

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
WATER QUALITY STANDARDS AND )  
EFFLUENT LIMITATIONS FOR THE )  
CHICAGO AREA WATERWAY SYSTEM )  
AND THE LOWER DES PLAINES RIVER: )  
PROPOSED AMENDMENTS TO 35 Ill. )  
Adm. Code Parts 301, 302, 303 and 304 )

R08-09  
(Rulemaking – Water)

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STATE OF ILLINOIS  
Pollution Control Board

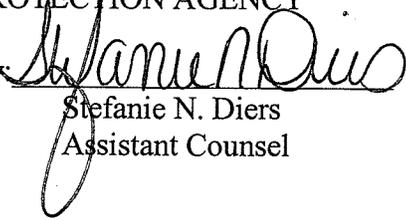
**NOTICE OF FILING**

To: John Therriault, Clerk  
Marie Tipsord, Hearing Officer  
James R. Thompson Center  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

**SEE ATTACHED SERVICE LIST**

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board Affidavit of Mr. Chris O. Yoder a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By   
Stefanie N. Diers  
Assistant Counsel

Dated: September 17, 2008  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

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Pollution Control Board

**AFFIDAVIT**

I, Chris O. Yoder, attest to the following:

At the hearings in January 2008, various parties asked for me to provide additional information related to questions that were asked of me. In response, I am providing the following information:

1) Comments I received from U.S. EPA on my draft Temperature Report can be found in Hearing Exhibit 37 as several Microsoft Word files in the folder, "U.S. EPA\_Others Comments".. Hearing Exhibit 37 is a compact disc, with several files, that was provided to the Board and hearing participants at the April 2008 hearings.

2) I was asked to provide notes on how I determined temperature-limit averages for white sucker, log perch, and bluntnose minnow. I was able to determine which studies were used by relating each FTMS endpoint to the data in Appendix Z.1 of the report, "Re-evaluation of the Technical Justification for Existing Ohio River Mainstem Temperature Criteria" (Hearing Exhibit 16). Hence the values used in the Des Plaines River FTMS were determined by re-examining the data compiled in Appendix Z.1. For the bluntnose minnow's upper incipient lethal temperature ("UILT"), the value of 32.4 degrees Celsius used in the FTMS is the average of the most applicable and geographically relevant

values available, from studies by Stauffer et al. (1974; 33.3 degrees Celsius), Stauffer et al. (1975; 32 degrees Celsius) and Cherry et al. (1977; 32 degrees Celsius) at the recommended acclimation temperature of 25-30 degrees Celsius. The logperch is not a Des Plaines River Representative Aquatic Species, and the white sucker value was based on the two studies submitted to the Board at the March 2008 hearings. (See documents attached to the March 4, 2008 Illinois EPA filings).

3) I was asked to provide a copy of the detailed study plan referenced in the "Quality Assurance Project Plan: Fish Assemblage Assessment of the Lower Des Plaines River", Hearing Exhibit 8). The maps that were provided at the March 2008 hearings and marked as Hearing Exhibit 23 are the original maps and include attending notes. These maps served as the detailed study plan. The sites were jointly selected by Alex Johnson of the Midwest Biodiversity Institute ("MBI") and Ed Hammer of U.S. EPA, Region 5. A meeting was held at Region 5 prior to the first sampling. Aerial views of the stream portions that were sampled (electrofished) are provided in Hearing Exhibit 37 in the Microsoft Powerpoint file, "Des Plaines Tracks.ppt". In this file, each slide is an aerial photograph that shows the path followed by the electrofishing boat within each site, the stream name and site code (both labeled directly), and the River Mile (indicated at the lower right).

4) I was also asked to provide field-activity logs and field-data sheets. There are no field-activity logs per se; the crew leader kept a daily calendar, but that is no longer available as it was discarded when the employee departed MBI

and it only contained work time data that is recorded elsewhere. The field-data sheets for the electrofishing samples and the Qualitative Habitat Evaluation Index (“QHEI”; Hearing Exhibit 7) are the principal documentation that the sampling actually took place and for the type of information required by the Quality Assurance Project Plan.

5) At the March 2008 hearings, the Illinois EPA was asked about a safety factor used in determining the thermal endpoints presented in “Temperature Criteria Options for the Lower Des Plaines River” (Hearing Exhibit 15). The safety factor used by the MBI methodology is addressed on p. 5 of that report (Hearing Exhibit 15). To account for an inherent over-estimation of lethality, I used a safety factor of 2°C for the critical thermal maximum (CTM) endpoint.

