

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
WATER QUALITY STANDARDS AND)
EFFLUENT LIMITATIONS FOR THE) R08-9
CHICAGO AREA WATERWAY SYSTEM) (Rulemaking – Water)
AND THE LOWER DES PLAINES RIVER:)
PROPOSED AMENDMENTS TO 35 III.)
Adm. Code Parts 301, 302, 303 and 304)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on the 15th day of April, 2010, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached Comments in Support of Proposed Recreational Use Designations for the Chicago Area Waterway System and the Lower Des Plaines River by the People of the State of Illinois, a copy of which is hereby served upon you.

Respectfully submitted,

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WATER QUALITY STANDARDS AND)	
EFFLUENT LIMITATIONS FOR THE)	R08-9
CHICAGO AREA WATERWAY SYSTEM)	(Rulemaking – Water)
AND THE LOWER DES PLAINES RIVER:)	
PROPOSED AMENDMENTS TO 35 III.)	(Subdocket A)
Adm. Code Parts 301, 302, 303 and 304)	

COMMENTS IN SUPPORT OF PROPOSED RECREATIONAL USE DESIGNATIONS FOR THE CHICAGO AREA WATERWAY SYSTEM AND THE LOWER DES PLAINES RIVER BY THE PEOPLE OF THE STATE OF ILLINOIS

The People of the State of Illinois (“the People”), by and through Illinois Attorney General Lisa Madigan, submit these comments in support of the recreational use designations proposed by the Illinois Environmental Protection Agency (“IEPA”) for the Chicago Area Waterway System (“CAWS”) and Lower Des Plaines River (“LDPR”). The proposed recreational use designations accurately reflect existing use of those waters for fishing and boating in canoes, kayaks and small motorized craft. Maintenance of existing uses is mandated by the Clean Water Act. Accordingly, the People respectfully request that the Board adopt the recreational use designations proposed by IEPA in this docket.

I. THE CLEAN WATER ACT REQUIRES EXISTING USES OF A WATERWAY TO BE PROTECTED

The Clean Water Act declares that “wherever attainable” the Nation’s waters shall be fishable and swimmable:

... it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved

33 U.S.C.A. § 1251(a)(2). There is a “rebuttable presumption” that these statutory goals are attainable in all waters of the United States, and therefore apply to a waterway unless it is affirmatively demonstrated that a use is not attainable. 63 Fed. Reg. 36742, 36749 (July 7, 1998); *Kansas Natural Resource Council, Inc. v. Whitman*, 255 F. Supp. 2d 1208, 1209 (D. Kan. 2003); *Idaho Mining Ass’n, Inc. v. Browner*, 90 F. Supp. 2d 1078, 1088-1092 (D. Idaho 2000). If there are indications that a particular waterway may not be able to attain all of the national use goals set forth in the Clean Water Act, the regulatory authority must conduct a use attainability analysis. 40 C.F.R. § 131.10.

A use attainability analysis is a “structured scientific assessment” of existing uses and factors¹ that may limit other attainable uses of the water body. 40 C.F.R. § 131.3 and 131.10(j).

¹ Some of the factors that may be considered in a use attainability analysis are listed in 40 C.F.R. § 131.10(g) are:

- (1) Naturally occurring pollutant concentrations prevent the attainment of the use; or
- (2) Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating State water conservation requirements to enable uses to be met; or
- (3) Human caused conditions or sources of pollution prevent the attainment of the use and cannot be remedied or would cause more environmental damage to correct than to leave in place; or
- (4) Dams, diversions or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use; or
- (5) Physical conditions related to the natural features of the water body, such as the lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life protection uses; or
- (6) Controls more stringent than those required by Sections 301(b) and 306 of the Act would result in substantial and widespread economic and social impact.

All existing uses² of a water body must be protected. 40 C.F.R. § 131.10(h) and (i). Existing uses must be protected even if some observers might view the actual recreational uses as improvident:

[E]ven though it may not make sense to encourage use of a stream for swimming because of the flow, depth or the velocity of the water, the States and EPA must recognize that swimming and/or wading may occur anyway. *In order to protect public health, States must set criteria to reflect recreational uses if it appears that recreation will in fact occur in the stream.*

48 Fed. Reg. 51400, 51400 (Nov. 8, 1983), emphasis added. The presumption of attainability for other national use goals -- beyond the existing uses of a water body -- may be rebutted only if evidence demonstrates that such other uses are unattainable. *Kansas Natural Resource Council, Inc.*, 255 F. Supp. 2d at 1213.

II. THE PROPOSED “INCIDENTAL CONTACT” DESIGNATION IS CONSISTENT WITH EXISTING RECREATIONAL USES OF THE CAWS AND LDPR

IEPA has proposed designating a majority of the CAWS and LDPR as suitable for incidental contact recreational use -- meaning that these waters can support recreational activity in which human contact with the water is incidental and in which the probability of ingesting significant quantities of water is minimal. (IEPA Statement of Reasons at 38-42.) The evidence in this docket conclusively demonstrates that the public has engaged in fishing, boating and other incidental contact recreational activities in the CAWS and LDPR for some time – and that this activity is increasing. As noted above, those existing uses must be protected. The proposed incidental contact recreational use designation is, therefore, the minimum use designation that is appropriate for the CAWS and LDPR.

