
8 suburban and out of town friends and family to walk
9 by the river or kayak if weather permits, and I'm
10 very proud of where I live in the river, but I
11 always notice the reaction that people have when
12 they read the sign by the river that, you know,
13 warns them, rightfully so, of the potential danger
14 if they come in contact with the water. So some of
15 those friends and guests decline the opportunity to
16 go kayaking with me. So I am very concerned about
17 the quality of the water, both for myself and guests
18 and people I'd like to share that with.

19 I believe that doing everything
20 possible to clean up our waterways will present the
21 city with a great opportunity to uphold its
22 reputation for being a green city and to provide the
23 Chicago city dwellers with another natural area to
24 enjoy. Every year I see more people on the river

1 enjoying kayaks and canoes, and the alternative I
2 see it as, you know, to get the reputation that will
3 follow as more and more people continue to use the
4 river and get sick.

5 I did also fall out of my kayak
6 once. I'm a good kayaker I was actually second in
7 the women's kayak category on the Chicago River
8 Classic, not to brag, and that was all ages, not
9 just old women. So I fell out of my kayak and was
10 about an hour north from my home, and I got out of
11 the water as quickly as possible, I can tell you,
12 and that hour home trip actually probably only took
13 about 40 minutes because I think I paddled faster
14 during the Chicago River Classic, and got home as
15 quickly as possible to a hot shower.

16 And I just share that position
17 with you because it's such a juxtaposition to the
18 beautiful experience that I have when I'm kayaking.
19 The trees along the river, great blue herons that
20 come, you know, on the migratory paths and stay
21 there, other birds, I've seen beavers and muskrats,
22 and it's just a wonderful natural environment. But
23 to fall in it, as we've already heard, is such a
24 different experience. You know, just to be frank,

1 the smell and the feel of the water on me was really
2 disgusting, and I got out my hand sanitizer and I
3 actually, in desperation, rubbed some on my lips
4 because I was really grossed out. Now, that didn't
5 taste very good either, but I thought it might help
6 me stay healthy.

7 So I did worry about getting sick
8 from that. I didn't ingest any water, and I didn't
9 get sick at that time, by I think it just saddens me
10 that it's such a strong contrast to the experience
11 of enjoying the river on top of it, and then those,
12 you know, occasional and accidental trips into the
13 water. I, you know, just urge you as a lover of the
14 Chicago River to do everything in your power to make
15 the river healthy and clean, and I thank you for
16 your time.

17 MR. MCGILL: Thank you. Ms. Braasch,
18 would you just spell your last name for the court
19 reporter?

20 MS. BRAASCH: Yes, sir. It's
21 B-r-a-a-s-c-h.

22 MR. MCGILL: Thank you.

23 MS. BRAASCH: Thank you.

24 MR. MCGILL: Next witness.

1 MS. FRISBIE: Good evening. My name
2 is Margaret Frisbie, and I'm the executive director
3 of Friends of the Chicago River. Frisbie is
4 F-r-i-s-b-i-e. However, this evening, to start
5 with, I didn't expect to see my name on the list,
6 but I thought I would testify anyway because I'm --
7 I will testify before you when these hearings resume
8 in the fall, but I am a paddler. I live in Chicago,
9 I use the river, I use our forest preserves, and I
10 really feel that we have a right to clean water that
11 we don't have to -- we shouldn't have to worry about
12 bacteria in the water. We shouldn't have to wonder
13 if we fall in and ingest water by accident will we
14 get sick.

15 We're at a point in human history
16 where we understand the technology is there to clean
17 up this water. The Illinois EPA has proposed that,
18 and as I've used the river, I bought a kayak about
19 five years ago, and I've seen more and more people
20 out on the river, and there's people renting boats
21 that we've all -- people here have testified to, but
22 also there's casual users.

23 I've been to an event called the
24 Gorilla Flotilla, which is artists who are all

1 dressed up in who knows what with tattoos and
2 bicycles with plastic bottles taped on because they
3 think it might float. And those people do get wet,
4 and they're ingesting water, and they're laughing,
5 and don't really understand what's in the water.

6 And there's a lot of people that
7 -- we see kids wading. I've seen them at Clark
8 Park. I've said "Excuse me, you might not want to
9 go in there," and the father smiles and waves as a
10 little girl this tall, as I'm putting my kayak in,
11 and they don't speak my language. And consequently,
12 they don't know what's in that river and they don't
13 know that that bacteria can make them sick.

14 As I have paddled the river over
15 the years, I've seen use increase, and I just think
16 it's time. We have technology. And in this area
17 where we have so many natural resources that are so
18 wonderful, just because we didn't choose to protect
19 them 100 years ago doesn't mean we shouldn't do it
20 now. So I urge you to support the Illinois EPA and
21 approve the rule. Thank you.

22 MR. MCGILL: Thank you. Next witness,
23 please. Thank you for letting me speak. My name is
24 Maryanne Preker, P -- as in Peter -- r-e-k-e-r. For

1 seven years, I've been the volunteer site captain
2 for Forest Glen Friends of the Chicago River. I
3 represent 500 homes in Forest Glen, the heart of
4 which is the north branch of the Chicago River.
5 More importantly, though, I represent the 300 plus
6 at risk teens that come from Gage Park and other
7 inner city high schools. They don their waders and
8 return year after year even after they graduate to
9 come and clean the river and enjoy, what they tell
10 me, is their only contact with nature.

11 Studies have been shown, books
12 have been written, that violence decreases when
13 teens are exposed to nature. As I kayak the river,
14 I see many people playing and swimming and fishing
15 in the river. Many of these people don't speak
16 English and don't seem to know that possibly they
17 shouldn't be doing that. I also believe that as our
18 economy gets more difficult and gas prices get
19 higher, the river will become more of a recreational
20 avenue. We have a responsibility to make our river
21 safe, and I thank you for letting me comment.

22 MR. MCGILL: Thank you. Next witness,
23 please.

24 MS. KUNZE: My name is Michelle Kunze,

1 K-u-n-z-e, and I live a half a block from the river
2 on the north side. Last fall, I was helping some
3 friends take a sailboat on the river, and when we
4 crossed the locks, there was a sign that said "If
5 you see any pollution, dial 311. If you see anyone
6 dumping in the river, dial 311," and I was
7 encouraged by that.

8 We wandered down the south part of
9 the river, and when we came to the Lyric Opera House
10 between two bridges, a giant tube on the side of the
11 building opened up and garbage and Styrofoam cups
12 were poured into the river in a great amount. I
13 called 311. The person answered the phone. I said,
14 "I'm reporting pollution on the Chicago River at the
15 Lyric Opera Building." They said, "On the river?
16 Where are you?" I said, "I'm on a boat in the
17 river." And we went through this ridiculous
18 conversation. I was transferred to three different
19 people and a supervisor and no one knew anything
20 about the sign or what to do with the information.

21 I'm still very angry about it. I
22 emailed everybody I could think of the next day
23 involved in water in Chicago, and I never got any
24 satisfaction. It seems to me if the city of Chicago

1 can't do something when someone makes a call about
2 pollution in the river to find that building, then
3 there's something very wrong with our whole process.
4 That's it.

5 MR. MCGILL: Thank you. Next witness.

6 MS. UTING: My name's Michelle Uting,
7 U-t-i-n-g. Thanks for giving me this unexpected
8 opportunity to speak with you. I work for Chicago
9 Wilderness, but I'm speaking on behalf of myself
10 unexpectedly tonight. I am a huge fan of the river
11 and an enthusiastic, yet very poor paddler, and have
12 recently elected to monitor birds along the north
13 branch of the Chicago River. So I've spent more
14 time than usual on the river the last two years.

15 And one of the things that has
16 really struck me is what a great unifier the Chicago
17 River is as it goes through all the different
18 neighborhoods, and I see so many different people
19 out on the river where I normally don't see -- a lot
20 of my neighborhoods will -- I live in a very diverse
21 neighborhood, and a lot of my neighbors would never
22 think to go to the forest preserves or take a
23 vacation to a national park, but they really, really
24 value the river and will fish on it, and think that

1 Nickerson, Randy Hetfield, Richard Day, Rik Lantz.

2 MR. LANTZ: Can my boy come with me
3 that would like to testify as well?

4 MR. MCGILL: Sure, sure. Robert
5 Schultz (phonetic), Ron Tevonian, Dee Tevonian, Ryan
6 Chew, Sigrid Pilgrim (phonetic), Stephen Prassas,
7 Sue Lannin. I'd ask the court reporter to please
8 swear in these eight witnesses.

9 (Witness sworn.)

10 MR. MCGILL: Thank you. Sir, on my
11 far left here, if you'd, again, state your name,
12 spell your last name, and your title with any
13 organization you're representing.

14 MR. NICKERSON: Thank you. My name is
15 Paul Nickerson, N-i-c-k-e-r-s-o-n. I'm a canoe
16 guide and instructor with the Friends of the Chicago
17 River. I thank you for the opportunity to speak
18 before your Board. I brought -- I brought props
19 with me today. So if it pleases the Board, may I
20 ask if you each examine -- this is just a sample of
21 river water I took today on the north branch of the
22 river.

23 MR. MCGILL: Sure.

24 MR. NICKERSON: Thank you.

1 MR. MCGILL: You can proceed with your
2 testimony.

3 MR. NICKERSON: Thanks. I grew up
4 along the river, you know, not too far from the
5 river, playing baseball in River Park, little
6 league. I lived -- formerly lived at the Belmont
7 River Club for a number of years, so I've watched
8 the river environment transform into this great
9 destination for people, whether or not they live
10 there, and developments or the new canoe launches
11 that are all over the river and the river walks.
12 Mayor Daley loves the river walks. He's trying to
13 have continuous river walks throughout the river.
14 That's great, but what it's doing, it's
15 exponentially attracting people to the river like
16 droves, like a magnet.

17 I led a trip from River Park from
18 the canoe -- from the canoe launch in River Park on
19 Saturday, and it seemed to be wherever we launched
20 our canoes, there's a number of fisher people there.
21 And when you observe them -- you don't have to ask
22 -- but when you observe them, you see them catch
23 their fish and they put it in their bag. It's not
24 catch and release. They always put it in their bag,

1 or they have a fishing basket or a stringer, which
2 means they're eating the fish. And just on Saturday
3 I just asked one of them, you know, "How long -- did
4 you know that the water is polluted," and he said
5 "No," and I said "Well how long have you been
6 fishing here and eating the fish," and he said his
7 whole life.

8 So I'm assuming, you know, he had
9 a family that was eating that fish as well. So, you
10 know, he fed two friends, and they fed two friends,
11 and so on. So there's thousands of people that are
12 just eating the fish on a daily basis in the city.
13 That may be an exaggeration. I don't know what the
14 number is, but it's a lot. So, you know, most
15 people's mindset -- well the people in the know
16 anyway -- they think of it as an open sewer because
17 it's not disinfected water. And even the
18 communities that live along the river, you know,
19 it's -- we live next to an open sewer, even though
20 cosmetically it's improved quite a bit. The
21 condition of the waters improved quite a bit, but
22 that brought more fish and that brought more people
23 eating fish.