6) At the hearings in January 2008, a request was made for vouchers and pictures of five fish species reported in the 2006 MBI fish data that were submitted as part of Attachment S (5th through 75th page) of the Illinois EPA’s “Statement of Reasons”: Silver shiner (one individual identified at one site, RiverMile 265.00, in Illinois River), blacknose shiner (one individual identified at one site, RiverMile 276.40, “Moose Island Slough DP-09,” in Des Plaines River), highfin carpsucker (17 individuals from seven sites in Illinois River), black redhorse (27 individuals from five sites in Illinois River), and brown bullhead (5 individuals from 2 sites, RiverMiles 279.50 and 290.00, in Des Plaines River). Because the latter three species are known to occur in lower Des Plaines River or upstream in the Chicago Area Waterway System (e.g., Hearing Exhibits 28 and 48; Attachments LL and MM of Illinois EPA’s “Statement of Reasons”) and

are quite distinctive and thus readily identifiable in the field by a trained biologist, no voucher specimens or photographs were taken of the specified individuals. Nonetheless, representative photos of a black redhorse, highfin carpsucker, and brown bullhead collected by MBI in rivers from the Midwest (some by members of the same crew) are provided in Hearing Exhibit 37. The photos of the black redhorse and the highfin carpsucker show the distinctive features that are relied on to make the identifications. The brown bullhead photos may not reveal these features as well, but were nonetheless present. Upon re-examination of a voucher for "silver shiner," this record of one individual was changed to emerald shiner, and this change is represented on page 5 of the file, "Despl Fish Species 2-28.pdf," in Hearing Exhibit 37. We collected a voucher for the single individual that was originally identified as a "blacknose shiner". However, The Ohio State University Museum of Biodiversity has thus far been unable to locate the specimen that was deposited by MBI into their collections. This record of one individual of "blacknose shiner" was revised to pallid shiner (as represented on page 40 of the file, "Despl Fish Species 2-28.pdf," in Hearing Exhibit 37), which is a morphologically similar species that has been identified in previous fish samples from the same vicinity.

7) In the fish-IBI data reported by MBI from sampling in Illinois River, Des Plaines River, Chicago Sanitary and Ship Canal, and Grant Creek in 2006 (Hearing Exhibit 21), the fish-IBI metric called "Percent of Individuals/Simple Lithophils" was incorrectly derived because emerald shiner was mistakenly categorized and counted as a simple lithophil under prior guidance by Ohio EPA.

Specifically, for each fish sample that includes emerald shiner, this error may result in a higher value for the metric, “percent of individuals as simple lithophils.” In turn, in some (but not all) cases, this change may result in a higher standardized metric score for “percent...simple lithophils” and consequently a higher total IBI score. Corrected metric values, metric scores, and total IBI scores were provided in Hearing Exhibit 37 as the file, “DesPlaines IBI 2006 pMar3\_08.pdf.” For the 26 fish samples from Des Plaines River (twelve sites) or Chicago Sanitary and Ship Canal (one site at River Mile 290.00; incorrectly indicated as Des Plaines River) that best pertain to this rulemaking, corrections in scoring changed only six fish-IBI scores, none by more than four points. More-recent review of the fish-IBI scoring data (i.e., the file “DesPlaines IBI 2006 pMar3\_08.pdf” in Hearing Exhibit 37 revealed a need for the following additional corrections:

- a) The latitude value reported for one location (“Dst. Olin Co. DP-06”) on page 3 is incorrect due to a typographical error. It should be 41.483920 rather than 41.438920.
- b) The table heading should read “*Table 1. Boat IBI scores and metrics at boat sites in Illinois River, Des Plaines River, Chicago Sanitary and Ship Canal, and Grant Creek, sampled by MBI in 2006*” rather than “*Table 1. Boat IBI scores and metrics at boat sites in Des Plaines River sampled by MBI in 2006*”.
- c) On page 4, the location, “DP-01,” at River Mile 290.10 is incorrectly identified as Des Plaines River. This location is actually within the last 0.1

mile of the Chicago Sanitary and Ship Canal before it flows into Des Plaines River.

8) Two QHEI summary tables (Hearing Exhibits 5 & 6; Hearing Exhibit 37, in part) have been revised to reflect changes that MBI made as a result of scoring discrepancies first discovered during the January 2008 hearing. These discrepancies primarily resulted from inability of a specific computer program in MBI's database to correctly incorporate the modifications made to the QHEI for assessing physical-habitat conditions in large, impounded rivers. Secondly, for the "Riparian" metric of the QHEI, it was discovered that the computer program did not score each stream bank separately. These problems arose directly from how the QHEI data were stored and processed by the computer database. The problems, for the most part did not emanate from the field sheets themselves. To achieve consistency with the large-river modifications made to the QHEI, the computer program has been revised to correct these problems. Consequently, attached to this affidavit (See Attachment A) are the final revised versions of the two QHEI tables that are currently represented on the record as Hearing Exhibits 5 and 6 and again (as revised versions) as part of Hearing Exhibit 37. In Hearing Exhibit 37, the revised version of Hearing Exhibit 5 is the file, "Desp QHEI Metrics Feb 28-08.pdf," and the revision of Hearing Exhibit 6 is "Desp QHEI Report Feb 28-08.pdf." Attachment A of this affidavit includes the final versions of these two tables plus two corresponding spreadsheets, each of which provides a record and explanations of revisions made to these tables. These two explanatory spreadsheets are:

QHEIRecordOfRevisions\_ToMetricsTable\_08082006.xls and QHEIRecordOfRevisions\_ToAttributesTable\_08082006.xls. These revisions did not necessitate any changes to the QHEI field-data sheets (Hearing Exhibit 7) because these sheets were correctly filled out.