² Existing uses are defined in 40 C.F.R. § 131.3 as “uses actually attained in the water body on or after November 28, 1975.”

A. IEPA's Use Attainability Analysis documents existing use of the CAWS and LDPR for incidental contact activities.

IEPA's use attainability methodology is succinctly summarized in the record of this proceeding by Illinois EPA witness Rob Sulski:

In the analysis we looked for existing uses. If they were existing at a frequency enough to determine that they were a use, then we had to protect for that use. That's an attainable use.

(Transcript of January 29, 2008 Hearing at 221-222.) Consistent with this approach, IEPA presented extensive evidence in Use Attainability Analysis reports and supporting documentation which establish that incidental contact recreational uses currently exist in the CAWS and LDPR. The characterizations of the waterways found in those reports are the product of a lengthy investigatory process in which IEPA's consultants conducted a comprehensive assessment of existing uses of these waterways. (See IEPA Statement of Reasons, Attachment A, LDPR UAA Report at 38-39 (describing written surveys regarding recreational uses of the LDPR); Attachment B, CAWS UAA Report at 4-1—4-7 (describing both written and field surveys regarding recreational use of the CAWS).

Throughout all of the reaches of the waterways that Illinois EPA now proposes to designate for uses such as fishing and recreational boating, field sightings of such uses were reported—as well as scattered sightings of even more sensitive primary uses, such as swimming, diving, jumping, skiing and tubing. (See IEPA Statement of Reasons, Attachment A, LDPR UAA Report at 38-39; Attachment B, CAWS UAA Report at 4-23—24; 4-45—4-48; 4-69—4-70; 4-83—4-86). In addition to these field sightings, IEPA has provided the Board with evidence of regular and systematic use of the waterways for incidental contact recreation by members of the public -- ranging from the staging of the Flatwater Classic and Dragon Boat

Races on the Chicago River; to the use of the Chicago Ship and Sanitary Canal by the Chicago Youth Rowing Club and Kenwood Academy; to use of the Little Calumet River by the Lincoln Park Juniors Crew. (IEPA Statement of Reasons, Attachment B, CAWS UAA Report at 4-46; 4-70; 4-85). The People have identified the locations of these activities on two maps of the CAWS that are attached hereto as Appendices 1 and 2. Appendix 1 identifies activities taking place by reach, and Appendix 2 identifies activities taking place at specific boat launches.

B. Citizens have participated in this proceeding in large numbers to report their use of the CAWS and LDPR for fishing, boating and other recreational uses

Regular and systematic use of the CAWS and LDPR for fishing, boating and other recreational uses was also reported by citizen groups and individual members of the public that participated in this proceeding. On April 18, 2008, for example, the Chicago Area Sea Kayakers Association and eleven co-petitioning paddling organizations submitted a statement in support of more stringent water quality standards for the CAWS and the LDPR that detailed their uses of those waterways. Several citizens submitted pre-filed testimony to the Board attesting to extensive recreational uses of the CAWS, and the importance of those recreational uses to residents throughout northeastern Illinois.³ The importance that people place on those recreational uses is also reflected in the 288 public comments that the Board received from citizens writing in support of the use designations and water quality improvements proposed in this docket. A spreadsheet listing those public comments is attached hereto as Appendix 3.

³ These citizens include Margaret Frisbie, Laura Barghusen, and Victor Crivello.

C. MWRDGC has also supplied evidence showing that the CAWS and LDPR are used for fishing, boating and other incidental contact recreational uses

Despite objections⁴ to the proposed recreational use designations by the Metropolitan Water Reclamation District of Greater Chicago (“MWRDGC” or “District”) in this proceeding, it is clear that the District has not always been so unwilling to recognize the public’s use of the CAWS for recreational pursuits. One such example can be seen in the *2007 Comprehensive Annual Financial Report of the Metropolitan Water Reclamation District of Greater Chicago*, which was entered as Exhibit 289 in this proceeding. Page 22 of that report features a full-page photograph of a number of paddlers making use of the CAWS. The photograph’s caption reads:

All up and down the District’s 76 miles of main waterways healthy activity is occurring. Nearly 600 recreational paddlers participated in the day long Flatwater Classic traveling the 7.25 mile course from North Shore Channel’s Clark Park to the finish line at Ping Tom Memorial Park in Chinatown. In 2007, the largest Division-I Women’s Collegiate regatta since 1957 took place on the famous Cal Sag Channel.