24 So, you know, one other thing I

1 thought of, if all things go well, we might see the
2 Olympics come here in 2016, and as a proud
3 Chicagoan, I would like to see people from the world
4 take away from Chicago a vision, other than having
5 this artery of non-disinfected water pulsing through
6 the heart of the city. So I think that's very
7 important.

8 Many years ago I was in the
9 Marines, and we spent a lot of time in Egypt, and
10 the Cairo River -- the Nile River in Cairo Egypt,
11 they used for dumping their sewage, but they also
12 drink out of it. And we all took away from that as
13 it's an open sewer, and, you know, I'd rather not
14 have the world take away from Chicago this open
15 sewer concept.

16 And I need to close by saying one
17 thing. At the end of our trips, we always make sure
18 people disinfect their hands. We have wet wipes and
19 whatnot, and since you've been handling the river
20 water, I suggest you use the wet wipes that I
21 brought with me.

22 MR. MCGILL: Thank you for those.

23 MR. NICKERSON: And one last thing,
24 I've shaken a lot of hands tonight. I have enough

1 wet wipes for everybody I shook hands with. Thank
2 you. Thank you for allowing me.

3 MR. MCGILL: Thank you. Next witness,
4 please.

5 MR. HETFIELD: My name is Randy
6 Hetfield, H-e-t-f-i-e-l-d. I am here in my capacity
7 as president of the Chicago Whitewater Association.
8 We have -- we have a little bit over 100 members,
9 paying members. We have probably close to -- we
10 have over 400 signed up on our bulletin boards, so
11 we do have a bit of the community.

12 Now obviously there's not a whole
13 lot of white water in and around the Chicago area,
14 but that doesn't keep us from getting in the water
15 anyway, and our membership does, in one way or
16 another, help pretty much every waterway and body of
17 water in the entire region. And the white water
18 boats we use, they're smaller and shallower than
19 most of the boats, most of the canoes, kayaks that
20 are used by other paddlers, so we got splashed on
21 more. Plus, very often if we're out there -- we're
22 out there doing various types of practice, we might
23 be out there wanting to do rowing practice, doing
24 cartwheels, doing loops, squirts, whatever else, and

1 as a result, it's just routine for us to be totally
2 submerged in whatever body of water we're in.

3 And as a result of that, it's not
4 unusual for member -- for people in our membership
5 to end up with sicknesses, usually GI type things
6 going on afterwards, and one of our rules of thumb
7 is to -- if you get splashed or you get wet or
8 whatever, do the three spits, and then soon at the
9 earliest possible convenience, get out your flask
10 and do some gargling for a while.

11 So that's another thing. And
12 quite honestly, there's -- for every paddler that
13 will go out in and paddle these waters, there's
14 probably five of them that just because of water
15 quality issues just stay away, and for a city that's
16 increasingly being noted as a green city, and very
17 often the Chicago River especially is being cited as
18 one of those reasons for that. That's definitely a
19 concern.

20 Chicago Whitewater Association is
21 one of a number of signatories on to a statement
22 drafted by CASCA, which is the Chicago Area C
23 Kayaking Association. I don't know if it's been
24 received by the Board yet or not, but basically

1 their concern is that they're in favor of quite a
2 bit of what's being proposed, the disinfecting and
3 all that, but they're concerned about the general
4 use designation for the river.

5 They're concerned that the
6 proposal may actually downgrade that to some extent
7 on the basis that it's being judged as not
8 necessarily obtainable, and their argument, which
9 CWA agrees with -- Chicago Whitewater Association
10 agrees with -- is that they need to maintain and
11 perhaps even strengthen the general use, just
12 because people are out there using it and we feel
13 that it needs to -- the only thing that needs to be
14 separated from fish ability that all or both of the
15 things that we all obviously want to see happen, it
16 may be that swimability happens before fishability,
17 and therefore we shouldn't go and base our standards
18 on having to try to get both at the same time.

19 And just in general, that's some
20 concern that we don't lower our standards at the
21 same time we're proposing new rules. That's it for
22 all I have to offer.

23 MR. MCGILL: Thank you very much.

24 Next witness.

1 MR. LANTZ: Yes. My name is Rik
2 Lantz, R-i-k, L-a-n-t-z, and I'm an independent
3 environmental scientist, and I just want to come and
4 testify that I think we should raise the water
5 quality standards in the river. I use the river
6 frequently for canoeing, and when I have friends
7 come into town, like I did just recently for Blues
8 Fest, we went down to the river to go canoeing. I
9 enjoy the juxtaposition of the urban environment
10 with the nature where you can go see herons and
11 beavers and muskrat, turtles and all that kind of
12 thing.

13 That's something very enjoyable,
14 but it's kind of tempered by the fact that you say
15 "Well, you know, this water is not really clean.
16 You better wash up when you're done." There are two
17 reasons I think that we should have disinfectant --
18 or we should disinfect the wastewater. One of them
19 is the health reasons that we've all been talking
20 about, people exposed to the water when they're
21 paddling.

22 A couple years back, I was cut in
23 the river. I had to seek stitches, and when I got
24 stitched up, I had to tell the nurse to really wash

1 it out pretty good because I had been exposed to
2 river water. I would like to not have to do that in
3 the future. I'd like to not get stitches in the
4 future also.

5 So that's one aspect of it, is the
6 human health aspect of it. But I think the other
7 aspect of it is the wildlife, the habitat aspect of
8 it. We go in the river once in awhile and have a
9 problem, imagine the muskrats and the herons that
10 are living in the river. They -- you know, it can't
11 be good for them. And so I think that we should not
12 only do it for the human use of the river and for
13 the -- help out the image of the city of Chicago and
14 so on, but I think we also need to do it because of
15 the wildlife, because the wildlife uses the river.

16 My ancestors came here in the 20s
17 from Lithuania to work in the stockyards, and at
18 that time Bubbly Creek was not the nicest place. I
19 went -- I became a site captain for Bubbly Creek
20 some years ago with Friends of the River, and at
21 that time, I saw that there were beavers in Bubbly
22 Creek. And so Bubbly Creek has gone from this open
23 cesspool to a habitat that supports beavers, and
24 it's a result of the work of the Illinois Pollution

1 Control Board.

2 And so I would just encourage you
3 to continue that trajectory and to take it the one
4 extra step and disinfect the water. Thank you.

5 MR. MCGILL: Thank you. Next witness.

6 MR. LANTZ: Hello. I'm Andrew Lantz,
7 L-a-n-t-z, and I'd just like to say that me and my
8 father go canoeing on the river pretty much all the
9 time and we like to see all the wildlife there, and
10 if the water isn't treated, then we can't see all
11 the wildlife.

12 MR. MCGILL: Thank you. Andrew, if
13 you could spell your first name, I want to make sure
14 we get it right in the transcript.

15 MR. LANTZ: A-n-d-r-e-w.

16 MR. MCGILL: Thank you. Next witness,
17 please.

18 MR. TEVONIAN: Good evening. I'm Ron
19 Tevonian, T --like Tom --e-v-o-n-i-a-n. We live at
20 River Bend Condominium. We live on the 24th floor
21 overlooking Wolf Point. And so while I cannot speak
22 with the same passion as many folks have spoken
23 about their personal experiences in the river, we
24 have a point of view that describes in its totality

1 how the river gets used in so many different ways.

2 We do see flotillas of 60 or more
3 kayaks coming down at one time by daylight and in
4 the evening with their little lights on their bows.
5 We do see the rowers out practicing at ungodly hours
6 of the morning. They must really get whipped to be
7 there at that hour. We have seen people on
8 sailboats waiting their turn to go under the next
9 bridge lift, taking their pleasure in jumping off
10 the stern of their boats and swimming as they're
11 waiting for time. We've seen people on individual
12 personal watercraft jumping in and submerging
13 themselves deliberately as they try to clear their
14 propellers or propulsion systems of accumulated
15 whatever.

16 100 years ago, we wouldn't have
17 had this problem. If you look at the history of
18 Chicago, we're here because the river is here as an
19 access way eventually leading to the Mississippi
20 River system. 100 years ago, the reason the river
21 was used in the way in which it was used was not at
22 all complimentary or harmonious. We really abused
23 it. If you look at pictures, photographs, artwork,
24 you'll see ships tied up on both sides of the river,

1 principally at the main stem. You'll see docks,
2 industrial activities, smoke. It was really an ugly
3 place, and from the prospective of any aesthetic or
4 human use, the river clearly wasn't there for that
5 purpose. It was a commercial entity.

6 Happily, we got smarter. Along
7 the way, just over 100 years ago, we reversed the
8 flow of the river, confirming that we were dumping
9 such ugly stuff into it that we didn't want it
10 getting anywhere near or drinking water and kept it
11 out of Lake Michigan. Since then, we have learned a
12 lot about how to treat the water so that it has
13 improved significantly but not adequately.

14 We're in an awkward spot. On the
15 one hand, the river is too good for people not to
16 use it. On the other hand, it's not good enough for
17 them to use it safely. We're kind of stuck in a
18 dead center spot, and I think we can't stay there.
19 The die is cast, we have to move on. The next step
20 should be obvious in terms of the beneficiaries of
21 your efforts -- if I can bring it down to bumper
22 sticker level -- Chicago River, for folks, fins, fur
23 and feathers.

24 MR. MCGILL: Thank you, sir. Next

1 witness, please.

2 MR. CHEW: My name is Ryan Chew,
3 C-h-e-w, and I am the lead partner of Chicago River
4 Canoe and Kayak, and I want to thank you for letting
5 us speak. I also want to thank you in a different
6 way. One thing that maybe we all should acknowledge
7 is that the Clean Water Act made what I do and what
8 a lot of us do possible, and that you guys have had
9 a hand in enforcing that -- as has the Sanitary
10 District and now the Water Reclamation District --
11 that laws can work and the government can work to
12 clean up problems that we can't clean up on our own,
13 and that industry and others simply wouldn't because
14 of the financial impact. So it's very important and
15 we appreciate it.

16 I want to start -- well, I want to
17 mention that I -- that we put, we think, about 7,000
18 paddlers on the water in a given year. So over the
19 eight years, perhaps on the order of probably 55,000
20 trips. Maybe it's a smaller number of individuals.
21 But an awful lot of individuals have gone on the
22 water with us. But I want to start with an anecdote
23 from several years before I opened the business when
24 a friend of mine called me and suggested that it

1 would be fun to inner tube down the Chicago River.
2 We ended up not taking that trip because we never
3 figured out a way in, but we had no idea that it
4 wouldn't have been a safe thing. Perhaps someone
5 would've warned us had we started talking about our
6 plans with our friends, but we really could have
7 taken that trip.

