

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 ILL..)
 ADM. CODE PARTS 301, 302, 303 and 304)

NOTICE OF FILING

To:

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Please take notice that on the 20th Day of September, 2010, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Testimony of Sharon Boyd-Peshkin**, a copy of which is hereby served upon you.

By: _____
Ann Alexander, Natural Resources Defense Council

Dated: September 20th, 2010

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CERTIFICATE OF SERVICE

I, Ann Alexander, the undersigned attorney, hereby certify that I have served the attached **Testimony of Sharon Bloyd-Peshkin** on all parties of record (Service List attached), by depositing said documents in the United States Mail, postage prepaid, from 227 W. Monroe, Chicago, IL 60606, before the hour of 5:00 p.m., on this 20th Day of September, 2010.

A handwritten signature in blue ink that reads "Ann Alexander". The signature is written in a cursive style.

Ann Alexander, Natural Resources Defense Council

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TESTIMONY OF SHARON BLOYD-PESHKIN

My name is Sharon Bloyd-Peshkin. I am submitting this testimony on behalf of Natural Resources Defense Council, Sierra Club – Illinois Chapter, Friends of the Chicago River, Southeast Environmental Task Force, and Openlands

I am a professional kayak instructor, and work as a staff instructor at the Geneva Kayak Center. I am an American Canoe Association (“ACA”) Level 4 sea kayak instructor and a Sea Kayak United Kingdom (“SKUK”) Coach 1. I teach at numerous kayak symposia around the Great Lakes area, and frequently assist with beginner kayak trips offered by the Chicago Whitewater Association. I have been paddling in the greater Chicago area for approximately nine years, and received my instructor and coach certifications in 2007 and 2008. My husband and I maintain a paddling blog, “Have Kayaks Will Travel,” at www.bloyd-peshkin.blogspot.com. I was also a participant in the University of Illinois at Chicago (“UIC”) Chicago Health, Environmental Exposure, and Recreation Study (“CHEERS”) on both river and beach locations.

I submitted comments earlier in this proceeding in support of the proposal by the Illinois Environmental Protection Agency’s (“IEPA”) to require disinfection at the Metropolitan Water Reclamation District (“MWRD”) treatment plants on the Chicago Area Waterway System (“CAWS”) (Exhibit 1). My testimony today, drawn in part from those comments, specifically concerns the aspect of the CHEERS study that attempted to assess how wet participants got during kayaking and other recreational activities. It is my opinion, based on my extensive paddling experience, that the CHEERS study did not adequately assess participants’ water exposure.

CHEERS study participants were given an extensive questionnaire concerning our activities. The questionnaire included, among other things, a range of options for us to indicate how wet we got during our recreational activity and on what part(s) of our body. Specifically, for each of a list of body parts (feet/legs, hands/arms, torso, and face/head) we were given a list of choices to specify how wet each of those body parts got during our activity (not wet, sprinkle/drops, splash, drenched, submerged). It is my understanding that the data collected in response to these questions was used in the CHEERS study to compensate for the potential difference in illness rates that might be associated with differing levels of wetness.

Based on my kayaking knowledge and experience, in both the Chicago River and other venues in the Chicago area, I do not believe that this very general set of questions is sufficient to obtain an accurate picture of how extremely wet kayakers get when they are paddling in perceived cleaner water – such as the general use waters in the CHEERS study. By the same token, I believe these questions are insufficient to get at the radical difference between the way kayakers behave on waters that are perceived clean – such as the general use waters that were the subject of the CHEERS study – and waters such as the CAWS that are known to have higher pathogen levels. Such being the case, it would not identify the resulting very significant difference in the amount of water likely to be ingested in perceived clean versus perceived contaminated water.

