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STATE OF ILLINOIS  
Pollution Control Board

December 6, 2004

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Pct#10

**RE: Interim Phosphorus Effluent Standard, Proposed 35 Ill. Adm. Code 304.123(g-k)  
Docket R04-26**

Illinois Pollution Control Board:

I am writing to you today on behalf of the North Branch Chicago River Watershed Project (NBWP) partnership to support the Interim Phosphorus Effluent Standard (Docket R04-26) proposed by the Illinois Environmental Protection Agency. The North Branch of the Chicago River watershed is a 95 square-mile area covering parts of Lake and Cook Counties and 24 municipalities in northeastern Illinois. The NBWP is a voluntary, collaborative partnership involving 200+ members from non-profit organizations; municipalities; county, state and federal agencies; corporate and private landowners; drainage districts; and local residents. As a partnership, we are working to integrate multi-objective watershed management in land use planning and development activities.

As you know, the Illinois EPA's proposed standard would limit phosphorus levels to 1 mg/L in any new or expanded discharge of one million gallons per day or more. The reduction in phosphorous loading to Illinois' streams resulting from the standard will reduce algae and bacteria growth that kills fish and other wildlife. Phosphorous controls are also needed to prevent violations of water quality standards that can result from excess phosphorous loading such as offensive and nuisance conditions, pH and low dissolved oxygen.

The West Fork, Middle Fork and mainstem of the North Branch Chicago River are currently nonsupporting of their designated uses due, in part, to low dissolved oxygen conditions. One goal of the NBWP is to improve water quality so that the river is a class B stream (corresponding to a highly valued aquatic resource). The NBWP agrees that the proposed standard is good for water quality, is consistent with the requirements of current laws and regulations and will help the NBWP meet the goals of our comprehensive watershed plan. This standard is also important to the North Branch Watershed Project to help us reach our watershed objective of water quality improvement in the river. Therefore, at its November 8<sup>th</sup> meeting, the NBWP expressed its full support for the IEPA's proposed interim monthly average phosphorus effluent limit.

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The Federal Clean Water Act and Illinois law both require that NPDES permits control pollutants that may cause or contribute to violations of water quality standards. To prevent violations of Illinois water quality standards and to comply with the antidegradation requirements to which new and expanded discharges are already subject, Illinois needs phosphorous discharge limits. Under the antidegradation regulations, lowering of water quality should only be allowed if after considering alternatives and completing an economic analysis, the project is deemed necessary to accommodate important economic or social developments.

Perhaps most importantly, IEPA's proposal is not only good for water quality, but it is also achievable. The potential for success has been demonstrated by the successful implementation of phosphorous limits of 1 mg/L established in the 1970's for discharges to streams that flow to the Great Lakes. For all of the reasons stated above, the North Branch Watershed Project and its partners strongly urge the Pollution Control Board to adopt the IEPA's proposed interim discharge standard for phosphorous of 1 mg/L.

Sincerely,



Sean S. Wiedel  
Watershed Planner  
Lake County Stormwater Management Commission