(Exhibit 289, p. 22, attached hereto as Appendix 4.) In that caption, the District not only acknowledges, but celebrates, the recreational use by paddlers of two of the four CAWS reaches—the Chicago River and the Calumet-Sag Channel—that it now claims are not eligible for incidental contact recreational use designation. (*See, also*, Granato Pre-Filed Testimony at 4; IEPA Statement of Reasons, Attachment B, CAWS UAA Report, at 4-46 (noting that the Flatwater Classic has been staged on the Chicago River)). This photograph truly is worth more than a thousand words of District testimony in this proceeding, disavowing the propriety of incidental contact recreational uses of the CAWS.

⁴ See Granato Pre-Filed Testimony at 3-4, opining that a “Non-Contact Recreation” designation—which would protect power boating as the most sensitive use—would be more appropriate for the CAWS than an “Incidental Contact Recreation” designation.

The District's observations of recreational activities by its boat crews from 2005 to 2007 also support the Illinois EPA's incidental contact recreational use designations. (See Stuba Prefiled Testimony at Attachments 1, 2, and 3.) These data demonstrate that fishing and small craft recreational boating are indeed existing uses of the CAWS. For each of the seven reaches of the CAWS observed by District boat crews, during each of the three years of observation, at least two of the following categories of recreational use were observed: 1) canoeing, sculling, kayaking; 2) fishing; and 3) recreational boating. (*Id.*) In the majority of cases, all three use categories were observed in a given stretch during a given year. (*Id.*) These District reports,⁵ which the People have summarized on the map attached hereto as Appendix 1, add to the significant weight of evidence supporting an incidental contact recreational use designation for the CAWS.⁶

III. THE EVIDENCE OVERWHELMINGLY SUPPORTS THE PROPOSED "INCIDENTAL CONTACT" RECREATIONAL USE DESIGNATION FOR A MAJORITY OF THE CAWS AND LDPR

The participants in this rulemaking have presented overwhelming evidence that the CAWS and LDPR are currently used for incidental contact recreational activities -- which must be protected, pursuant to 40 C.F.R. §§ 131.10(h) and (i). The requirement that existing uses be

⁵ It should be noted that the District's observations actually underreport recreational uses of the CAWS because, as Mr. Stuba testified, they were largely taken on Mondays through Fridays, between "7 to 3, 7 to 5" — in other words, the times when most adults are working, rather than engaging in recreational activities. (*See* Transcript of 9/8/08 p.m. Hearing at 33-34). In addition, Mr. Stuba testified that the boat crews' duty to look out for recreators was "ancillary" to other ship duties. (*Id.* at 38.)

⁶ Appendix 1 shows the intensity of recreational use in various reaches of the CAWS. The data source was the District trip logs filed with the Board on March 4, 2008 under the cover sheet, "Recreational Data from 2005 from the MWRD Boat Crew". First, all paddling and fishing-related use observations in the trip logs were counted for each month from March to September, for each reach. Second, a daily average of paddling and fishing-related use observations for each month, for each stretch, was calculated and applied to each day of each month. Then, a multiplier of two was applied to weekend days, to conservatively account for the fact that more recreation takes place in the waterways on weekend days than week days. The result, which is reflected in the recreational use levels shown on the map in Appendix 1, is a conservative estimate of the total number of paddling and fishing-related use observations for March to September 2005 that would be expected if observations had been made every day.

maintained is a straightforward one, and suggestions to the contrary by some parties to this proceeding deeply misconstrue the process set forth in 40 C.F.R. § 131.10. Federal rules and guidance make clear that “[i]n order to protect public health, States must set criteria to reflect recreational uses if it appears that recreation will in fact occur in the stream.” 48 Fed. Reg. 51400, 51400 (Nov. 8, 1983). Residents of northeastern Illinois have already voted with their paddles and fishing rods -- the CAWS and the LDPR are places where they can recreate, do recreate, and intend to continue engaging in incidental contact recreational uses. The People of the State of Illinois respectfully request that this Board now take the first step in the long-overdue process of fully protecting those uses.

WHEREFORE, for all of the reasons stated herein, the People respectfully request that the Board adopt the incidental contact recreational use designation for the CAWS and LDPR proposed by IEPA.

LISA MADIGAN,
Attorney General of the
State of Illinois

By:



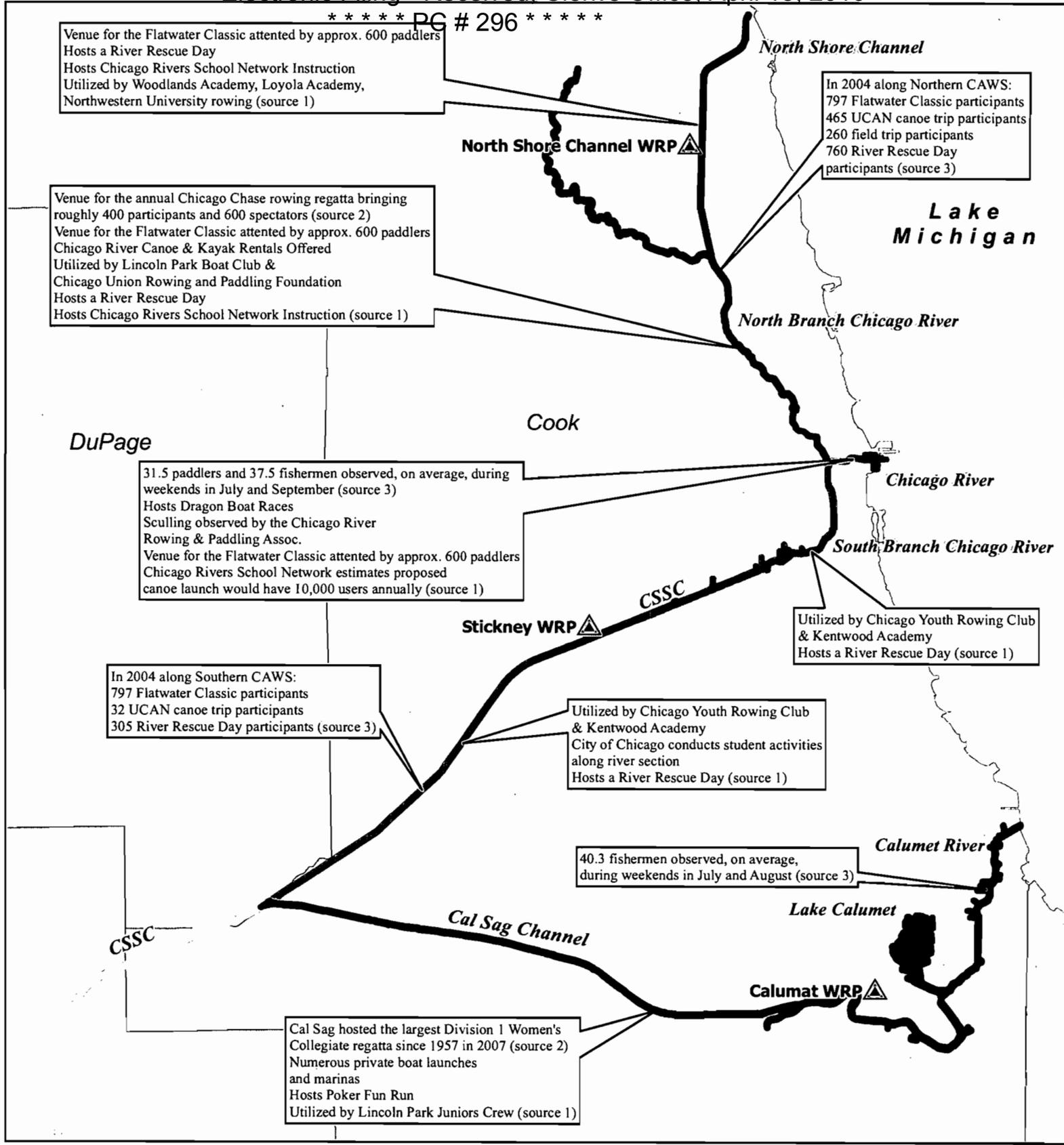
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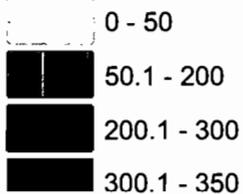
APPENDIX 1



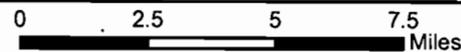
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CAWS Canoeing/Fishing Counts