Specifically, because of the bacterial pollution that I believe exists in the Chicago River, there is a huge difference between the way I paddle there and the way I do in waters I believe to be cleaner, and I almost never teach on the Chicago River. When I take kayakers on waterways that are thought to be relatively clean – Lake Michigan, the Fox River, the DuPage – we deliberately get very wet. Beginners practice hanging upside down in their boats while awaiting a rescue, and swimming out of their overturned boats to safety – essential skills for safe paddling. More advanced paddlers purposely capsize as we push the limits of our skills and practice rolls and rescues. In other words, we not only don't worry about getting a little wet on these rivers, we encourage it.

Paddling on the Chicago River is a completely different experience. I am not willing to teach most kayaking skills on the Chicago River because, as noted above, teaching those skills requires getting quite wet. I have only led one sightseeing trip on the Chicago River. We did our best to stay dry, and I warned people to avoid touching the water. We thoroughly washed ourselves and our gear afterwards. Beginners can and do capsize on occasion, of course, even on a flat river like the Chicago River. But for the most part, in my experience and that of my kayaking colleagues, people are very cautious.

In view of these facts, I believe the CHEERS study questionnaire is insufficient to provide an accurate picture of the volume of water that is often swallowed during kayaking on general use waters. When we are on the Fox River, Lake Michigan or other place where we are not worried about water quality, we are underwater or in the water for large amounts of time. We certainly get some water in our mouths and noses every time we fall in (intentionally or not). However, the CHEERS study questionnaire did not allow us to differentiate between swallowing many mouthfuls, as we often do, and swallowing only one mouthful. The most water we could indicate swallowing on the questionnaire checklist was “one mouthful or more.” The study also did not enable us to differentiate between repeated and prolonged immersion and a single, quick immersion. Nor did it provide for us to indicate that after paddling on a river we perceive to be clean, we are likely to eat lunch without thoroughly washing our hands, while after paddling on the CAWS, we would never take that risk.

In any event, at the end of a full day of capsizing, rolling, and dunking, it is as a practical matter not really possible to estimate accurately how much water was ingested. The problem is compounded when dealing with beginners. When beginners capsize on a river that is considered

clean, they often tend to panic and forget really basic things, like the instructions they were given to hold onto the boat and the paddle. I seriously doubt that when they can't recall such basic safety instructions, that they can realistically remember how much they swallowed with any sort of accuracy.

At the same time, since kayakers on the Chicago River are generally instructed to be careful not to touch the water, and to wash and rise if they do, they are much more likely to be acutely aware of any water that may splash on them, and to remember it at the end of the day. Certainly, if they had the misfortune to fall in, I believe they would be much more likely to retain a vivid memory of the incident, including whether they ingested a mouthful or not. But a Chicago River kayaker who checked the box on the survey indicating that he or she swallowed "one mouthful or more" may well have swallowed much less at the end of the day than a kayaker on Lake Michigan who practiced rolls and rescues for several hours and checked that box as well. While the CHEERS study did confirm generally that CAWS recreators are getting less wet than general use recreators, I am not confident that its data reflects the magnitude of the difference.

I recognize that crafting a survey questionnaire of this nature is not easy. And I commend the UIC researchers for undertaking the CHEERS study and for their diligent work to develop an understanding of recreational risks. Despite the concern I have highlighted, I believe that the study results indicate both cause for concern and the need for further study. First, I am concerned that the study found a correlation between CAWS recreation and eye symptoms. Second, I am concerned that there were quite substantial percentages of people reporting gastrointestinal symptoms in both the CAWS and the general use waters. For the reasons I have specified, I believe it would be in the public interest to perform further study aimed at understanding illness rates specifically among kayakers, who are more likely generally than other recreators to have swallowed water; and who may be swallowing proportionally more water in general use venues than the study was designed to account for. Such a study would be one of many potential next steps that should be taken to understand the elevated level of gastrointestinal symptoms.

But what we should not do is sit on our hands while we study the problem for years down the road, while recreators risk illness every year. It is time to take action to bring Chicago in line with every other modern city – and quite a few ancient ones, I might add – who recognized long ago that sewage pathogens are hazardous to human health and must not be disposed of in a metropolitan waterway.

/s/

Sharon Bloyd-Peshkin