8 I may also be one of the few here
9 who have dived headfirst into the Chicago River
10 intentionally when somebody fell in and I had to go
11 get them and I dove in, and I emerged safe and did
12 not get sick, but I know that it can and does
13 happen. So I'd like to think when I look back on
14 what I did in opening this business that I exercised
15 due diligence, that I didn't dive in as rationally
16 as I did in trying to save that kid, but I sometimes
17 wonder. I look back on it and I talk to some
18 organizations, I talk to people, many of whom who
19 are here, about whether this was a good idea. I
20 knew that organizations took trips on the river and
21 people seemed encouraging, and we started up, and
22 we've had a lot of success for all the reasons that
23 others here have talked about. It is a wonderful
24 place in many, many ways.

1 But it's not a fun thing to
2 lead -- to lead lessons, and in the last five years,
3 I've probably had 1,000 people or more, just in
4 lessons that I probably have led, and until a week
5 ago, I was telling people "Well, I haven't had
6 anyone fall in in one of my lessons in the last five
7 years," and then somebody did. It happens.
8 Inevitably it happens. When people paddle on their
9 own, when people rent from us, and even when we're
10 watching and say "Hey, you might not want to be so
11 unsteady in your boat, maybe I can correct that," it
12 still can happen.

13 And so, you know, two days later,
14 I called him back, and I said "I just wanted to
15 check with you if you're okay," and he was. But
16 it's not a fun call to call your customers and say
17 "You didn't get sick, did you?" We do that
18 routinely. But it's just -- it is something that
19 makes me look back on it and say, you know, was this
20 the right thing? I don't want to feel like a -- a
21 cigarette company executive. At this point, no one
22 has told me you shouldn't do this, and I'm glad that
23 there is independent research going on sponsored by
24 the Water Reclamation District to decide, you know,

1 what the real health issues are.

2 But, I mean, we're putting a lot
3 of people on the water and they love it, and it's
4 got an economic impact. We have 19 staff, who are
5 mostly college-age and just out of college. So
6 there's -- there's that economic impact, and there's
7 just the fact that people who don't go out and
8 paddle with us but who live at the Belmont River
9 Club or at other places come with us and say "We
10 just love telling our friends who live in L.A. that
11 we live two blocks from a canoe launch, even though
12 we're in a city." It's a mark of pride for the
13 city, and I think it can be a more of a mark of
14 pride with a little more expense and effort. And I
15 know you guys have, you know, physical
16 responsibilities and other things to balance, but I
17 hope you can find a way to improve the river for all
18 of us. Thank you.

19 MR. MCGILL: Thank you. Next witness,
20 please.

21 MR. PRASSAS: Hi. My name is Stephen
22 Prassas, first name is S-t-e-p-h-e-n, last name is
23 Prassas, P-r-a-s-s-a-s. I first wanted to thank the
24 Board for their public service and for what they do.

1 I know that I think everyone that serves on any kind
2 of public agency is really putting their time and
3 effort forward for the good of the public, and I
4 thank you for your time.

5 I'm a landscape architect and a
6 lifelong Chicagoan and Chicago suburban. I grew up
7 near the Skokie Lagoons, and I've lived near the
8 river pretty much my entire life, except for when I
9 was at college. My experience on the Skokie Lagoons
10 helped to form my interest in my life and helped to
11 form me wanting to become a landscape architect. I
12 am wearing the sticker on me that says "I get wet,"
13 which is not really true. I get wet in the lake,
14 which I love dearly, and I wish I could get wet in
15 the river.

16 I've been on the river several
17 times in canoes and I've gotten wet, unfortunately,
18 just from being splashed and wondering what -- you
19 know, worrying about the water that's dripping
20 across my lips. But I really think the -- as a
21 society, we need to treat our second waterfront as
22 well as we do our first water front. I think our
23 lake, the lake is an enormous asset to the city, and
24 we reverse the Chicago River to protect our lake

1 water, mainly for our drinking water, and I think we
2 now need to look at the riverfront and treat that
3 with the same standards and respect as we do our
4 lakefront. It's the other blue line in our Chicago
5 flag, and I really encourage you to do all you can
6 to disinfect the water and to raise the standards
7 for our river. Thank you.

8 MR. MCGILL: Thank you. Next witness,
9 please.

10 MS. LANNIN: My name is Sue Lannin,
11 L-a-n-n-i-n. I'm a graduate student in community
12 development at North Park University, a campus
13 through which the Chicago River runs quite
14 beautifully. I want to thank the Illinois Pollution
15 Control Board commissioners and staff for this
16 opportunity to voice my support for the recommended
17 water quality standard improvements proposed by the
18 Illinois EPA for the Chicago Area Waterways and
19 Lower Des Plaines River.

20 These recommended changes are
21 greatly needed and long overdue. Coming after five
22 years of study on the Chicago Area Waterway System
23 and seven on the Lower Des Plaines, the IEPA has
24 invested considerable staff time and effort into

1 this project, and I support the changes that the
2 agency recommends without delay.

3 I enjoy canoeing and kayaking on
4 the north branch of the Chicago River and on the
5 North Shore Channel, but would like to do so with
6 greater frequency, safety, and piece of mind.
7 Instead, these waterways contain pathogens from the
8 sewage treatment plants all the time and combined
9 sewer overflow pollutants during and after heavy
10 rain. I understand that the Metropolitan Water
11 Reclamation of Greater Chicago, the city of Chicago,
12 and other public entities that control combined
13 sewer overflows are working very hard to correct the
14 situation, as well they should.

15 Anyway, the fact that CSOs add
16 pollutants to the water during a heavy rainfall is
17 no reason for the MWRDGC to let its sewage treatment
18 plants discharge effluence harboring dangerous
19 pathogens into our water ways on dry days, when
20 people like me and the others who have been
21 testifying here wish to recreate on the water.

22 Many students, families,
23 homeowners, and visitors to the Chicago region look
24 forward to enjoying the sights, sounds, educational,

1 and recreational offerings of a restored urban
2 river, and more people would spend more time on the
3 water if sewage treatment facilities in Chicago were
4 disinfected as other treatment plants throughout
5 Illinois and the rest of the nation are.

6 The entire Chicago Area Waterway
7 System and its uses have changed quite dramatically
8 other the past years. No one denies that the water,
9 once defiled with raw sewage, livestock waste, and
10 industrial pollutants has undergone major
11 improvements through the leadership of agencies,
12 like the Metropolitan Water Reclamation District.
13 Public access has increased considerably, as local
14 governments have incorporated use rivers into their
15 master plans. The city of Chicago has now announced
16 that it's expanding waterfront access along the
17 river way. Restaurants are opening up by the
18 bridge, and certainly I look forward to dining along
19 the Chicago River and hope not to be dining next to
20 water that has pathogens in it. The Chicago Park
21 District, suburbs like Skokie and Blue Island all
22 have invested millions of dollars into river access
23 for fishing and paddling.

24 Because it has taken nearly two

1 decades for a review like this to come, I believe we
2 must seize this opportunity to do what is right to
3 benefit future generations. We must strive to meet
4 the intent of the Clean Water Act for fishable,
5 swimable waters. Disinfection of wastewater
6 treatment effluent and the implementation of the
7 rest of Illinois EPA's recommendations are vital in
8 order to maximize the Chicago River's future as a
9 recreational, natural, and economic resource for
10 Chicago and for the region. Thank you very much.

11 MR. MCGILL: Thank you. Are there any
12 questions for any of these witnesses? Seeing none,
13 I'd like to thank each of you for your testimony
14 this evening. Why don't we go off the record for a
15 moment.

16 (Whereupon, a discussion was had
17 off the record.)

18 MR. MCGILL: I'll call up another
19 eight witnesses. Susan Urbas, Thomas Bamonte --
20 that's B-a-m-o-n-t-e on my list -- Tom Gale
21 (phonetic), Tom Judge, Tom Keaveny, Tom Nelson,
22 William Thorton (phonetic), Bill Walsh, I believe
23 it's Wally VanBuran, Illinois Association of
24 Wastewater Agencies, I believe, Pete Leki.

1 I would ask the court reporter to
2 please swear in these witnesses collectively.

3 (Witness sworn.)

4 MR. MCGILL: Sir, again, if you would
5 state your name, spell your last name, and then
6 identify any organization you're representing this
7 evening, and your title within that entity. Thank
8 you.

9 MR. JUDGE: My name is Tom Judge,
10 J-u-d-g-e. I'm not representing anybody but myself.
11 I am a canoe guide with the Friends of the Chicago
12 River. I also am a volunteer with the Chicago
13 Reader program, and one of the areas that I take
14 visitors around is the Chicago River. I'm a river
15 user. I've lived near rivers all my life. I can't
16 say the early experiences were all that pleasant. I
17 grew up along the Calumet River in the 50s. In the
18 1960s, the government sent me to Vietnam. I crawled
19 through a lot of rice patties, which is a very
20 unpleasant experience. I stayed away from water for
21 a long time, and then when I did, I was a long way
22 from Chicago.

23 However, things have changed, and
24 I'm the first to acknowledge it. But they need to

1 change more in my opinion. More and more people are
2 turning to the river. After decades of the city
3 turning its back on the river, people are
4 rediscovering it as a tremendous resource. As I
5 said, I'm a canoeist, and I love to be on the waters
6 because they give you an entirely different
7 perspective of the city. I love to walk along the
8 river. I live in Ravenswood, roughly a mile from
9 the river, and I like to walk along the paths along
10 the river.

11 As I paddle or walk along the
12 river in various locations, I see many other people
13 enjoying the river as well. There are paddlers and
14 canoes and kayaks on the water and people cruising
15 in powerboats and personal watercrafts. There are
16 people fishing or people trying to get a glimpse of
17 wildlife, and I see people sitting on their decks
18 and balconies in some very expensive apartments
19 overlooking the river. I think more and more people
20 realize the river belongs to all of us, and they're
21 taking advantage of it. And in my opinion, that
22 number is going to steadily increase.

23 Getting out of the city is getting
24 harder. If you want to try to drive to Wisconsin on

1 a Friday night, I wish you the best of luck. If you
2 want to burn gas that's approaching \$4.50 a gallon
3 today while you're sitting in bumper-to-bumper
4 traffic, that's up to you. But I think there's
5 thousands and thousands of people that are going to
6 be looking for more things to do right here in the
7 community where they won't have to drive hour after
8 hour to get there, and I think one of the assets
9 that people -- more and more people are going to
10 turn to is the Chicago River. And when that
11 happens, people are going to get wet.

12 I've been paddling a canoe for
13 more than 40 years. Last September, I was paddling
14 down the river, a boat came by -- a power boat came
15 by too fast, caught us a little too fast, and I was
16 swimming in the river. I don't usually turn over,
17 but it happens, and it can happen to anybody, no
18 matter how experienced you are. Other folks get
19 themselves wet fishing or doing other things, but
20 anybody who uses the river is going to get wet.
21 That's why I think it's important that the river be
22 disinfected.

23 Decades gone by, the joke was that
24 communities downstream from Chicago weren't going to

1 take anymore crap from the city. Well, we've cured
2 that problem, but we're still sending loads of
3 bacteria down the Illinois waterway to the
4 Mississippi River Valley. We owe it to our
5 neighbors and we owe it to ourselves to disinfect
6 the Chicago River area. Finally, if I could just
7 say on a personal note, I have a feeling of a lot of
8 ghosts. My mother was secretary here at the
9 District for more than 30 years, most of the time to
10 the General Superintendent, and Erie Street brings
11 back a lot of memories from when I was growing up.
12 Thank you.

