

## **Board Proposes Aquatic Life Use Designations for the Chicago Area Waterways System and Lower Des Plaines River**

On February 21, 2013, the Pollution Control Board adopted a first notice opinion and order proposing two designations of aquatic life use for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LPDR). After reviewing the record and examining the Clean Water Act goal of “water quality which provides for the protection and propagation of fish, shellfish, and wildlife ...,” the Board proposes CAWS Aquatic Life Use (ALU) A and CAWS and Brandon Pool ALU B. The Board also proposes language to establish effluent limits as the Board indicated it would in Subdocket B. The rulemaking is docketed as In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9 Subdocket C).

Generally CAWS ALU A waters are capable of supporting communities of native fish that are tolerant and moderately tolerant and may include sport fish species such as channel catfish, largemouth bass, bluegill, northern pike, and black crappie, and non-game fish species such as the creek chubsucker, spottail shiner, and orangespotted sunfish. The Board proposes as CAWS ALU A waters: Upper North Shore Channel, Lower North Shore Channel, North Branch of the Chicago River, South Branch of the Chicago River, Calumet-Saganashkee (Cal-Sag) Channel, Calumet River, Little Calumet River, Grand Calumet River, Lake Calumet, and Lake Calumet Connecting Channel.

CAWS and Brandon Pool ALU B waters are capable of supporting primarily tolerant fish species, which may include central mudminnow, golden shiner, bluntnose minnow, yellow bullhead and green sunfish. The Board proposes as ALU B waters the Chicago Sanitary and Ship Canal and Brandon Pool.

The Board proposes that the Upper Dresden Island Pool be classified as General Use based on its ability to meet the Clean Water Act goals. However, the Board will visit the issue of appropriate water quality standards for UDIP in Subdocket D.

Additionally, the Board opened a Subdocket E to examine issues surrounding Bubbly Creek (the South Fork of the South Branch of the Chicago River) as requested by the Metropolitan Water Reclamation District of Greater Chicago and the Environmental Law and Policy Center, Friends of Chicago River, Sierra Club Illinois Chapter, Natural Resources Defense Council and Openlands.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R08-9 Subdocket C, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, IL 60601

In addition, public comments may be filed electronically through COOL at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

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