Spring/Summer 2005



Water Reclamation Plants



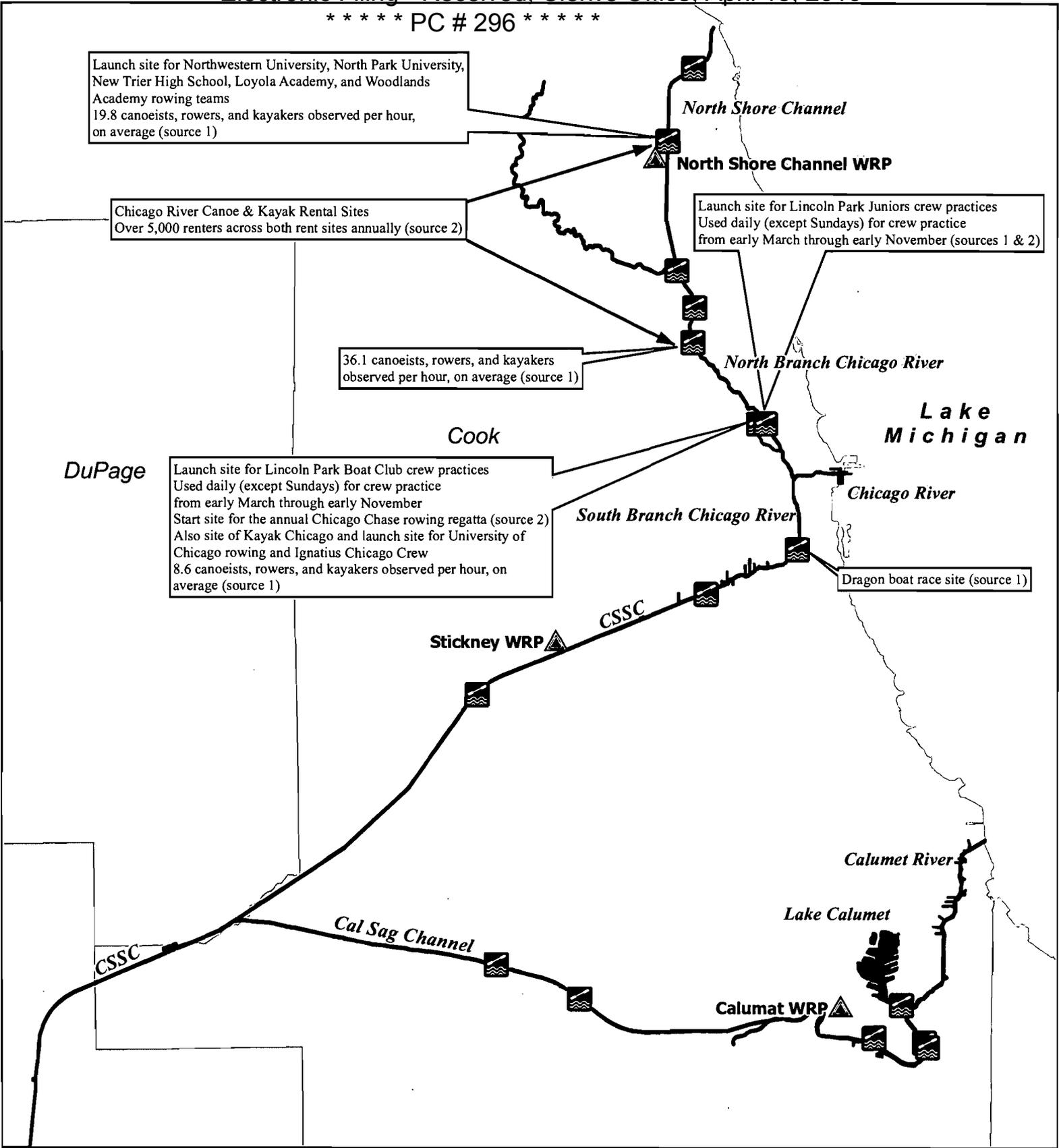
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Map Projection: UTM Zone 16N
 Geodetic Reference System: NAD 1983

Sources for Appendix 1:

- 1) IEPA Statement of Reasons, Attachment B: Chicago Area Waterway System Use Attainability Analysis. Prepared by CDM for the Illinois Environmental Protection Agency. August 2007.
- 2) Metropolitan Water Reclamation District of Greater Chicago Financial Report. 2007.
- 3) Recreational Information Pertaining to Skulling, Boat Launches and Other Recreational Activities (Corresponds With Attachment K Attached to the Agency's Statement of Reasons), filed in R08-9 on March 4, 2008.
- 4) Chicago Area Waterway System canoeing/fishing counts estimated using: Recreational Data from 2005 from the MWRD Boat Crew, filed in R08-9 on March 4, 2008.
- 6) Water reclamation plant locations digitized using Google Earth.
- 5) Spatial data sources: a) Chicago GIS; and, b) Environmental Systems Research Institute, Inc.

APPENDIX 2



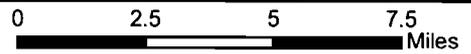
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Cook

Lake Michigan

Calumet River

Lake Calumet



Legend

-  Chicago Area Water System (CAWS)
-  Canoe/Kayak Access Points
-  Water Reclamation Plants

1:240,000

Map Projection: UTM Zone 16N
Geodetic Reference System: NAD 1983

Sources for Appendix 2:

- 1) Metropolitan Water Reclamation District of Greater Chicago Prefiled Testimony of Samuel Dorevitch (electronic filing).
- 2) Recreational Information Pertaining to Skulling, Boat Launches and Other Recreational Activities (Corresponds With Attachment K Attached to the Agency's Statement of Reasons), filed in R08-9 on March 4, 2008.
- 3) Canoe/kayak launch sites digitized using: IEPA Statement of Reasons, Attachment L: Inventory of Public Access Locations along the Chicago Area Waterway System. Illinois EPA, Bureau of Water (May 15, 2007); and, Google Earth.
- 4) Water reclamation plant locations digitized using Google Earth.
- 5) Spatial data sources: a) Chicago GIS; and, b) Environmental Systems Research Institute, Inc.