9) In some of the originally submitted (as part of Attachment S to Illinois EPA's "Statement of Reasons") tables of fish data collected by MBI in 2006 in Illinois River, Des Plaines River, Chicago Sanitary and Ship Canal, and Grant Creek the sampling-site latitude and longitude coordinates, county, or both were inadvertently missing or incorrect. This information has been corrected as necessary in the file, "Despl Fish Species 2-28.pdf," in Hearing Exhibit 37. For additional detail about the fish-sampling locations, aerial views of the specific stream portions that were sampled (electrofished) are provided in Hearing Exhibit 37 in the Microsoft Powerpoint file, "Des Plaines Tracks.ppt". In this file, each slide is an aerial photograph that shows the track followed by the electrofishing boat, the stream name and site code (both labeled directly), and the River Mile (indicated at the lower right). Since the fish-data tables were submitted as the file, "Despl Fish Species 2-28.pdf" in Hearing Exhibit 37, additional review has revealed the need for the following corrections:

- a) On page 33 of the file "Despl Fish Species 2-28.pdf" in Exhibit 37, "# of Fish" = 0 for "Species Name..." = *Gizzard Shad* has been corrected from 0 to 49; all other sums, percentages, or averages that depended on this datum have been corrected. These corrections are attached to this affidavit as "Despl\_Fish\_RM283.9\_Aug10.pdf."

b) Also on page 33 and on page 34 of the file “Despl Fish Species 2-28.pdf” in Exhibit 37, the latitude (“Lat.”) of this Des Plaines River location (RiverMile 283.90, “Dst Olin Co, DP-06”) has been corrected as explained earlier in this affidavit.

c) On pages 25 and 26 of the file “Despl Fish Species 2-28.pdf” in Exhibit 37, the location, “DP-02,” at River Mile 290.00 is incorrectly identified as Des Plaines River. This location is actually within the last 0.1 mile of the Chicago Sanitary and Ship Canal before it flows into Des Plaines River. The stream name has been corrected.

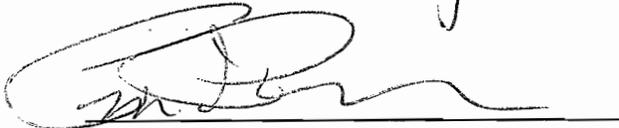
10) At the hearings in January 2008, Dr. Girard asked if I could provide documentation on how to address impoundment effects when scoring the Qualitative Habitat Evaluation Index (“QHEI”) in larger rivers, such as Des Plaines River. A recent revision of the QHEI for use in larger rivers includes a new category called “Impounded” within the “Channelization” submetric of the “Channel Morphology” metric. This category was also added to the “Morphology” submetric called “Pool/Glide and Riffle/Run Quality”. These modifications can be seen on each QHEI field sheet. (See Hearing Exhibit 7). The reason for adding this category is that the habitat modification caused by the impoundment effect of a low-head dam was not previously accounted for in these two submetrics. Without this revision for scoring the QHEI in impounded larger rivers, the “Channelization” submetric would typically score the maximum possible points (i.e., 6, unless there is an obvious channelization impact—which is rare in large rivers), thus the overall QHEI score could be artificially higher, despite the

presence of an impoundment. Similarly, addition of the "impounded" category in the "Pool/Glide ...Quality" submetric accounts for the influence of impoundments for this submetric. By adding this scoring category, the QHEI now appropriately reflects the habitat modification imparted by impoundments in larger rivers.

  
Chris O. Yoder

SUBSCRIBED AND SWORN TO BEFORE ME

This 25<sup>th</sup> day of August, 2008

  
Notary Public



Peter A. Precario  
Attorney At Law  
Notary Public, State of Ohio  
My commission has no expiration date  
Sec. 147.03 R.C.

# **ATTACHMENT**

**A**

River Code: <b>95-010</b>	Stream: <b>Chicago Sanitary and Ship Canal</b>	Sample Date: <b>07/21/2006</b>
River Mile: <b>290.00</b>	Location: Dst Lockport. DP-02	Invalid Sample:
Time Fished: 3126 sec	Drainage: 1000.0 sq mi	Depth:
Dist Fished: 0.50 km	Basin:	Flow: C
	Lat: 41.559820	Lat: -88.077920
		Data Source: 01
		Sampler Type: A

