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**JUL 09 2010**

**STATE OF ILLINOIS  
Pollution Control Board**

July 7, 2010

P.C. # 303

Ms. Marie Tipsord  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph St, Ste 11-500  
Chicago, IL 60601

Re: R2008-009(A) In the Matter of: Water Quality  
Standards and Effluent Limitations for Chicago Area  
Waterways System (CAWS): Proposed Amendments  
To 35 ILL. Adm. Code 301, 302, 303, and 304  
(Recreational Use Designations)

Dear Ms. Tipsord:

I would like to provide my comments regarding establishing water quality for recreational uses on the Chicago Sanitary and Ship Canal as well as the Cal Sag Channel. These are narrow waterways with concrete walls and steep embankments that are utilized by commercial barge traffic to transport important and vital commodities and products to businesses located in the City of Chicago, Cook County as well as northwest Indiana. These waterways have a very great drop off from shallow water on the canal edge to over 10 to 20 feet deep. This type of channel creates a dangerous situation for swimmers. As far as I know, there is not any swimming going on in these canals. And why would there be?

We have beautiful beaches along Lake Michigan that provide many recreational opportunities for the public at large. Swimming, sun bathing, and frolicking in the water—all can be enjoyed on Lake Michigan.

I do not agree with the US EPA that all of the Chicago Area Waterways System (CAWS) should have water quality for recreational uses. I do not believe that we should allocate our limited resources to "attain" recreational water quality in a commercial waterway used for barge transportation that has vertical concrete walls, steep embankments, active management of flow rates (cubic feet per second that get up to 20,000 cfs in Lemont) to prevent flooding.

Another issue that is extremely important is the migration of the Asian carp towards Lake Michigan. As efforts are made to make the water quality in the CAWS meet recreational standards in an industrial and commercial waterway, we are increasing the attractiveness of the CAWS as a habitat for this and other invasive species. I believe the Invasive Species Act outranks and should take priority over the Clean Water Act.

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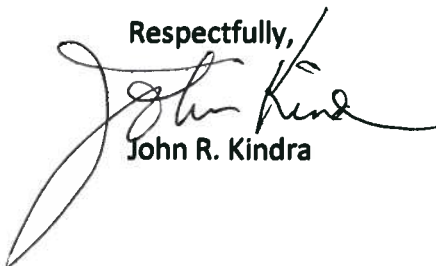
There is a call for an ecological separation between the CAWS and Lake Michigan. One way to do this is to create zones of several miles that do not foster the habitats for invasive species. To try to attain recreational standards for CAWS works directly against the efforts to stop the migration of the Asian carp.

The Illinois EPA has proposed use designations for all segments of the CAWS (and LDPR) that do not provide for recreation in the water. I agree with the Illinois EPA. We have a beautiful lakefront where recreational uses of the waters of Lake Michigan are abound. People want to be swimming and playing on the lakefront--not swimming in the industrial waterway.

For the federal EPA to override the State EPA is wrong. What I believe is that the federal EPA does not utilize a Cost/Benefit evaluation. It would be terribly expensive to try to attain recreational quality standards for the CAWS. Our country does not have unlimited resources. We have much higher priorities to fund. Quite frankly, this idea of trying to attain recreational quality standards on the CAWS is price prohibitive and we must stop this silly idea. It is a waste of taxpayers' money.

We need to also discuss with the scientists and biologists how we can stop the Asian carp by creating a water quality that will not allow them to migrate through the CAWS to Lake Michigan. I have heard that by adding nitrogen to the water, a zone is created that fish cannot survive. This is good. We can add oxygen downriver from the designated zones to reinvigorate the water quality.

Thank you for this opportunity to provide my comments.

Respectfully,  
  
John R. Kindra