13 MR. MCGILL: Thank you, sir. Next
14 witness, please.

15 MR. NELSON: I'm Tom Nelson,
16 N-e-l-s-o-n, and I live on the northwest side of
17 Chicago. I grew up along the Sanitary and Ship --
18 or actually along the Calumet Sag Canal too. I used
19 to do fossil hunting, that sort of thing in there.
20 I even remember them widening it. I've been with
21 Friends of the Chicago River since its beginnings in
22 1979. I've been a site captain. In fact, in my
23 capacity I've got my -- everybody can show their
24 green t-shirts, those site captains. We're here for

1 that too. We live the Chicago River. I take my
2 family there to help clean up and so on. You know,
3 it's the one time I've been successful -- to be
4 politically incorrect -- a slave driver to my kids,
5 and they listen to me and they actually do some of
6 the stuff one day a year. I'm involved all over the
7 place, you can see that.

8 I, too, believe that we should
9 exercise the best possible tertiary system in
10 cleaning the water, making sure that we don't send
11 bad bacterias that don't belong there. But we have
12 to make sure that we use the best possible sciences
13 in doing this too. Dr. Solzman had talked about the
14 iron nodules, that sort of thing, something of a
15 catalyst that are going to take care of the
16 bacterias, and when the water passes on, it doesn't
17 pass on its killing ability further downstream,
18 because this can certainly offset things, and a
19 certain cloudiness to the water takes place when you
20 have chlorine that goes in. And does a good job of
21 taking care of bacterias and so on. So we really do
22 have to use the best sciences possible and be
23 concerned with that.

24 I don't know if ozone is a

1 possibility there or peroxide. I certainly know
2 that using additional sediment beds and biological
3 cleaning before the water goes back into the rivers
4 is very useful, and there are sections along the Des
5 Plaines and even perhaps parts of the north branch
6 where we could go ahead and filter after -- after
7 the water has visited the treatment plants, and this
8 has certainly been effective. It's been proven, I
9 know, in the estuaries along the pacific coast and
10 so on because they're crazy enough to try these new
11 things.

12 Let's go ahead and lead the world
13 here in Chicago too. I know that Lake Calumet would
14 be a perfect chance for us to be able to send the
15 water back this way and so on and just part of the
16 ideas there. I'm wondering if one of these
17 catalysts -- catalytic actions actually does take
18 place along the scrap yards that we still have in
19 Chicago, where industry actually helps, whether the
20 iron that falls in there might actually clean up the
21 river a little bit instead of messing it up.
22 Because I do believe, too, in a working river here
23 in Chicago, and I think that's of the utmost
24 importance as well.

1 I have plenty to say, but many
2 less minutes than allowed, and I'm going to pass it
3 on.

4 MR. MCGILL: Thank you. Next witness,
5 please.

6 MR. BAMONTE: Good evening. My name
7 is Tom Bamonte, B-a-m-o-n-t-e. I'm the president of
8 the Chicago Area Sea Kayakers Association, CASKA.
9 CASKA was one of 12 paddling and rowing groups that
10 submitted a 30-page statement of objections and
11 support for the proposed rules. So we spoke on
12 behalf of 12 paddling groups, hundreds of members,
13 and as you've heard tonight, literally thousands of
14 people who access the river on boats every year.

15 The debate thus far seems to be:
16 Do the proposed rules go too far? Well, CASKA's
17 position and the position of its co-petitioners is
18 that the proposed rules by IEPA do not go far
19 enough. If you parse through the statement and the
20 supporting documentation, you find that once the
21 water is disinfected and the next generation of tarp
22 goes into effect, reducing CSO events, a swimable
23 standard for the Chicago River System is indeed
24 possible. And unfortunately, IEPA retreats from

1 that possibility and proposes something less than a
2 swimable standard at any time in the foreseeable
3 future, and that is passing up a major opportunity,
4 and I urge the Board not to do that.

5 IEPA goes wrong in various
6 fashions, but let me identify two areas where I
7 think the Board should reject the IEPA's approach.
8 First on Pages 32 through 34 of its statement, IEPA
9 justifies its reduced water quality rules by
10 pointing to the physical characteristics of the
11 Chicago River System, break walls, other boats,
12 wakes, et cetera, and essentially is saying that the
13 Chicago River is not a fit or an attractive place
14 for paddling and other aquatic activities. And I'm
15 here to address the Board that that is just simply
16 wrong.

17 The river is warmer, the waves are
18 less, it's sheltered from the winds, and for most
19 paddlers, much of the time, and for rowers almost
20 all the time, the Chicago River is a far safer
21 paddling environment than Lake Michigan. A second
22 error on the IEPA's statement is that the IEPA
23 points to the lack of investment by local public
24 agencies in recreational facilities along the

1 Chicago River as justification for its reduced water
2 quality standards. Essentially, it says "We don't
3 see public agencies invested in beaches or anything
4 else involving primary contact." Well, in our
5 opinion, that's blatant to the eviction regulation.
6 Because local governments and because the private
7 sector have not been given a stable regulatory
8 environment that will lead to swimmable waters, it's
9 no surprise that they're not investing in beaches
10 and other aquatic facilities.

11 So what the Board should do in our
12 opinion is this: Reject IEPA's misguided view of
13 the river as particularly unsafe, and reject its --
14 its pointing to the lack of investment as
15 justification for reduced standards, and instead set
16 a goal of 2016 to make these waters swimmable. And I
17 believe, and CASKA believes, and the supports of
18 this statement that we submitted believe that you
19 will see a major flood of public and private
20 investment in and around the Chicago River System if
21 you, the Board, establish a date certain by which
22 these waters will become swimmable, and we urge you
23 to you do so. Thank you.

24 MR. MCGILL: Thank you. Next witness,

1 please.

2 MS. URBAS: My name is Susan,
3 S-u-s-a-n, last name Urbas, U-r-b -- as in boat --
4 a-s, and I am president of the Chicago River Rowing
5 and Paddling Center. I want to thank the Board for
6 the opportunity to speak in support of
7 implementation of higher water quality standards for
8 the Chicago Waterway System. In addition to being
9 president of CRRPC, I am also a founding member of
10 the Friends of the Chicago River, former chair of
11 the U.S. Women's Olympic Rowing Committee, and chair
12 of of the Port Development and Safety Committee of
13 Chicago, which is the entire marine community, all
14 the stake holders in that. But tonight I'm
15 representing the Rowing and Paddling Center.

16 But the reason that I mentioned
17 those other positions that I hold is to demonstrate
18 that I've been highly involved in daily use of the
19 downtown portions of the Chicago River for the past
20 30 years, and, therefore, I am extremely
21 well-acquainted with both the evolution of its water
22 quality and the increase in its recreational use
23 over that time period. We are somewhat to blame for
24 what you see here today. The Chicago River Rowing

1 and Paddling Center is the group which pioneered
2 recreational use of of the river in 1979 at a time
3 when other people still found the concept of
4 recreating on the Chicago River literally laughable,
5 due to its poor water quality. Widespread
6 appreciation of the Chicago River is a major
7 amenity. Recreational and otherwise did not take
8 hold until the deep tunnel project was completed,
9 which resulted in a discernible improvement in water
10 quality in the downtown portions of the river.

11 CRRPC is the oldest rowing and
12 paddling organization on the Chicago River, having
13 established the first community boating facility and
14 direct access to the Chicago River for human power
15 craft in 1979, although for most of our history,
16 CRRPC operated out of the old Coast Guard Station,
17 now called the Marine Law Enforcement Station, at
18 the mouth of the river. For the past five years, we
19 have been located adjacent to the Lake Shore Drive
20 bridge tower on the south bank of the river.

21 Our membership, which historically
22 averages 50 to 70 individuals ranging in age from 16
23 to 70 years old, make daily use of the Chicago River
24 for rowing and paddling from April 15th through

1 October 15th of each year. While our kayaking
2 numbers utilize both Lake Michigan and the entire
3 river system for their outings, the rowing members
4 tend primarily to utilize the main and south
5 branches of the Chicago River.

6 From time to time, we also host
7 rowing competitions on the main branch of the river,
8 which historically has included the participation of
9 elite, collegiate, national, and international
10 athletes, including the U.S. National and Olympic
11 teams, and the Oxford and Cambridge University
12 crews. We also host a rowing regatta called the
13 Ironhorse Marathon, which starts on the North Shore
14 Canal in Evanston -- a channel -- excuse me -- in
15 Evanston, and ends downtown Chicago at Columbus
16 Drive.

17 Contact with the water by our
18 members is limited to full body immersion in the
19 rare event a boat tips over, and to splash, which
20 routinely enters the boat or falls upon the body or
21 the paddler or rower as a consequence of
22 self-propulsion or wakes thrown by motorized
23 watercraft. While we are not officially aware of
24 any health impacts that are resulting from our

1 member's contact with the water -- and I think part
2 of the reason for that is, as other people have
3 spoken here, it's sometimes hard to follow the
4 connection between falling in and what happens in a
5 day or two -- we can attest to the fact that the
6 concern over the quality of the water is often cited
7 by perspective members as an impediment to their
8 becoming involved in recreational activities on the
9 Chicago River.

10 Yet it is clear that more and more
11 people want to and will over time utilize the
12 Chicago Waterway System for recreation and
13 human-powered crafts, while we await construction of
14 a permanent community boating center permitting
15 growth in our operations at our current location, we
16 can hardly keep up with the man -- the demand
17 receiving hundreds of new inquiries annually from
18 both area residents and people visiting Chicago from
19 all over the world.

20 In conclusion, we believe that
21 promoting the use of human-powered crafts on the
22 Chicago Waterway System through improved water
23 quality is essential to a healthful life-style, as
24 well as essential to engendering environmental

1 sensitivity and responsibility among our citizenry.
2 These activities are in and of themselves both
3 health bestowing and nonpolluting. They also have
4 the added benefit of obviating the need for local
5 residents to contribute to air pollution by
6 traveling beyond the city for recreational purposes.
7 Thank you for your time and consideration.

8 MR. MCGILL: Thank you. Next witness,
9 please.

10 MR. KEAVENY: I'm Tom Keaveny, K-e-a-v
11 -- as in Victor -- e-n-y. I am a volunteer canoe
12 guide for the Friends of the Chicago River for nine
13 years. I will offer two quick concepts or ideas
14 I've had. I've also been a sailing instructor out
15 of Monroe Harbor for about 30 years, and the
16 contrast between the lakefront and the river is deep
17 and so clear, and the question arises: Why is the
18 lakefront so glorious and so honored and so revered
19 and the river so -- in such condition that we have
20 to make excuses for it when our children fall in?

21 The second part is more personal,
22 and meaning no disrespect, I suggest to the Board
23 that in front of us we have the challenge. We have
24 all the members, just like we in the audience do,

1 drinking our water from plastic bottles and not
2 drinking from the Chicago River. And my question
3 is: Why is that? And I think the time has come
4 that we can have that as standard, and if those who
5 think that it's too difficult to get pure water out
6 of the Chicago River should look to Chicago history,
7 Chicago lakefront history, to those who said, "Make
8 no small plans." Thank you.