APPENDIX 3

<u>IPCB #</u>	<u>Commenter's Name</u>	<u>Comment Number</u>	<u>Other</u>	<u>Received</u>
R2008-009	Forest Preserve District of Will County	4	Rules will benefit several preserves run by the FPDWC	3/8/2008
	City of Chicago by Suzanne Malec-McKenna	10		3/25/2008
	Rep. Jesse Jackson Jr.	37		5/15/2008
	State Rep. Elizabeth Coulson	38		5/19/2008
	Ald. Scott Waguespak	43		6/5/2008
	(then)Lt. Gov. Pat Quinn	51		6/16/2008
	State Rep. Elizabeth Hernandez	58		6/16/2008
	State Rep. Kevin Joyce	61		6/17/2008
	Cook County Commissioner Mike Quigley	68	Proposed Rules will have a variety of benefits, including improved recreational use	6/19/2008
	Rep. Mark Kirk	75		6/27/2008
	Chicago Park District	249	Canoe; Kayak; Fishing, both formal and informal	10/13/2009
	Prairie Parklands Partnership	5	Protection of wildlife benefits those who hike along the river or otherwise want to observe it	3/10/2008
	Illinois Paddling Council, by Vice-President Thomas M. Lindblade	8		3/24/2008
	Lynn Dinzole, on behalf of the Chicago River Foundation and the Lincoln Park Junior Rowers	17	From mid-February through November high school rowers will spend at least 2 hours a day rowing for 6 days a week; During the summer the rowers may spend over 5 hours a day in the water	4/1/2008
	Sea Kayakers Association and Various Co-Petitioners	23	Kayaking and other paddling sports	4/18/2008
	Illinois Paddling Council	47		6/9/2008
	National Marine Manufacturer's Association	53	Recreational boating is an important part of Chicago's economy	6/13/2008
	Neighbor Space	82	Trails; Gardening; General Use of River	8/6/2008

Calumet Ecological Park Association	151	Fish; Paddle; Row; Power Boats	9/16/2008
St. Paul's United Church of Christ	166		11/14/2008
Lower Des Plaines Ecosystem Partnership	176		12/18/2009
Alliance for the Great Lakes	246	Fishing; Canoeing; Kayaking	9/24/2009
Tom Hall	3	Rowing; Kayaking	2/4/2008
Roberty Cassidy	19		4/2/2008
Harold Morrison	46	Planning a canoe trip on the Chicago River	6/9/2008
Sigred Pilgrem	56		6/16/2008
Michael Allen	70		6/20/2008
Janice Willborn	72		6/23/2008
Bob Menard	74		6/24/2008
Brian Lantz	239	Identifies high school and elementary school girls' rowing teams using Chicago River	7/13/2009
Sharon Bloyd-Peshkin	250	Kayak instructor	11/4/2009
Scott Fairty	250	Kayak instructor	
Sarah Hartman	250	Kayaker	
Steven E. Gross	250		
Emily Euel	217	Student at Waters School	6/18/2009
Wagner Regalizo	218	Student at Waters School	6/19/2009
Kimberly Ombalino	219	Student at Waters School	6/20/2009
Mayrel Deguzman	220	Student at Waters School	6/21/2009
Solomon L.	221	Student at Waters School	6/22/2009
Dardagen	222	Student at Waters School	6/22/2009
Aldin Polvina	223	Student at Waters School	6/23/2009
Enrique Escalante	224	Student at Waters School	7/1/2009
Megan Turner	225	Student at Waters School	7/1/2009
Antonio Gamez	226	Student at Waters School	7/1/2009
Annette Aragon	227	Student at Waters School	7/1/2009
Alia	228	Student at Waters School	7/1/2009
Max Michaels	229	Student at Waters School	7/1/2009
Alison Thoms	230	Student at Waters School	7/2/2009

Ali Hodzic	231	Student at Waters School	7/2/2009
Austin Bunge	232	Student at Waters School	7/2/2009
Tarik Hodzic	233	Student at Waters School	7/2/2009
Jordan Rivera	234	Student at Waters School	7/2/2009
Max Garcia	235	Student at Waters School	7/2/2009
Ariel Jordan	236	Student at Waters School	7/2/2009
Jacqueline Cambron	237	Student at Waters School	7/2/2009
Kimberly Cortes	238	Student at Waters School	7/2/2009
Eric Lev	2	Rowing	1/29/2008
Douglass M. Reese	7	Fishing	3/24/2008
Bryan Whitehead	9	Paddling	3/24/2008
Don Mueggenborg	11	Paddling	3/25/2008
Eric and Lisa Yondorf	12	Paddling	3/26/2008
E. Grimm	13		3/26/2008
Gerry Bakker	14	Canoeing	3/27/2008
Kelly Dougherty	15		3/28/2008
James D. Brusslan	16	Kayaking	3/31/2008
Barbara Gallo-Figler	18	Paddling	4/1/2008
John Llewellyn	20		4/2/2008
Lawrence Kaplan	21		4/4/2008
Susan Lannin	22		4/10/2008
Marguerite T. Vercillo	24		4/21/2008
Sherrie Harris	25		4/21/2008
Barbara Banks	26		4/21/2008
Erika Dominguez	27		4/21/2008
Penny Banks	28		4/21/2008
Robin Martensen	29		4/21/2008
Diana Mendez	30		4/21/2008
Tom Costello	31		4/21/2008
M. Eileen Cleirig	32		4/21/2008
Scott Anderson	33		4/21/2008
Brandy and Jim Kneip	34		4/23/2008
Matthew Scavo	35	Takes family and friends who visit on Chicago River tours	4/24/2008
Kathryn Callaghan and Jeremy Staum	36		5/12/2008