Species Name / ODNR status	IBI Grp	Feed Guild	Target Spec.	Tol	# of Fish	Relative Number	% by Number	Relative Weight	% by Weight	Ave(gm) Weight
Gizzard Shad		O	MG		5	10.00	2.82	0.41	0.13	41.20
Common Carp	G	O	MG	T	28	56.00	15.82	125.74	39.05	2,245.36
Emerald Shiner	N	I			12	24.00	6.78	0.14	0.04	6.00
Spotfin Shiner	N	I	MG		11	22.00	6.21	0.12	0.04	5.45
Bluntnose Minnow	N	O	MG	T	1	2.00	0.56	0.00	0.00	2.00
Channel Catfish	F		MG		2	4.00	1.13	184.14	57.18	46,035.00
Yellow Bullhead		I	MG	T	22	44.00	12.43	5.78	1.79	131.36
Blackstripe Topminnow		I	MG		1	2.00	0.56	0.05	0.02	26.00
Western Mosquitofish	E	I			1	2.00	0.56	0.01	0.00	3.00
Largemouth Bass	F	C	MG		5	10.00	2.82	0.08	0.02	8.00
Green Sunfish	S	I	MG	T	55	110.00	31.07	2.29	0.71	20.84
Bluegill Sunfish	S	I	MG	P	11	22.00	6.21	0.42	0.13	19.09
Orangespotted Sunfish	S	I			1	2.00	0.56	0.04	0.01	20.00
Pumpkinseed Sunfish	S	I	MG	P	7	14.00	3.95	0.42	0.13	29.71
Hybrid X Sunfish					8	16.00	4.52	0.49	0.15	30.50
Freshwater Drum				P	1	2.00	0.56	1.80	0.56	900.00
Round Goby	E		MG		6	12.00	3.39	0.10	0.03	8.33
<i>Date Total</i>					177	354.00		322.03		
<i>Number of Species</i>					16					
<i>Number of Hybrids</i>					1					

River Code: <b>95-010</b>	Stream: <b>Chicago Sanitary and Ship Canal</b>	Sample Date: <b>09/10/2006</b>
River Mile: <b>290.00</b>	Location: Dst Lockport. DP-02	Invalid Sample:
Time Fished: 2423 sec	Drainage: 1000.0 sq mi	Depth:
Dist Fished: 0.50 km	Basin:	Flow: C
	Lat: 41.559820	Lat: -88.077920
		Data Source: 01
		Sampler Type: A

Species Name / ODNR status	IBI Grp	Feed Guild	Target Spec. Tol	# of Fish	Relative Number	% by Number	Relative Weight	% by Weight	Ave(gm) Weight
Gizzard Shad		O	MG	26	52.00	6.18	1.38	2.31	26.54
Common Carp	G	O	MG T	12	24.00	2.85	38.24	64.11	1,593.33
Golden Shiner	N	I	MG T	1	2.00	0.24	0.00	0.01	2.00
Emerald Shiner	N	I		266	532.00	63.18	1.42	2.38	2.67
Spotfin Shiner	N	I	MG	9	18.00	2.14	0.06	0.09	3.11
Bluntnose Minnow	N	O	MG T	39	78.00	9.26	0.16	0.27	2.05
Channel Catfish	F		MG	6	12.00	1.43	9.04	15.15	753.33
Yellow Bullhead		I	MG T	16	32.00	3.80	2.42	4.06	75.63
Brown Bullhead		I	MG T	4	8.00	0.95	1.86	3.12	232.50
Blackstripe Topminnow		I	MG	1	2.00	0.24	0.00	0.01	2.00
White Perch	E		MG	1	2.00	0.24	0.58	0.97	290.00
Largemouth Bass	F	C	MG	3	6.00	0.71	1.62	2.72	270.00
Bluegill Sunfish	S	I	MG P	13	26.00	3.09	1.16	1.94	44.62
Orangespotted Sunfish	S	I		3	6.00	0.71	0.06	0.10	10.00
Pumpkinseed Sunfish	S	I	MG P	8	16.00	1.90	0.60	1.01	37.50
Hybrid X Sunfish				12	24.00	2.85	1.04	1.74	43.33
Round Goby	E		MG	1	2.00	0.24	0.01	0.01	4.00
<i>Date Total</i>				421	842.00		59.65		
<i>Number of Species</i>				16					
<i>Number of Hybrids</i>				1					

Table 2. QHEI scores and metric values for sites sampled in the Des Plaines & Illinois Rivers by MBI in 2006.