9 MR. MCGILL: Thank you. Next witness,
10 please.

11 MR. WALSH: My name is William Walsh,
12 W-a-l-s-h. I live in Lombard. I'd like to thank
13 the Board for this opportunity to comment. I am
14 also a canoe guide with the Friends of the Chicago
15 River, and I've paddled on the river for 20 years
16 now. Paddlers, including children, come into
17 contact with the river frequently, and outdoor
18 enthusiasts use and will continue to use the river.
19 I feel it's our collective responsibility to work
20 together to improve the water quality of this
21 important resource. The river has served the city
22 by providing commerce, transport, and health by
23 taking waste away. It's time to return that favor.
24 So thank you very much.

1 MR. MCGILL: Thank you. Next witness,
2 please.

3 MR. VAN BUREN: I'm Wally Van Buren,
4 and I am here representing the Illinois Association
5 of Wastewater Agency, and I've been assured that
6 there's security, since I'm the only one. We're
7 supporting the Water Reclamation District of Greater
8 Chicago in its effort to delay the rulemaking on the
9 promulgation of standards proposed by the Illinois
10 Environmental Protection Agency.

11 The Metropolitan Water Reclamation
12 District of Greater Chicago, through its vast
13 experience and research in water treatment and
14 engineering has been a great asset to our
15 organization, as well as to many others throughout
16 the world. They have freely shared their experience
17 and research, the state and federal agency, as well
18 as our friends in the environmental community.

19 It is my understanding that the
20 Water Reclamation District is currently conducting
21 studies, which will give scientific basis to
22 determine whether the proposed standards will
23 benefit the health of people recreating on the
24 waterways and further improve the aquatic life in

1 the waterways. The cost of meeting the proposed
2 standards is high, and will be born by the tax
3 payers. Before installing the changes necessary to
4 meet the proposed standard, there should be
5 scientific evidence that the money spent will bring
6 about the desired results. In this case, the
7 District does not have that confidence.

8 The Water Reclamation District of
9 Greater Chicago has demonstrated repeatedly in the
10 past 119 years that it can and will support and
11 carry out large and costly projects. Examples of
12 this is the reversal of the Chicago River to protect
13 the drinking waters from flowing from Lake Michigan,
14 and the deep tunnel project to protect against
15 flooding. My wife is with the Chicago Architectural
16 Foundation, and among the many tours she leads is
17 the river crews. This is the most popular of all
18 tours. The river provides a stage from which we
19 display our famous architecture and our beautiful
20 city to people throughout the world.

21 The river has become an amenity
22 where in the past two decades, residents and
23 businesses have chosen to face the river, rather
24 than turn their back to it. This has occurred in

1 great part to the efforts of the many people here in
2 their concerns, but ultimately it's a responsibility
3 for the Metropolitan Reclamation District of Greater
4 Chicago.

5 Please respect the expertise and
6 integrity of the wastewater -- Water Reclamation
7 District of Greater Chicago to use its limited
8 resources to provide the greatest health benefit to
9 all these served. Thank you.

10 MR. MCGILL: Thank you. Next witness,
11 please.

12 MR. LEKI: Hi. Good evening. My name
13 is Pete Leki, that's L-e-k-i. I'm a -- I teach
14 ecology at Waters Elementary School, a public school
15 in Chicago by Wilson on the river, and I'm also an
16 organizer for Riverbank Neighbors, an organization
17 of several hundred local neighbors who have
18 management responsibilities for maintaining the
19 riverbank from four blocks south of Montrose through
20 agreement with the Water Reclamation District.

21 I want to talk mostly about the --
22 about the children at the school, because our
23 children have a K through eight ecology curriculum,
24 including two years of studying of the Chicago

1 River, 2nd grade and 6th grade. The second grade
2 trips, field trips to the river, are mostly involved
3 in the kids first just exploring that very unique
4 and beautiful ecosystem especially as it appears
5 with the paths and accessibility in our neighborhood
6 by Montrose, and looking at the birds and the
7 animals and the plants and the fish and all the
8 different things that they can just see with their
9 little 2nd grade observation skills.

10 In the 6th grade, the children
11 come back and do a series of tests, biological and
12 chemical tests, of water quality, and it's
13 interesting that in the 14 years we've been running
14 these tests, we always get the same results. It's a
15 battery of eight tests, for example, for the
16 chemical quality of the river, and we have a way --
17 there's a way to take the results and tally them up
18 and weight them in certain ways so that we can
19 actually give them a grade, and the grade is almost
20 always the same, which is about a C plus. I don't
21 think we've ever got a B yet, you know. And it's
22 always interesting for me to -- you know, to try to
23 explain to the children why -- why the grade is not
24 so good, you know, because they have great hopes and

1 they see beautiful things in that river.

2 But one of the tests, for example,
3 is this great test for E. Coli, you know, bacteria
4 that suggests that there's human waste in the water.
5 And in these 14 years, we've never had a negative
6 test for E. coli. There's always E. Coli in there.
7 And to explain that to 6th graders, we tell them
8 that there's presence of raw sewage and the
9 possibility of pathogens in the water. This is a
10 disappointing thing for those children, and it's
11 always so funny because when you work with children,
12 you always want to -- you feel like you have to show
13 them what's best and what's possible. You know, and
14 to explain to them that right now we're just doing a
15 C plus job on the river is a disappointing thing.

16 And, you know, another metaphor I
17 thought about listening to the people here tonight
18 -- because we've made such headway with this river,
19 it's so beautiful in so many ways in the middle of
20 this big, smelly city to be able to go down to the
21 river and see something totally different, it's like
22 setting a table and inviting these kids to dine, you
23 know, and having the first course of salad and maybe
24 some delicious hors d'oeuvres, and then when it

1 comes to the entree telling them, "Sorry, you can't
2 eat that. It's just not fit yet. You know, we
3 don't have that part of the meal finished."

4 You know, and I think that we kind
5 of owe it to them, you know, with the best of our
6 ability to try to raise that grade. We expect them
7 to do better, and I think we all need to try to
8 raise that standard as well. So that -- I thank you
9 very much for this opportunity for presenting my
10 views tonight.

11 MR. MCGILL: Thank you. Are there any
12 questions for any of the witnesses? Seeing none,
13 I'd like to thank each of the witnesses for
14 testifying this evening. Why don't we go off the
15 record for a moment.

16 (Whereupon, a discussion was had
17 off the record.)

18 MR. MCGILL: I'm going to call up
19 eight more witnesses. We're getting toward the end
20 of our list, so I'm going to go back up to the top
21 and call out some of the names of people who weren't
22 in attendance at the time. Maybe they've shown up
23 late. Nancy McKenna, Cynthia Fox, Bill Donahue,
24 Charlie Portis, Chuck Brown, Dave Olsen, Dave Rig,

1 David Anderson, David Plesencha, Ed Howlet, Ed
2 Zotti, Edward Sitar, Eric Yondorf, Frank Beluchi,
3 Gary Mechanic, Grant Crowley, Jackie Low, James
4 Tibenski. I think I left off with Jamie Caston,
5 Jessica Goehler. Okay.

6 I would ask the court reporter to
7 please swear in the witnesses

8 (Witness sworn.)

9 MR. MCGILL: Thank you. Again, for
10 each witness, before you begin, if you would please
11 state your name and spell your last name for the
12 court reporter, and if applicable, please state your
13 title and any organization you're here on behalf of.

14 MS. MCKENNA: I am Nancy McKenna,
15 M-c-k-e-n-n-a. I am the past national chair person
16 for the Ecology Commission for the Secular
17 Franciscan Order, and I such currently represent 800
18 people in Chicago. I've been a river sweep captain
19 for the last five years for the Friends of the
20 Illinois River. I am a member of the American
21 Academy of Industry, I am a Boy Scout leader, a 4-H
22 leader, and I participate in World Water Monitoring
23 Day.

24 I spent my whole life on the Des

1 Plaines River and have seen it get cleaner and
2 cleaner. When I was a youth, may flies were
3 unknown, and they're almost a pest now. Another
4 person testified that the MWRD meets and exceeds the
5 current standards, and I applaud them for that.
6 Many communities along the rivers have not yet
7 separated storm water from their sewer systems, and
8 most of the pollutants are from non-point supports.
9 But as we're talking about over-use of pesticides,
10 fertilizers, oils from our cars, mosquito repellants
11 being sprayed with 100 feet of the waterways.

12 We need to strengthen laws on
13 these non-point sources of pollution and call on the
14 populous to police themselves in their immediate
15 communities to improve water quality. Thank you
16 very much.

17 MR. MCGILL: Thank you. Next witness,
18 please.

19 MS. FOX: Good evening. Thank you for
20 allowing me to have this brief amount of time to
21 speak about what I have seen along the Chicago
22 River. My name is Cynthia Fox, F-o-x. I live in
23 Chicago's Edgewater community. I am also an
24 employee of Friends of the Chicago River. I'm the

1 manager of volunteer programs and spend most of my
2 time working with community residents and volunteers
3 all along the Chicago River. I am also an active
4 user of the Chicago River. I paddle and mess around
5 and stuff like that. I grew up in the southwest
6 suburbs in a small town called Channahon, a town
7 whose names means "meeting of the waters."

8 Like many of the people here
9 today, my entire life has been spent running in and
10 out of rivers or lakes -- the I and M Canal is
11 across the street from my parents' house -- with
12 friends and family. Fishing, swimming, boating, and
13 skiing have given me a life long love of all things
14 nature and water.

15 When I came to Chicago 12 years
16 ago, I brought this passion with me. My love for
17 water drew me to the Friends of the Chicago River
18 because I wanted to be able to do more to help.
19 Throughout my almost ten years with Friends, I have
20 witnessed and talked to possibly thousands of people
21 who have used the river in a variety of different
22 ways. Several years back, I came across three
23 gentlemen spending on early afternoon at the best
24 fishing spot in Bridgeport, which I have since been

1 sworn to secrecy never to reveal the location. They
2 had been fishing in the south branch basin at the
3 mouth of Bubbly Creek for years. That day, they
4 caught a handful of bluegill and sunfish, and were
5 very excited by taking it home for dinner.

6 On another afternoon at Clark
7 Park, which is located on the north branch of the
8 Chicago River between Addison and Belmont, I
9 happened upon a small group of kids, two brothers
10 and their sister, jumping up and down in the water
11 at the canoe launch. It's a beautiful place, and
12 they were really excited and splashing each other,
13 and the young girl was really excited when I had
14 just, sort of, started talking to them because they
15 caught a crayfish and had it in a shoe box, and they
16 were really really proud of themselves and just
17 really, really excited to have that experience.