Mark Duffy	39	Kayaking	6/2/2008
Barbara Keer	41		6/4/2008
Hannah Higgils	44	Rower; Canoe Guide	6/5/2008
Ron and Dee Tevonian	45		6/6/2008
Nicholas Bianchi	48	Paddling	6/11/2008
Robert Scholtes	49		6/12/2008
Richard Ross	50	Kayaking	6/12/2008
Tim Philosophos	52	Paddle sports	6/13/2008
Mike Agostinelli	54	Kayaking; Year-round	6/13/2008
Alan Pilgrim	55	Canoe instructor; Paddler	6/16/2008
Michael Hans	57	Kayaking	6/16/2008
Erin Argyilan	59	Rowing; Kayaking	6/16/2008
Marian Carow	60		6/16/2008
Bharat Meshwani	62	Kayaking; Canoeing	6/17/2008
Seth and Carol Stein	64		6/18/2008
Douglas Gerlman	65		6/18/2008
April Jean-Baptiste	69		6/20/2008
Pierre and Emily Kornak	74		6/23/2008
Fletcher Chicago	76		7/29/2008
Amy Shivers	77		7/29/2008
Henrietta Saunders	78		8/1/2008
Greg Borzo	79		8/4/2008
Nancy Bachmann	80	Biking; Canoeing	8/4/2008
Robert Friedman	83		8/11/2008
Christine Wehman	84		8/12/2008
Max West	85		8/14/2008
Bryan Villaro	86		8/15/2008
Melanie Kahl	87		8/15/2008
Liz Ron	88		8/15/2008
Candice Percansky	89		8/15/2008
Barbara Seltzer-Jordan	90		8/15/2008
Annan Shehad	91		8/15/2008
L. Q. Valeirian	92		8/15/2008
Debra Krause	93		8/15/2008
Elisa C. Ringholm	94		8/15/2008
William Wilk	95		8/15/2008
Lynne Soody	96		8/15/2008

Lou Barrein	97	8/15/2008
R. A. Rosenstein	98	8/15/2008
Kevin N. Hayes	99	8/15/2008
A. M. Beltande	100	8/15/2008
Thomas P. Woods	101	8/15/2008
Norm Graham	102	8/15/2008
Mark Hallett	103	8/15/2008
Layton Olson	104	8/15/2008
Beryn Raz	105	8/15/2008
K. Echols	106	8/15/2008
Alane Landgraf	107	8/15/2008
Maureen P. Sertich	108	8/15/2008
Megan Sampson	109	8/15/2008
Erin P. Kenney	110	8/15/2008
C. Lindsay James	111	8/15/2008
Andrea Nitsch	112	8/15/2008
James W. Plotnik	113	8/15/2008
William N Sebeergel	114	8/15/2008
Joshua M. Bonton	115	8/15/2008
Unknown	116	8/15/2008
T. Quinn	117	8/15/2008
Andrew W. Grey	118	8/15/2008
Marissa St Mel	119	8/15/2008
William Shuff	120	8/15/2008
William Knuzel	121	8/15/2008
Walter Jones	122	8/15/2008
Marilyn Jones	123	8/15/2008
Steve Barber	124	8/15/2008
Ray Schultz	125	8/15/2008
Sarah Ackerman	126	8/15/2008
Barry A. Bursak	127	8/15/2008
Brian Monahan	128	8/15/2008
Pete Kutcher	129	8/15/2008
Rayija Karrpierers	130	8/15/2008
Kylie Baker	131	8/15/2008
SCott A. Mehaffey	132	8/15/2008
Robert G. Oeher	133	8/15/2008
Jerry Aherto	134	8/15/2008
Dan Paterno	135	8/15/2008
Nicole DeVincenzo	136	8/15/2008
Mary Taylor	137	8/15/2008
John Santos	138	8/15/2008
Marilyn Pelke	139	8/15/2008
Sam Miller	140	8/15/2008
Barbara Olson	141	8/15/2008
Philip Fitz	142	8/15/2008
Gordon B. Rummell	143	8/15/2008
Edwin E. Ayala	144	8/15/2008
Rene C. Ayala	145	8/15/2008
Rachel Thomas	146	8/15/2008
Paula Levin	147	8/15/2008
Kenneth Arenberg	148	8/19/2008