River Mile	Gradient QHEI (ft/mile)	WWH Attributes										MWH Attributes																		
		No Channelization or Removal of Barriers/Cobble/Gravel Substrates	Silt Free Substrates	Good Excellent Substrates	Mostly Excellent Substrates	Extensive Moderate Cover	Fast Current/Eddies	Low Normal Overall Embedment	Max Depth > 40 cm	Low Normal Riffle Embedment	Total WWH Attributes	Channelized or No Recovery Silt/Cluck Substrates	No Stagnation Sparse/No Cover Max Depth < 40 cm (WD, HW)	Total H.L. MWH Attributes	Recovering Channel	Heavy/Moderate Silt Cover	Sand Substrates (Boat)	Harsh Substrate Origin	Fair/Poor Development	Low Stagnation	Only 1-2 Cover Types	Intermittent and Poor Pools	No Fast Current	High/Mod. Overall Embedment	High/Mod. Riffle Embedment	No Riffle	Total M.L. MWH Attributes	(MWH H.L.+1)/(WWH+1) Ratio	(MWH M.L.+1)/(MWH+1) Ratio	
<b>(95010) Chicago Sanitary Ship Canal</b>																														
Year: 2006																														
Location: Dst Lockport, DP-02															Latitude: 41.55982					Longitude: -88.07792										
290.0	45.50	0.10	■	■	■	■	■	■	■	■	3	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	3	0.50	1.25
<b>(95650) Illinois River</b>																														
Year: 2006																														
Location: Ust Grain Silo, DP-16															Latitude: 41.33984					Longitude: -88.79339										
242.1	55.00	0.10	■	■	■	■	■	■	■	■	3	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	5	0.50	1.75
Location: Dst Marker 243.3, DP-15															Latitude: 41.31986					Longitude: -88.69300										
243.3	49.50	0.10	■	■	■	■	■	■	■	■	3	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	4	0.50	1.50
Location: Dst Marseilles Tailwater DP-14															Latitude: 41.32791					Longitude: -88.72116										
246.5	72.50	1.00	■	■	■	■	■	■	■	■	6	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	2	0.29	0.57
Location: Ust Marseilles Dam, DP-19															Latitude: 41.31986					Longitude: -88.69300										
247.8	61.50	0.10	■	■	■	■	■	■	■	■	6	◆	0	■	■	■	■	■	■	■	■	■	■	■	■	■	■	2	0.14	0.43
Location: at Rat Run, Dst Senaca DP-21															Latitude: 41.30450					Longitude: -88.63049										
251.4	56.25	0.10	■	■	■	■	■	■	■	■	4	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	4	0.40	1.20
Location: Ust Barry Island, DP-20															Latitude: 41.32282					Longitude: -88.55295										
256.1	59.75	0.10	■	■	■	■	■	■	■	■	5	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	3	0.33	0.83
Location: Ust Mouth Peacock Slough DP-13															Latitude: 41.36120					Longitude: -88.39145										
265.0	54.75	0.10	■	■	■	■	■	■	■	■	3	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	0.50	2.00
Location: Dst Aux Sable Creek, DP-12															Latitude: 41.37904					Longitude: -88.33760										
268.0	57.00	0.10	■	■	■	■	■	■	■	■	4	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	4	0.40	1.20
Location: Dst Dresden Tailwater, DP-11															Latitude: 41.39917					Longitude: -88.28506										
271.1	86.00	1.00	■	■	■	■	■	■	■	■	9	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	0	0.20	0.20
<b>(95656) DesPlaines River</b>																														
Year: 2006																														
Location: Ust Kankakee River, DP-18															Latitude: 41.38731					Longitude: -88.25261										
273.5	57.00	0.10	■	■	■	■	■	■	■	■	5	◆	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	4	0.33	1.00

Table 2. QHEI scores and metric values for sites sampled in the Des Plaines & Illinois Rivers by MBI in 2006.

River Mile	Gradient (ft/mile)	WWH Attributes										MWH Attributes																					
		No Channel or Recovered Boulder/Cobble/Gavel Substrates	Silt Free Substrates	Good/Excellent Substrates	Moderate/Fair Substrates	Extensive Mud or Cover	Fast Current/Eddies	Low Normal Overall Embedment	Max Depth > 40 cm	Low Normal Riffle Embedment	Total WWH Attributes	Channelized or No Recovery Silt, Mud, Substrates	No Sinuosity	Sparse/No Cover	Max Depth < 40 cm (WD, HW)	Total H.L. MWH Attributes	Recovering Channel	Heavy/Moderate Silt Cover	Sand Substrates (Boat)	Hardpan Substrate Origin	Fair/Poor Development	Low Sinuosity	Only 1-2 Cover Types	Intermittent and Poor Pools	No Fast Current	High/Med. Overall Embedment	High/Med. Riffle Embedment	No Riffle	Total M.L. MWH Attributes	(MWH H.I.+1)/(WWH+1) Ratio	(MWH M.L.+1)/(MWH+1) Ratio		
(95656) DesPlaines River																																	
Year: 2006																																	
Location: Dst Stone Fishing Pier, DP-17																Latitude: 41.38331 Longitude: -88.24078																	
274.0	49.50	0.10	■	■	■	■	■	■	■	■	2	◆	■	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	0.67	2.67
Location: Moose Island Slough DP-09																Latitude: 41.40877 Longitude: -88.22430																	
276.4	38.00	0.10	■	■	■	■	■	■	■	■	2	◆	■	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	0.67	2.67
Location: Moose Island DP-08																Latitude: 41.40904 Longitude: -88.21543																	
276.5	51.75	0.10	■	■	■	■	■	■	■	■	3	◆	■	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	0.50	2.00	
Location: Power Lines at RM 279.5, DP-07																Latitude: 41.43953 Longitude: -88.16969																	
279.5	68.00	1.00	■	■	■	■	■	■	■	■	4	■	■	0	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	4	0.20	1.00	
Location: Dst Olin Co. DP-06																Latitude: 41.48392 Longitude: -88.13369																	
283.9	35.00	0.10	■	■	■	■	■	■	■	■	1	◆	◆	2	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	1.50	4.50	
Location: Dst Brandon Tailwater																Latitude: 41.49920 Longitude: -88.10695																	
285.8	81.50	1.00	■	■	■	■	■	■	■	■	8	◆	■	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	2	0.22	0.44	
Location: Dst Jefferson St. DP-04																Latitude: 41.52160 Longitude: -88.08707																	
287.9	21.00	0.10	■	■	■	■	■	■	■	■	1	◆	◆	2	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	7	1.50	5.00	
Location: Upst Ruby St. DP-03																Latitude: 41.54044 Longitude: -88.08368																	
289.0	46.00	0.50	■	■	■	■	■	■	■	■	3	◆	◆	2	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	0.75	2.25	
Location: DP-01																Latitude: 41.55936 Longitude: -88.08092																	
290.1	68.50	1.00	■	■	■	■	■	■	■	■	6	◆	■	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	3	0.29	0.71	
Location: Site # 107																Latitude: 41.65449 Longitude: -88.06121																	
297.0	83.00	1.00	■	■	■	■	■	■	■	■	8	■	■	0	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	3	0.11	0.44	
Location: Dst Lemont Rd., Site # 93																Latitude: 41.66732 Longitude: -88.04491																	
298.3	61.00	0.10	■	■	■	■	■	■	■	■	4	◆	◆	2	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	5	0.60	1.60	
(95657) Grant Creek																																	
Year: 2006																																	
Location: Grant Creek DP-10																Latitude: 41.38341 Longitude: -88.22690																	
0.1	52.00	0.10	■	■	■	■	■	■	■	■	3	◆	■	1	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	6	0.50	2.00	