18 Another time, a man sitting on a
19 milk crate behind the Jiffy Lube at North Avenue
20 caught a carp so large that he had to use both hands
21 to hold it up posing for pictures of his awesome
22 catch. Regularly throughout the years, I myself
23 have gone paddling with friends, and we always run
24 into kayakers and canoeists, rowing teams enjoying

1 the river in their own unique way, and yet at the
2 same time, I can't tell you the number of times I
3 have gotten home after a day along the river to find
4 an itchy rash on my feet or my legs or my hands just
5 from having contact, a tell tail sign of bacteria in
6 the water.

7 A healthier and cleaner Chicago
8 River would improve all of our lives. Whether or
9 not those people knew what was in the water, it's
10 the nature of all of us to be drawn to it. We enjoy
11 the water. It's all that matters. We have an
12 expectation that this river is clean and safe so
13 that we can catch bluegills and splash our little
14 brothers and sisters or hike our pants up and wade
15 in the water. We choose to use the Chicago River
16 during the few moments of solace and calm that we
17 have in our lives. People use the river every day
18 all year long. I encourage you to consider making
19 the river meet the expectations of the people who
20 use it, because those people deserve better and
21 frankly, so do I. I thank you so much for your
22 time.

23 MR. MCGILL: Thank you. Next witness,
24 please.

1 MR. PORTIS: Hi. My name is Charles
2 Portis. I live in Chicago. I have a small company
3 I founded and am the owner of a company called Water
4 Riders, and we do an architectural historical kayak
5 tour downtown Chicago, the Illinois Department of
6 Natural Resources, licensed to be a rental boat
7 operator.

8 I started paddling on the river in
9 1994. I bought a folding kayak. Had a friend that
10 lived in Marina City, and we used to go and just put
11 the boat in, and every time I would put the boat in,
12 I would get people yelling at me from the side of
13 the river and from motor boats and "How do you do
14 that? How do you get in there," and it seemed like
15 there was a desire to get out there and use the
16 river. So I started this little company, talking
17 about how the history of Chicago is connected to the
18 river with a little bit of architecture. I do
19 commercial real estate, so it was a little mixture
20 of Chicago facts.

21 And, you know, I guess I want to
22 second what the gentlemen from CASKA said that, you
23 know, we don't have mountains here, and we have a
24 wonderful lake, but the fact is that the lake is a

1 much more dangerous place to paddle or to row. With
2 the changeability of the conditions -- I was there
3 yesterday. The water is still about 60 degrees.
4 You have to really know what you're doing, and we're
5 so fortunate to have this river. It's not a title
6 river. Other than the water quality issues, it's an
7 incredibly safe place to recreate, and I've just
8 seen it boom in the last 12 years since we've been
9 doing it, and we've also taken thousands of people
10 paddling and many wonderful experiences.

11 Yesterday -- or Saturday we
12 probably had 40 or 50 people on our tours and a few
13 rentals, and come back on the last tour Saturday
14 afternoon, there was three doubles coming -- and
15 this just south of Chicago Avenue -- and one of them
16 didn't appear to be taking it super seriously, and I
17 looked back and they had flipped. It was not one of
18 my customers, but I felt an obligation, you know, to
19 help them, because that stretch of the river,
20 there's nowhere to get out really, and once you're
21 in, your boat is inundated and it's hard to swim
22 with it. So I went back with a pump and helped them
23 and directed, you know, how to do a rescue, and they
24 did a good job of it.

1 But the bottom line is, everybody
2 that's sat here has said no matter how good a
3 paddler you are, there's going to be times you're
4 going to come in contact. I've never fallen in off
5 a boat, but I've still been in a river twice. I had
6 a customer push me in at the East Bay Club, which I
7 greatly appreciated, and had an accidental slip on a
8 dock once. And, you know, as it's been said, we
9 have a wonderful green city here, so many neat
10 things that are happening. There's a restaurant by
11 where I live that has solar panels to heat their
12 water, and I just hope you'll look at all the
13 technology that's out there, because to the extent
14 this river can get cleaned up, the boom that's
15 happened will be even stronger, public and private
16 investments. People yearning to use this river, and
17 I hope there's some ability to use the technology,
18 whatever that is, the state of the art, whenever
19 this starts going, to make the river a safer place,
20 because I know the investment will be -- will pay
21 off in multitudes over the years. Thank you.

22 MR. MCGILL: Thank you. And your last
23 name, if you'd spell it for our reporter.

24 MR. PORTIS: Sure. It's Portis. It's

1 P-o-r-t-i-s.

2 MR. MCGILL: Thank you. Next witness,
3 please.

4 MR. ANDERSON: Yes. My name is David
5 Anderson, A-n-d-e-r-s-o-n. Although I'm here as a
6 citizen, in my full-time job I run the McCormick
7 Freedom Museum, which is a museum about the first
8 amendment. One of those freedoms in the first
9 amendment is the right to petition your government
10 for a redress of grievances. So I'm pleased to be
11 here exercising my rights.

12 The grievance, I gather, that
13 we're talking about is a past failure to have
14 sufficiently high water quality standards. I'm not
15 a scientist. I don't have any training in this, but
16 the anecdotal evidence seems to be fairly strong
17 that we can do a better job, and I understand that
18 this body has to manage its physical
19 responsibilities because this improved water quality
20 standards will impose costs on taxpayers and perhaps
21 on businesses, and those will be passed on to
22 customers, and that's a good and valid concern for
23 governmental authorities to be concerned with.

24 But I hope as you're engaged in

1 your analysis, you will also weigh the cost of not
2 doing it, and we've heard many of those examples
3 today. I'll repeat just a few. The gentlemen to my
4 right runs a business that employs people, and I
5 think that's a good and valid thing. Many of the
6 recreational uses of the river bring some value and,
7 of course, there seems to be this rather serious
8 potential harm relating to health care costs.

9 So as you're weighing your
10 consideration, I hope you will weigh the costs of
11 not doing it so that 30 years from now our sons and
12 daughters aren't here having this same discussion.
13 Thank you.

14 MR. MCGILL: Thank you. Next witness,
15 please.

16 MR. ZOTTI: Yes. My name is Zotti,
17 Z -- for zebra --o-t-t-i. I'm a long time volunteer
18 with Friends of the Chicago River. Among other
19 things, I was the principal author of the first set
20 of urban design guidelines that was enacted by the
21 city of Chicago for the river in 1990. A major goal
22 of those guidelines, as of all river guidelines in
23 the past subsequently, was to make the river a major
24 urban amenity, including the establishment of a

1 continuous bike trail. And one of my jobs ever
2 since for the past 20 years is to assist in
3 reviewing riverside plan developments, which are
4 approved by the city of Chicago, to make sure they
5 provide sufficient room for this bike trail.

6 If you can appreciate, it's been a
7 pretty slow process, a few hundred feet at a time.
8 It's just now beginning to come together, but at
9 some point, it will be done. And when it is, the
10 number of people down by the riverside public use of
11 the river will increase by an order of magnitude,
12 and it will be far more intensely used than now.

13 When it does, from a practical
14 perspective, whether or not you want people to be
15 swimming in the river or to be catching -- eating
16 fish that they catch in the river, nonetheless,
17 we're going to have a dramatic increase in
18 incidental human contact, which you've heard
19 described numerous times so far. And I think
20 it's -- as a matter of public policy, the water
21 needs to be safe, and we don't want to wait until
22 some significant number of people become sickened
23 before we take the appropriate steps. So I am
24 strongly in favor of more astringent water quality

1 standards, and I think they are well worth the
2 public investment necessary. Thank you very much
3 for the opportunity to testify.

4 MR. MCGILL: Thank you. Next witness,
5 please.

6 MR. MECHANIC: My name is Gary
7 Mechanic, spelled just like car mechanic. I'm the
8 president of the Illinois Paddle and Consul. I'd
9 like to thank you for this opportunity to express
10 the concerns of the Illinois Paddling Consul on the
11 proposed rules. I'm particularly pleased to see
12 Mr. Nicholas Melas on your Board, who I consider one
13 of the visionaries who's led the development and
14 improvement of the Chicago River.

15 The Illinois Paddling Consul is
16 composed of individual members, paddle sport clubs,
17 and businesses. We're, sort of, the umbrella
18 organization of the 19 paddling clubs in Illinois
19 that represent more than 4,000 members. Since the
20 IPC's creation in 1966, it's been the only side-wide
21 organization that represents the interest of
22 paddlers, paddle sport clubs, and business to local
23 and state governments and to the general public.
24 We're also one of the signatories of the comments

1 already received by your Board from the Chicago Sea
2 Kayakers Association, and written by Tom Bamonte,
3 who was one of the previous witnesses.

4 I'm here to add to those comments.
5 I am also the inventor, and for the last eight
6 years, the race director of the Chicago River Flat
7 Water Classic, the first major canoe and kayak race
8 on the Chicago River, sponsored by Friends of the
9 Chicago River. And like Ryan Chew, I'm concerned
10 about the karmic load that I'm incurred in promoting
11 recreational use of the Chicago River. I was also
12 one of the the members of the civic and recreation
13 committee that helped develop the Chicago River
14 Corridor Development Plan for the city of Chicago,
15 one of which of -- the major goals of which was to
16 promote the increased recreational use of the
17 Chicago River.

18 We live in one of the most
19 intensely manmade and densely populated places on
20 this planet. The opportunity to recreate ourselves
21 on the Chicago River and the Lower Des Plaines and
22 other local waterways is what makes life livable for
23 me, and many of the paddlers of the IPC, and other
24 local paddling clubs. I'd like to make three points

1 that are relevant to your deliberations.

2 First, the Clean Water Act's
3 declaration of goals and policies, Section 101,
4 states "It is the national goal that discharge of
5 pollutants into waterways be eliminated by 1985."
6 In Section 2, it says "It is the national goal that
7 wherever attainable, an interim goal of water
8 quality which provides for the recreation -- or
9 protection of fish, shellfish, and wildlife, and
10 provides for recreation in and on the water be
11 achieved by July 1st, 1983." For these waterways
12 affected by the proposed rules that run through the
13 center of nearly two-thirds of the population of
14 Illinois, the achievement of these goals is long
15 overdue.

16 Second, this Board has received
17 comments and statements asking you to delay decision
18 making in this matter until the completion of the
19 health study that is being currently conducted, known
20 as chairs, conducted by the University of Illinois
21 School of Public Health, and which is funded by the
22 MWRDGC. Much has been made of this study among the
23 paddling community, and many of us have participated
24 in it. But, in fact, the results of this study

1 should be irrelevant to your decision in this
2 matter.

3 Paddlers and some interested
4 parties, such as the MWRDGC, are incorrectly focused
5 on what recreation and aquatic life in the CAWS and
6 the Des Plaines River now have. This confuses the
7 purpose of this UAA proceeding that relates
8 primarily to what the uses of the water are
9 attainable, rather than what the water body is
10 currently being used for now.

11 I'd like to point out that
12 according to the Clean Water Act and the purpose and
13 the use of the attainability analysis, the proposed
14 rule should not be decided on the basis of whether
15 or not the current water quality in the CAWS makes
16 people sick through direct or indirect contact,
17 rather Federal Law 40-CFR, 131.11, states that
18 states -- requires that states most adopt those
19 water quality criteria that protect the designated
20 use. For waters with multiple use designations, the
21 criteria shall support the most sensitive use."

