

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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

**METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER  
CHICAGO'S PRE-FILED QUESTIONS TO ROBERT S. ELVERT**

1. In the last paragraph of page 2 of your testimony, you state that "Incidental Contact includes contact with the water during such activities as fishing, wading, or small craft recreational boating." You go on to discuss the great amount of barge traffic in the lower Des Plaines River, on page 3, paragraph 2.
  - A. Do you know how difficult it might be for a barge or tugboat captain to notice incidental contact recreators who may be in the area of the tugboat or barge(s)?
  - B. If a barge or tugboat captain becomes aware of recreators in the area, how difficult is it for a barge or tugboat to take evasive measures to avoid coming in contact with them on short notice?
  
2. On page 3, paragraphs 2 and 3 of your testimony, you indicate that barge traffic is constant on the Lower Des Plaines River, that is, 24 hours a day and seven days a week.
  - A. Does this mean that barge traffic would likely be present any time there is incidental contact recreation in the lower Des Plaines River?
  - B. Does a similar level of barge traffic occur in the upstream Chicago Sanitary and Ship Canal and Cal-Sag Channel?
  
3. On page 4, paragraph 1 of your testimony, you note that witnesses have stated that the CAWS and Lower Des Plaines River will continue to see increased numbers of incidental contact recreators if the proposed rules are adopted. You also mention that boaters in the area of the LDPR have drowned.
  - A. Do you believe that the proposed designation of this waterway for incidental contact recreational use is likely to result in an increased number of injuries and deaths due to increasing contact between recreational craft and barges and tugboats?
  - B. Do you believe this would be true for the CAWS and Lower Des Plaines River?

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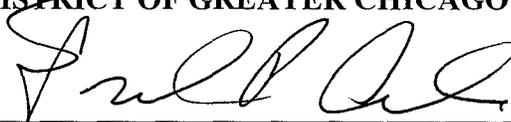
- C. In your opinion, what would be the most appropriate way to address the safety concerns regarding the risks of injury and/or death that can occur due to incidental contact recreation on the LDPR and CAWS?

Dated: August 25, 2008

Respectfully submitted,

**METROPOLITAN WATER RECLAMATION  
DISTRICT OF GREATER CHICAGO**

By:



Fredric P. Andes

Fredric P. Andes  
David T. Ballard  
**BARNES & THORNBURG LLP**  
Suite 4400  
One North Wacker Drive  
Chicago, Illinois 60606  
(312) 357-1313  
482140v1