Appendix Table 1. QHEI metric scores for stations sampled in the Illinois and DesPlaines Rivers during 2006.

River Mile	QHEI	QHEI Metrics:						Gradient & Score
		Substrate	Cover	Channel	Riparian	Pool	Riffle	
(95010) Chicago Sanitary Ship Canal								
Year: 2006								
290.0	45.50	13.0	9.0	4.0	6.50	7.0	0.0	0.10 - ( 6)
(95650) Illinois River								
Year: 2006								
242.1	55.00	15.0	14.0	6.0	8.00	6.0	0.0	0.10 - ( 6)
243.3	49.50	16.0	9.0	6.0	6.50	6.0	0.0	0.10 - ( 6)
246.5	72.50	15.0	7.0	16.0	10.00	12.0	4.5	1.00 - ( 8)
247.8	61.50	16.0	17.0	9.0	7.50	6.0	0.0	0.10 - ( 6)
251.4	56.25	17.0	14.0	6.0	7.25	6.0	0.0	0.10 - ( 6)
256.1	59.75	17.0	12.0	8.5	9.25	7.0	0.0	0.10 - ( 6)
265.0	54.75	15.0	13.0	6.0	8.75	6.0	0.0	0.10 - ( 6)
268.0	57.00	16.0	14.0	5.5	9.50	6.0	0.0	0.10 - ( 6)
271.1	86.00	20.0	11.0	17.0	10.00	12.0	8.0	1.00 - ( 8)
(95656) DesPlaines River								
Year: 2006								
273.5	57.00	10.0	16.0	9.0	10.00	6.0	0.0	0.10 - ( 6)
274.0	49.50	9.0	15.0	5.5	8.00	6.0	0.0	0.10 - ( 6)
276.4	38.00	3.0	14.0	4.0	10.00	1.0	0.0	0.10 - ( 6)
276.5	51.75	11.0	15.0	6.0	7.75	6.0	0.0	0.10 - ( 6)
279.5	68.00	19.0	17.0	7.0	10.00	7.0	0.0	1.00 - ( 8)
283.9	35.00	1.5	11.0	3.0	7.50	6.0	0.0	0.10 - ( 6)
285.8	81.50	17.5	13.0	16.0	8.00	12.0	7.0	1.00 - ( 8)
287.9	21.00	1.0	3.0	2.0	3.00	6.0	0.0	0.10 - ( 6)
289.0	46.00	11.0	11.0	6.0	5.00	7.0	0.0	0.50 - ( 6)
290.1	68.50	14.5	9.0	14.0	7.00	9.0	7.0	1.00 - ( 8)
297.0	83.00	15.5	16.0	16.5	10.00	10.0	7.0	1.00 - ( 8)
298.3	61.00	6.0	13.0	16.0	10.00	10.0	0.0	0.10 - ( 6)
(95657) Grant Creek								
Year: 2006								
0.1	52.00	9.0	15.0	6.0	10.00	6.0	0.0	0.10 - ( 6)

River Code: <b>95-656</b>	Stream: <b>DesPlaines River</b>	Sample Date: <b>07/22/2006</b>
River Mile: <b>283.90</b>	Location: Dst Olin Co. DP-06	Invalid Sample:
Time Fished: 2056 sec	Drainage: 1000.0 sq mi	Data Source: 01
Dist Fished: 0.50 km	Basin:	Sampler Type: A
	Lat: 41.483920	Lat: -88.133690