22 For this reason, studies that
23 focus on the risks of using the water body as now
24 used are very limited relevance to the use

1 designation question, and studies of the level of
2 current recreational use are of limited relevance,
3 because they do not tell us what the level of
4 paddling, fishing, wading, or other recreation would
5 be if people believed that the water was safe. The
6 relevant question I suggest before you is not how
7 many people are becoming ill through current levels
8 of use in the CAWS, but how many would become sick
9 if it were to be used to the same extent if the
10 existing pollution were removed.

11 Finally, this Board has received
12 comments from the interested parties concerned about
13 the cost of the taxpayers of the proposed rules.
14 USEPA's interim economic guidance for water quality
15 standards states that "Demonstration of substantial
16 financial impacts is not sufficient reason to modify
17 a use or grant variants for water quality standards.
18 Rather, the applicant must also demonstrate that
19 compliance would create widespread socioeconomic
20 impacts on the affected community."

21 The job, I suggest to you, of this
22 Board is to control pollution and to protect humans
23 and aquatic species from that pollution. It is not
24 the job of this Board to protect the polluters or

1 the taxpayers from the costs of eliminating that
2 pollution. Thank you very much for your time and
3 the opportunity to express the concerns of the
4 Illinois Paddlers.

5 MR. MCGILL: Thank you. Next witness,
6 please.

7 MR. CROWLEY: Thank you, committee.
8 My name is -- excuse me -- Grant Crowley. I have an
9 engineering degree from the University of Michigan,
10 and I operate a boatyard for the past 30 years
11 called Crowley's Lot Yard. I want to share some
12 observations and some of the economics, kind of,
13 micro economics of my business and what I have
14 observed generally in the recreational boating area.

15 Crowley's Yacht Yard stores about
16 900 boats. It does the repair work. It's in the
17 offseason. This is the time when people are trying
18 not to spend money on their boats. You know,
19 they're not enjoying them, or whatever. But we're
20 able, on these 900 boats, to get about \$5 million
21 worth of revenue out of them. Now over \$1 million
22 of that revenue that we collect, or that we are
23 paying taxes on, sales taxes, real estate taxes, all
24 the taxes, we either have to pay ourselves or our

1 collectors on that. So that's a substantial
2 economic impact from those 900. We employ 50
3 people. Now, we started the business on the south
4 branch of the Chicago River in 1978, and I'd like to
5 share some observations of when we first were on the
6 south branch. This is pre de-tunnel.

7 Every five feet in the river on
8 most days, there was a piece of floating debris, a
9 condom, a tampon, a cylinder, some other piece of
10 plastic. I think the situation is all this floating
11 debris would get caught up in the chambers where the
12 connections between the sewer and the -- and the
13 overflows that the floating debris would get caught
14 in there and then get flushed out whenever there was
15 a combined sewer overflow into the river. So it was
16 disgusting. Every five feet, I swear there was
17 something that you didn't want to get close to. The
18 water was so murky that you looked at it and you
19 couldn't tell if you were looking into the surface
20 at all. I don't think you were looking a quarter
21 inch into it. It was just murky.

22 I know the tour boats -- there was
23 basically only the Mercury and Wendella boats that
24 were parked at Michigan Avenue. Their trips were

1 all to -- going out the lots to the lake for a
2 skyline trip that was basically the only tour boat
3 activity from about six or seven boats between the
4 two fleets there, and they were all going to the
5 lake. And I know that I was concerned about
6 industrial health of my employees because they had
7 to handle the dock lines and the fenders for the
8 boats, which were picking up water, and they were
9 getting water on their hands and stuff, and I was
10 always emphasizing to them to wash their hands to
11 avoid those issues with the dock lines. And as soon
12 as the day was over with, my employees were all
13 gone. They'd leave the boatyard right away.

14 So then if you go forward about
15 30 years, which is, you know, post de-tunnel,
16 everything's changed. There's -- you can see fish
17 in the river, you got water visibility, you can look
18 down, sometimes seeing five, six feet on the south
19 branch. I think on the main branch you can see
20 further. The big thing in the tour boat marketplace
21 are the architectural tours that go down on the
22 south branch and go all around. You know, they no
23 longer have to stick on the main branches between
24 Michigan Avenue and the locks. They're going every

1 place, to the extent that it's almost like a traffic
2 jam, and as the gentlemen earlier said, there are
3 kayaks doing architectural tours.

4 But the volume of tour boat
5 revenue, I think, has definitely gone by a factor of
6 ten in those 30 years. It's unbelievable the number
7 of people who come in and do those towers. At our
8 Chicago River south branch locations, employees
9 started to hang out after work, have a beer, drag a
10 barbecue down, you know, kind of hang out by the
11 water. So I saw people interacting differently.

12 Now, I was at the boat show in
13 January, and there's two developers looking to build
14 \$50 million dry stacks. These are what you normally
15 just see in Florida, where there's a huge forklift,
16 or what they call a stacker crane, that lifts the
17 boats out of the water and puts them into the racks.
18 These are both going to have capacities of about 500
19 boats -- and if they get there in today's credit
20 world, you know, get their financing put together --
21 but there's two operations, one on the north branch,
22 and one near Ashland Avenue on the south branch that
23 are looking to do, like, \$50 million investments
24 into recreational boating facilities.

1 We've moved our facility from the
2 south branch because actually a prior owner is in
3 their remediating the property from a prior use.
4 Luckily, it's not on my time, because they're
5 spending a lot of money. Now we're down to Calumet.
6 We're very close to the lake. We're only at the
7 95th Street bridge. The water is unbelievably clean
8 there because of the -- you know, just the closeness
9 to the lake. And my employees are bringing fishing
10 rods to work, and they're bringing their kids down
11 on weekends to fish off our docks, and, I mean, it
12 really is an impressive thing to see what clean
13 water brings out with people.

14 We talked about, I think, shore
15 line economics. You know, we're blessed in the city
16 of Chicago with all this beautiful lakefront, but
17 we're blessed with multiple times that of miles of
18 riverfront, and that riverfront has access more to
19 the general public. I mean, you got to be a little
20 bit well heeled to have a boat like the boats I
21 store and pay fees down at the park district. The
22 river has -- is much more, you know, close to the --
23 to the general public and the neighborhoods, but --
24 and I think the economics could be similar. There

1 -- the park district did a study because they wanted
2 to go forward with a new harbor at 31st Street, and
3 they did a study that said that the boats in the
4 Chicago harbor districts have a total economic
5 impact of \$88 million and creates 900 jobs. I
6 actually think that's -- that's, you know, low,
7 because I see my 900 boats creating 50 jobs, and
8 I -- I think no matter how hard I try, I only take
9 about 30 to 35 percent of the money that these
10 people spend on their boats, which add up to, like,
11 \$5 million. If I could figure out how to get more
12 of it, I would.

13 So in conclusion, you know, I view
14 that the clean water drives these recreational
15 boating economics. It pays its own way, and I'm not
16 involved at all in fishing, and fishing is a larger
17 sport than recreational boating. And so that's an
18 additional factor that I think you can imagine all
19 that shoreline available to the general public for
20 those purposes. And in the long run, we're not
21 going to have everybody owning an SUV, and every
22 weekend driving to Wisconsin or Michigan. We'd
23 rather have them enjoying clean, quality water right
24 here in Chicago, and thank you for the time.

1 MR. MCGILL: Thank you. And I think I
2 see the spelling your last name from your shirt
3 there, your business.

4 MR. CROWLEY: Yes. C-r-o-w-l-e-y.

5 MR. MCGILL: Thank you.

6 MR. CROWLEY: Sorry.

7 MR. MCGILL: Next witness, please.

8 MS. GOEHLER: Yes. Hello my name is
9 Jessica Goehler, G-o-e-h-l-e-r. Thank you for
10 letting me speak tonight. This is pretty new to me,
11 and actually Chicago is as well. I've only been
12 here for about four years. I'm from northeast Ohio,
13 and I'm sure, as you all know, Lake Erie and the
14 Cuyahoga River are -- they're supposedly getting
15 better, but they were kind of always laughable, as
16 one lady had put it earlier. I mean, the river
17 caught on fire. So there wasn't really a whole lot
18 of water life that I grew up with. There was a
19 manmade lake not too far away we played in a little
20 bit. But otherwise, you know, we stuck to land
21 sports, biking, soccer, basketball, the whole lot.

22 So when I first moved here, I was
23 introduced with this beautiful lake with a beautiful
24 beach and I fell in love immediately. But I always

1 with all the education and personal interest that I
2 have in the river to express the strong feelings
3 that I have to keep the water clean. And if you
4 have the opportunity, it would be greatly
5 appreciated if we could have clean water now and
6 tomorrow and next year and several decades later.
7 Thank you for letting me speak. Thank you.

8 MR. MCGILL: Thank you. Are there any
9 questions for any of these witnesses? Seeing none,
10 I'd like to thank each of you for your testimony
11 this evening. It's about 7:55. There were a number
12 of people whose names I called out and they didn't
13 respond. Why don't we just go off the record for a
14 moment.

15 (Whereupon, a discussion was had
16 off the record.)

17 MR. MCGILL: I would ask the court
18 reporter to please swear in these witnesses.

19 (Witness sworn.)

20 MR. MCGILL: Thank you. And again, as
21 with the prior witnesses, if you would state your
22 name, please spell your last name, and then indicate
23 your title and organization you're representing, if
24 any.

1 MR. SLATTERY: I'm Patrick Slattery,
2 last name is spelled S -- like Sam -- l-a-t-t-e-r-y.
3 I'd like to thank the Illinois Pollution control
4 Board for organizing today's meeting and for your
5 concern in hearing our opinions. I live along the
6 Chicago River in Chicago. I'm a professional
7 consultant with over 25 years' experience in
8 professional services in a number of industries
9 across the United States, as well as in Europe and
10 Asia. I'm also a member of the friends of the
11 Chicago River, SOAR, which is the Streatorville
12 Organization of Active Residents, the Lincoln Park
13 Boat Club, the Chicago Counsel and Global Affairs,
14 and a number of other professional and social
15 organizations, although I'm not here to represent
16 those groups.

17 Through my work with the Chicago
18 Training Center, or CTC, which teaches at risk
19 Chicago teens competitive rowing and recreational
20 activities. I use the river directly. As a
21 resident of the river shore, I enjoy the river every
22 day in a number of different formats. I'd like to
23 speak with you about my observations and findings
24 from my years of working with the professional

1 services talent. I've lived in seven different
2 cities in the United States, and I've spent
3 considerable time in other cities in Europe and
4 Asia. I've worked with thousands of professional
5 service folks, whether in recruiting, hiring,
6 managing or mentoring those individuals.

7 Many in those positions travel as
8 part of their work and are not constrained to live
9 in a particular place. For those individuals, and
10 many of our up-and-coming talent, quality of life is
11 a significant concern when deciding where they would
12 like to live and develop their careers. Through my
13 career, I've seen places, such as the bay area in
14 California and Seattle area, attract and retain high
15 caliber talent in large part because of the quality
16 of life and the collateral network of individuals
17 attracted to a quality lifestyle. Over the years,
18 I've watched Providence, Rhode Island, uncover its
19 river after decades of piping the river under the
20 city, and seen the incredible renaissance enjoyed
21 when it fully developed its natural resources.