Susanne Swisher	149	8/19/2008
Cinda and Fred Axley	150	8/21/2008
Teresa Frisbie	152	9/17/2008
Michael Menisk	153	9/18/2008
Thomas Keaveny	154	10/14/2008
Jonelle Niffenger	155	10/14/2008
Nancy Beskin	156	10/14/2008
Tom Judge	157	10/14/2008
Teresa Sadofsky	158	10/14/2008
David Rigg	159	10/14/2008
William Walsh	160	10/15/2008
Jessica Goehler	161	10/17/2008
Steve Hamada	162	10/22/2008
Chris and Nan Parson	163	10/22/2008
Robert Lagorio	164	10/23/2008
Abraham Kelly	167	11/14/2008
James Brussian	168	11/17/2008
Mark Miller	169	11/17/2008
John Sheerin	170	11/18/2008
Gerry Bakker	171	11/20/2008
Eric Yondorf	172	11/24/2008
Cinda Axley	173	11/25/2008
Laura West	178	12/23/2009
Robert and Barbara Bevan	179	12/24/2008
Dani Nichols	180	12/29/2008
Evelyn Alford	181	12/31/2008
Thomas Pasarella	185	4/9/2009
Lena Arthur	188	5/22/2009
Amber Miller	189	5/22/2009
Christina Kotrych	190	5/22/2009
Chris Ruder	191	5/22/2009
Kelly Lehnherr	192	5/22/2009
Joi Camper	193	5/22/2009
Daniel West	194	5/22/2009
Chris Gilbert	195	5/22/2009
Sharon Yetter	196	5/22/2009
Laura Glyda	197	5/22/2009
Hope Parr	198	6/5/2009
Patti Hunt	199	6/6/2009
Karen Mayer	200	6/7/2009
Tom Mullaney	201	6/8/2009
Della MacElroy	202	6/9/2009
Ruth Balgley	203	6/10/2009
Sarah Allen	204	6/11/2009
Sue McCaren	205	6/12/2009

Sayuui Anderson	206	6/13/2009
Diane Masters	207	6/14/2009
Jane Jackson	208	6/15/2009
Margret Griffiths	209	6/16/2009
Sarah Golane	210	6/17/2009
Susan Van der Menlen	211	6/18/2009
Susan Thompson	212	6/19/2009
Sally Meiners	213	6/20/2009
Robert Pernal	214	6/21/2009
Margie Gaskin	215	6/22/2009
Douglas Voyles	216	6/23/2009
Mary Jane Lean	241	8/31/2009
Thomas and Deirdre Graziano	242	8/31/2009
Jonah and Sarah Smith	243	9/1/2009
Rico Cedro	244	9/4/2009
Felice Eckhouse	245	9/8/2009
Jean Panichi	251	11/19/2009
Jeff Lucas	253	12/14/2009
Richard Prysbranski	254	12/14/2009
Maris Bacerra	255	12/14/2009
Miguel Prado	256	12/14/2009
Margaret Aguilar	257	12/14/2009
Mary Abeleda	258	12/14/2009
Katie Hueis	259	12/14/2009
Bryan McAllister	260	12/14/2009
Marissa Moreno	261	12/14/2009
Alonoham reyes	262	12/14/2009
Chris Bellcam	263	12/14/2009
Xuancheng Yao	264	12/14/2009
Christina Alacon	265	12/14/2009
Deanna Gomez	266	12/14/2009
Ixchel Martinez	267	12/14/2009
Tasha Stavens	268	12/14/2009
Maggy Pionk	269	12/14/2009
Erica Gonzalez	270	12/14/2009
Theresa Barney	271	12/14/2009
Darnias Athens	272	12/14/2009
Nancy Romero	273	12/14/2009
Alex Guerrera	274	12/14/2009
Cualistemioc Mortia	275	12/14/2009
Patricia Yeray	276	12/14/2009
Heidi Gillette	277	12/14/2009
Richard J. Stuckey	278	12/14/2009
Arthur Sepibox	279	12/14/2009
Cassandra Vasquez	280	12/14/2009
Myrna Vasquez	281	12/14/2009
David Cornell	282	12/14/2009
Martin Carrillo	283	12/14/2009

R2008-009
(A) and (B)

Eric Kerlow

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3/26/2010

James Des Jardins

288

Kayaking; Takes his
granddaughter kayaking

3/31/2010

APPENDIX 4

II. FINANCIAL SECTION



All up and down the District's 76 miles of main waterways healthy activity is occurring. Nearly 600 recreational paddlers participated in the day long Flatwater Classic traveling the 7.25 mile course from North Shore Channel's Clark Park to the finish line at Ping Tom Memorial Park in Chinatown. In 2007, the largest Division-1 Women's Collegiate regatta since 1957 took place on the famous Cal Sag Channel.

CERTIFICATE OF SERVICE

I, ANDREW ARMSTRONG, do certify that I filed electronically with the Office of the Clerk of the Illinois Pollution Control Board the foregoing Notice of Filing and Comments in Support of Proposed Recreational Use Designations for the Chicago Area Waterway System and the Lower Des Plaines River and caused them to be served this 15th day of April, 2010 upon the persons listed on the attached Service List by depositing true and correct copies of same in an envelope, first class postage prepaid, with the United States Postal Service at 69 West Washington Street, Chicago, Illinois, unless otherwise noted on the Service List.

A handwritten signature in black ink, appearing to read "Andrew Armstrong", written over a horizontal line.

ANDREW ARMSTRONG