Species Name / ODNR status	IBI Grp	Feed Guild	Target Spec. Tol	# of Fish	Relative Number	% by Number	Relative Weight	% by Weight	Ave(gm) Weight
Gizzard Shad		O	MG	49	98.00	28.16	6.70	10.52	68.37
Smallmouth Buffalo	C	I		10	20.00	5.75	19.22	30.17	961.00
Common Carp	G	O	MG T	12	24.00	6.90	24.34	38.20	1,014.08
Goldfish	G	O	MG T	1	2.00	0.57	0.88	1.38	438.00
Spottail Shiner	N	I	MG P	2	4.00	1.15	0.01	0.02	2.50
Spotfin Shiner	N	I	MG	1	2.00	0.57	0.00	0.01	2.00
Bluntnose Minnow	N	O	MG T	15	30.00	8.62	0.06	0.10	2.13
Channel Catfish	F		MG	2	4.00	1.15	3.72	5.84	930.00
White Crappie	S	I	MG	1	2.00	0.57	0.08	0.12	38.00
Largemouth Bass	F	C	MG	9	18.00	5.17	4.03	6.33	224.00
Green Sunfish	S	I	MG T	13	26.00	7.47	0.54	0.84	20.62
Bluegill Sunfish	S	I	MG P	52	104.00	29.89	3.55	5.58	34.15
Orangespotted Sunfish	S	I		1	2.00	0.57	0.01	0.02	5.00
Pumpkinseed Sunfish	S	I	MG P	2	4.00	1.15	0.10	0.16	25.00
Hybrid X Sunfish				4	8.00	2.30	0.47	0.74	58.75
<i>Date Total</i>				174	348.00		63.71		
<i>Number of Species</i>				14					
<i>Number of Hybrids</i>				1					



Spreadsheet 1. Comparison of QHEI total scores ("QHEI") and each of several metric scores (e.g., "Substrate") among three different versions of the table titled, "Appendix Table 1." Appendix Table 1 depicts QHEI data collected by Midwest Biodiversity Institute in Illinois River, Des Plaines River, and Grant Creek in 2006. Columns highlighted in gray indicate scoring discrepancies among versions. For the total QHEI score ("QHEI") and for each QHEI component metric (e.g., "Substrate", "Cover"), the scores in the column, "Final Version," represent the most accurate scores. Two previous sets of scores exist on the hearing record in Exhibit 5 and in Exhibit 37 (in part), each represented by additional columns. For two metrics, "Cover" and "Gradient & Score," scores did not differ at any site among the three versions of "Appendix Table 1"