22 I know from firsthand experience
23 and from numerous discussions with professionals in
24 a similar circumstance as mine that the natural

1 resources a city has to offer are important criteria
2 in the decision a family makes regarding the
3 community in which it would like to live. Clean
4 water, the greening of the environment, and healthy
5 recreation are valuable assets, which pay returns in
6 economic growth and vitality.

7 I strongly encourage you to
8 consider making the Chicago River one of the
9 cleanest rivers in the country. We have heard
10 testimony today to trust the expertise, which has
11 taken us to our current predicament. That expertise
12 will be important, but it needs leadership. Thank
13 you for your time and attention.

14 MR. MCGILL: Thank you. Next witness,
15 please.

16 MR. BUTSCH: Hello. My name is
17 Montana Butsch, last name is spelled B-u-t-s-c-h. I
18 would like to thank the committee for allowing me
19 the opportunity to speak. I am the executive
20 director and founder of the Chicago Training Center,
21 an inner city non-profit aimed at using the sport of
22 rowing to give inner city kids the opportunity for
23 college. As the executive director and founder of
24 the Chicago Training Center, or CTC, the continued

1 improvement of river quality is of paramount
2 importance.

3 I am a former University of
4 Pennsylvania and Oxford University rower, an
5 opportunity that would not have been available to me
6 had I not been able to use the river system while I
7 was in high school. As mentioned before, the river
8 system is needed in our sport. Without a plan, like
9 the one presented by the 2016 Olympic Committee, the
10 river is the only location that multiple teams and
11 communities can enjoy this sport and its benefits.

12 Our program of inner city youth
13 currently stands at 50 participants. That number
14 will soon double in the fall to 100. Contact with
15 the water is an everyday reality with our sport, and
16 health and safety of my program participants is the
17 most important responsibility I have. Chicago
18 Training Center is here to show its strong support
19 for further efforts to continue to clean the river
20 and look forward to when the river is a source of
21 pride, rather than scorn. Thank you very much for
22 your time.

23 MR. MCGILL: Thank you. Next witness.

24 MR. FISCHER: Good evening. My name

1 is Michael Fischer, F-i-s-c-h-e-r. I've been both a
2 volunteer and an employee of various nonprofit
3 organizations. I've also been employed by the
4 state, but in interest of time and because I'm
5 speaking on my own behalf as a concerned father, as
6 an aggravated fisherman, and as a concerned citizen
7 of the city, I'm speaking on my own behalf this
8 evening, and for no one else other than my family.
9 I have firsthand knowledge of the Pollution Control
10 Board and the work that you do. Rich McGill, I'm
11 sure, recalls he directed my work as a legal intern
12 for Kathleen Hennessy when she served on the Board.
13 So I know you're going to give due consideration to
14 all the anecdotal testimony and scientific evidence
15 provided to you. It is a comfort to know the
16 caliber of talent on this staff and the dedication
17 of your duty to the citizens of Illinois.

18 With that being said, I hope you
19 will use your independence and seek the appropriate
20 use attainability for the Chicago Area Waterways,
21 given all the testimony and independently analyzing
22 the findings and recommendation of the Illinois EPA.
23 Simply put, one of my biggest concerns with the
24 proposed rules set forth by the Illinois EPA is that

1 there is not a uniform use attainability being
2 proposed for the Chicago Area Waterways. If a
3 general use attainability is to be the objective, it
4 should be for the entire area, including the Calumet
5 region in the waterways about which Mr. Crowley
6 spoke about. I'm sure you'll find that the economic
7 opportunities, uses, and attainability is uniform,
8 and any rulemaking that you conduct should also be
9 uniform in consideration of the waterways.

10 I also want to share as an angler
11 the insight of what it is to be an angler on the
12 waterways and what it means to have water contact.
13 It's not simply consuming the fish, which isn't the
14 primary pathway of concern, as we're discussing
15 viruses and bacteria from the effluence of the
16 treatment plants. As an environmental attorney
17 trained at the Illinois Institute of Technology's
18 Chicago College of Law, fish consumption concerns
19 deal more with other pathways of concern. This is
20 more water contact concerns what we're dealing with.

21 In understanding that, fishing
22 produces water contact that's a grave concern beyond
23 just the touching of water. Ingestion of water
24 occurs very frequently, not just from the lazy

1 fisherman unwilling to use clippers to cut his line
2 and will instead, he or she bite the fishing line
3 after they've tied off a new hook or lure. Very
4 much in tying of the fishing line, you're taught
5 from an early age when you tie your knot to wet your
6 line so you will not kink your line, or as we're
7 using nowadays, fluorocarbon. Because our water
8 quality is so great, we need invisible fluorocarbon
9 lines.

10 The interaction with the water
11 that an angler has is unique as compared to other
12 activities, recreational boater, the canoeist. It's
13 much more of an acute interaction, and very
14 frequently ingesting water. Even with my training,
15 I find myself biting my fishing line. It happens.
16 And that is why I don't fish on the Chicago River,
17 because I know the risk that I would incur if I were
18 to undertake the activity, and it breaks my heart.

19 I am now the father of two
20 wonderful children. I'm a stepfather introducing
21 these children to the outdoors, to water recreation
22 in fishing, and regrettably, I choose not to take
23 them to the Chicago River, and it's frustrating. It
24 shouldn't be that way. For all the various reasons

1 that have been explained and that you'll evaluate,
2 it shouldn't be that way. But that's how it has to
3 be, because I'm concerned for their health. And one
4 piece of anecdotal evidence about why I have this
5 concern, it's not just from what I studied, it's
6 from what I experienced.

7 I was a participant in the Chicago
8 Flat Water classic in 2004. Having a full
9 understanding of the risk of virus and bacterial
10 exposure, I took every precautions that any prudent
11 paddler should. Being an experienced paddler and
12 angler growing up in Michigan, I was an experienced
13 canoeist, and while I did not tip my boat, while I
14 did not suffer submersion, the gloves that I used in
15 part to keep water off my hands and also to prevent
16 blisters from the trek from the north side at Clark
17 Park in Chinatown, that water still seeped into a
18 glove -- I used a weight lifting glove -- and even
19 incidental water contact resulted in a very large
20 blister developing in the web of my hand on the
21 paddling side of my hand because water that splashed
22 on to my glove was held against my skin for the
23 duration of that trip from the time of that splash.
24 And that's a common occurrence, if you talk to these

1 experienced paddlers.

2 I was a one-time paddler. Not
3 only did I suffer the blister on my hand, I suffered
4 conjunctivitis. My eyes suffered infection, a
5 virus. And I know how to treat it, I'm familiar
6 with it. But that's something I suffered through.
7 Did I report to an emergency room? Is it going to
8 be compiled in some Cook County epidemiological
9 study, no. But this is the risk I understand, and
10 that's why when my children now ask to go canoeing,
11 well I have to ask grandma and grandpa in Michigan
12 because I will not take them in Chicago at this
13 point, and it breaks my heart. It's frustrating.
14 They know that their dad goes to work to make the
15 environment better, and yet I have to tell them "But
16 not the Chicago River. We can't play there." And
17 as we look to the other open lands and expand what
18 we're looking to recreate in, the great open spaces
19 of the Calumet region, the Calumet waterways need
20 the same level of protection.

21 So with that, I appreciate the
22 effort and diligence that you will conduct in
23 reaching your decision, and I trust you will make
24 the right decision. Thank you.

1 MR. MCGILL: Thank you. Last witness,
2 please.

3 MR. ALBRECHT: Hi. My name is John
4 Albrecht, A-l-b-r-e-c-h-t. I am a Chicago resident
5 all my life. I lived along the river ten years
6 where I raised my sons, played in that park,
7 Hollywood Park, it's along the river there. It's a
8 beautiful place to exercise. So I have a feeling
9 for the river.

10 I also happen to work for the city
11 as an architect for 27 years, and I happen to be the
12 city's -- the first architect employed by the city
13 that became lead accredited, and Mayor Daley's green
14 buildings, and I kind of ruled that tsunami, where
15 the city of Chicago was now considered the greenest
16 city in the country. It's not more green roofs that
17 any other city in the country, it's got more
18 bikeways, and you have an opportunity, as the way I
19 see, gentlemen, to say we've got the greenest river
20 system in the country also, and I would just ask you
21 to take that consideration in your -- and the reason
22 I'm here is because I'm kind of partnering with some
23 of these organizations on regional issues, and every
24 time I see the map of the Gulf of Mexico dead zone

1 that's extending, what, 100 miles a day, and we are
2 partner to that.

3 I'd like to see us doing something
4 about making it better down there, instead of saying
5 "We don't have enough information to act." That --
6 you know, if there's something we can do, count me
7 in. The U.S. Green Building Counsel -- I don't know
8 if I mentioned that, but I lead the U.S. Green
9 Building Counsel. I'm representing the
10 regionalization committee from the Chicago chapter.
11 If you want to talk to the Chicago chapter of the
12 Green Building Counsel, count me in. It's an offer
13 if you want some cooperation from local nonprofit.
14 You have a tough assignment, though. It's not as
15 easy as building a green building, but I think the
16 time is now. And I'd like to see you lead the
17 river.

18 MR. MCGILL: Thank you. Are there any
19 questions for any of these witnesses? Seeing none,
20 I'd like to thank each of you for your testimony
21 tonight. I'll just make a few concluding remarks.
22 The hearing transcript will be available on the
23 Board's website later this month, probably the week
24 of June 23. Details on the upcoming September

1 hearings, including pre-filing deadlines can be
2 found in Hearing Officer Tipsord's May 19 order.
3 And if anyone has any questions about how to
4 participate in this rulemaking or about any other
5 procedural aspects of this proceeding, they can
6 contact Marie Tipsord, the hearing officer. I'll
7 mention her phone number and email again. It's
8 (312) 814-4925, and her email is
9 tipsorm@ibcp.state.il.us.

10 Are there any other matters that
11 need to be addressed at this time? Seeing none, I
12 thank everyone for participating tonight, and this
13 hearing is adjourned.

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1 STATE OF ILLINOIS)
) SS
2 COUNTY OF COOK)

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4

5 REBECCA A. GRAZIANO, being first
6 duly sworn on oath says that she is a court reporter
7 doing business in the City of Chicago; that she
8 reported in shorthand the proceedings given at the
9 taking of said hearing and that the foregoing is a
10 true and correct transcript of her shorthand notes
11 so taken as aforesaid and contains all the
12 proceedings given at said hearing.

13

14

15

16 REBECCA A. GRAZIANO, CSR
29 South LaSalle Street, Suite 850
Chicago, Illinois 60603
17 License No.: 084-004659

18

19 SUBSCRIBED AND SWORN TO
before me this 16th day
20 of June, A.D., 2008.

21

Notary Public

22

23

24