Stream Name	River Mile	"QHEI"			"Substrate"			"Cover"			"Channel"			"Riparian"			"Pool"			"Riffle"			"Gradient & Score"			Reasons for Scoring Discrepancies among Versions			
		Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit	Exhibit 5	Exhibit 37 (in part): Feb28-08.pdf	Final Version = Attachment A (in part) of affidavit				
Illinois River	242.1	52.5	55.50	55.00	15.0	15.0	15.0	14.0	14.0	14.0	6.0	6.0	6.0	8.5	9.00	8.0	6.0	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Also "Slow" metric was entered during data proofing, but not clearly as it looks as if it is checked on scanned copy of Exhibit 7; this explains change in score.	
Illinois River	243.3	51.0	48.50	49.50	16.0	16.0	16.0	9.0	9.0	9.0	6.0	6.0	6.0	8.0	6.5	6.5	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Illinois River	246.5	70.5	73.00	72.50	15.0	15.0	15.0	7.0	7.0	7.0	16.0	16.0	16.0	10.0	11.0	10.0	12.0	12.0	12.0	2.5	4.0	4.5	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	Riparian metric was scored as incorrect on Exhibit 37 because of computer program not restricting maximum score to 10. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.	
Illinois River	247.8	61.0	60.50	61.50	16.0	16.0	16.0	17.0	17.0	17.0	9.0	9.0	9.0	7.0	7.5	7.5	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Illinois River	251.4	56.0	55.25	56.25	17.0	17.0	17.0	14.0	14.0	14.0	6.0	6.0	6.0	7.0	7.25	7.25	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Illinois River	256.1	60.0	58.75	59.75	17.0	17.0	17.0	12.0	12.0	12.0	8.5	8.5	8.5	8.5	9.25	9.25	7.0	6.0	7.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Illinois River	265.0	54.0	53.75	54.75	15.0	15.0	15.0	13.0	13.0	13.0	6.0	6.0	6.0	8.0	8.75	8.75	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Illinois River	268.0	60.0	56.00	57.00	16.0	16.0	16.0	14.0	14.0	14.0	5.5	5.5	5.5	9.5	9.5	9.5	9.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Change in the "Pool" metric between three reports reflects change in the "none" under the current subcomponent of pool metric and data entry errors that were corrected. This was incorrect on original report (Exhibit 5) because of data entry errors, incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Illinois River	271.1	86.0	87.00	86.00	20.0	20.0	20.0	11.0	11.0	11.0	17.0	17.0	17.0	9.0	10.0	10.0	13.0	13.0	12.0	8.0	8.0	8.0	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	Change in the Riparian Metric reflects a data entry error reflected in first report (Exhibit 5) that was fixed in Exhibit 37 and the Final Version. Change in score for Pool reflects change in program to limit maximum pool score to 12.0
Des Plaines River	273.5	57.0	57.00	57.00	10.0	10.0	10.0	16.0	16.0	16.0	9.0	9.0	9.0	10.0	11.0	10.0	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Change in the Riparian Metric reflects a data entry error reflected in first report (Exhibit 5) that was fixed in Exhibit 37 and the Final Version. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	274.0	49.0	48.50	49.50	9.0	9.0	9.0	15.0	15.0	15.0	5.5	5.5	5.5	7.5	8.0	8.0	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	276.4	38.0	37.00	39.00	3.0	3.0	3.0	14.0	14.0	14.0	4.0	4.0	4.0	10.0	10.0	10.0	1.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric and a data entry error. This was incorrect on original report (Exhibit 5, "Slow" not checked), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	276.5	51.5	50.75	51.75	11.0	11.0	11.0	15.0	15.0	15.0	6.0	6.0	6.0	7.5	7.75	7.75	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	279.5	67.0	68.00	68.00	19.0	19.0	19.0	17.0	17.0	17.0	7.0	7.0	7.0	9.0	10.0	10.0	7.0	7.0	7.0	0.0	0.0	0.0	0.0	0.0	0.0	1.00 - (8)	1.00 - (8)	1.00 - (8)	Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring "Very Wide" bank correctly
Des Plaines River	283.9	33.5	34.00	35.00	1.5	1.5	1.5	11.0	11.0	11.0	1.5	3.0	3.0	7.5	7.5	7.5	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Channel metric was scored as incorrect on Exhibit 5 because of data entry error, correct on Exhibit 37 and Final Version. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	285.8	81.5	81.50	81.50	17.5	17.5	17.5	13.0	13.0	13.0	16.0	16.0	16.0	8.0	8.0	8.0	12.0	12.0	12.0	7.0	7.0	7.0	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	287.9	21.0	20.00	21.00	1.0	1.0	1.0	3.0	3.0	3.0	2.0	2.0	2.0	3.0	3.0	3.0	6.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	289.0	46.0	45.00	46.00	11.0	11.0	11.0	11.0	11.0	11.0	6.0	6.0	6.0	5.0	5.0	5.0	7.0	6.0	7.0	0.0	0.0	0.0	0.0	0.0	0.0	0.50 - (6)	0.50 - (6)	0.50 - (6)	Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Chicago Chicago Sanitary Ship Canal (had been coded as Des Plaines River)	290.0	44.0	46.50	45.50	13.0	13.0	13.0	9.0	9.0	9.0	4.0	6.0	6.0	5.0	6.5	6.5	7.0	6.0	7.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Difference in the "Channel" metric score compared in Exhibit 37 compared to Exhibit 5 or Final Report was data correct error. Riparian metric was scored as incorrect on Exhibit 5 because of computer program not scoring each bank separately. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric. This was correct on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	290.1	68.5	68.50	68.50	14.5	14.5	14.5	9.0	9.0	9.0	14.0	14.0	14.0	7.0	7.0	7.0	9.0	9.0	9.0	7.0	7.0	7.0	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	Riparian metric was scored as incorrect on Exhibit 37 because of computer program not restricting maximum score to 10
Des Plaines River	297.0	83.0	84.00	83.00	15.5	15.5	15.5	16.0	16.0	16.0	16.5	16.5	16.5	10.0	11.0	10.0	10.0	10.0	10.0	7.0	7.0	7.0	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	1.00 - (8)	Riparian metric was scored as incorrect on Exhibit 37 because of computer program not restricting maximum score to 10. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric and a data entry error. This was incorrect on original report (Exhibit 5, "Slow" not checked), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Des Plaines River	298.3	58.5	62.00	61.00	6.5	6.0	6.0	13.0	13.0	13.0	16.0	16.0	16.0	10.0	11.0	10.0	7.0	10.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Riparian metric was scored as incorrect on Exhibit 37 because of computer program not restricting maximum score to 10. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric and a data entry error. This was incorrect on original report (Exhibit 5), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.
Grant Creek	0.1	62.0	52.00	52.00	9.0	9.0	9.0	15.0	15.0	15.0	13.0	6.0	6.0	10.0	11.0	10.0	9.0	5.0	6.0	0.0	0.0	0.0	0.0	0.0	0.0	0.10 - (6)	0.10 - (6)	0.10 - (6)	Channel metric in Exhibit 5 reflected failure to check "Impounded" selection. Riparian metric was scored as incorrect on Exhibit 37 because of computer program not restricting maximum score to 10. Change in the "Pool" metric between three reports reflects change in the impounded subcomponent of pool metric and a data entry error. This was incorrect on original report (Exhibit 5, "Slow" not checked), incorrectly edited for the report on Exhibit 37 ("None" checked) and changed back ("None" unchecked) for the Final Version.

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STATE OF ILLINOIS  
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SS

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached Affidavit of Mr. Chris O. Yoder upon the person to whom it is directed by placing it an envelope addressed to:

John Therriault, Clerk  
Marie Tipsord, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
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**SEE ATTACHED SERVICE LIST**

and mailing it First Class Mail from Springfield, Illinois on September 17, 2008, with sufficient postage affixed.

*Deondra Herron*

SUBSCRIBED AND SWORN TO BEFORE ME

This 17<sup>th</sup> day of September 2008

*Brenda Boehner*  
Notary Public



**THIS FILING IS SUBMITTED ON RECYCELD PAPER**