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March 11, 2016

Ms. Amy Walkenbach
Section Manager
Watershed Management Section, Bureau of Water
Illinois Environmental Protection Agency
PO Box 19276
Springfield, IL 62794-9276

Dear Ms. Walkenbach:

Thank you for the opportunity to comment on the Draft 2016 Integrated Water Quality Report (IR). Our comments are set out below by area of concern.

Ability to Review the Document

Review of the document is not straightforward. This is due, in part, to the inherent complexity of the material, but also because the raw data used to construct the report is invisible to the reviewer. As a result, reviewers are not able to make substantive comments based on a review of the data used to make the determinations. Reviewers need access to data collection information, i.e. number of samples, magnitude and number of exceedances. It is impossible to know with any accuracy when and where samples were collected or surveys carried out, or to identify whether our locally collected data would further enhance the report.

In terms of identifying where the surveys were carried out, the mean length of assessment units in the DRSCW area is 4.8 miles and the longest is 12 miles; identifying sites is impossible. For stressors such as nuisance algae or dissolved oxygen, which can be products of highly localized conditions, such information is essential to formulate a management response. For example, algae thriving in an impoundment behind a dam or in an area exposed to high levels of sunlight would solicit a different management response than a three mile segment filled with macrophytes.

It is increasingly important that this data become available; the IR increasingly serves as the source of mandates for regulated agencies. Such data need not be included in the report but should be made available for download from the Agency's website.

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Data beyond that used for the list of non-performing streams should be also made available. Most organizations do not have a budget to collect data from reference reaches. Detailed data on water quality, habitat and aquatic communities would be an enormous service to regulated agencies and watershed groups, who are working in partnership with the Agency to improve stream resource quality.

Legacy Listings

In the DRSCW watersheds, impairments caused by phosphorus include 5 segments for Aesthetic Quality and 18 segments for Aquatic Life. These segments were previously listed due to concentrations of phosphorus (TP) that fell above the 85th percentile of the State's TP dataset. This was performed due to the absence of a water quality standard for TP in river systems. This methodology is no longer described in the report text, however the historic listings are still included in the 2016 report tables. These listings have consequences for permit holders that discharge to waterways sampled in the period during which this method was in force. The situation was arbitrary, unscientific and will be made further obsolete by the new tools Illinois EPA is developing to identify stream segments stressed by TP. We suggest these legacy listings for TP (and other parameters where a similar method was used such as TSS and sedimentation) be removed from the report system until IEPA develops its method for assessing streams for a TP impairment.

Nuisance Algae and Plants

The current method to list waterways as impaired for nuisance algae is based on visual field observation of floating algae or fixed macrophytes, which is subjective and open to operator bias. Developing a more objective system for listing waterways for nuisance algae is recommended, particularly due to regulatory policy to impose specific permit limits based on this determination. As the DRSCW is now charged with developing implementation plans to address these specific stressors, access is needed to all documentation supporting the specific determinations in our watersheds and the protocols governing how the determination was made. The DRSCW would be willing to work with the IEPA to develop a more objective mechanism for future evaluations.

Legacy Pollutants - Methoxychlor and Hexachlorobenzene

Methoxychlor is listed as a cause of the impairment for Aquatic Life on several segments in the DRSCW area. This pollutant is not listed in table C-5 (Guidelines for Identifying Potential Causes of Impairment of Aquatic Life Use in Illinois Streams). It is found in table C-22 (Guidelines for Identifying Potential Causes of Impairment of Public and Food Processing Water Supply). It is also listed in the State water quality standards under public and food processing water supply standards.

The DRSCW has tested for Methoxychlor in the water column and in rivers sediment at multiple locations and has not detected this compound at concentrations that indicate it is a stressor to aquatic life. We request clarification for how it is being applied to aquatic life.

The recently issued ILR 40 permit tasks the permit holder with sampling for pollutants listed on the most recent iteration of the State 303(d) List. We suggest that this not be applied to methoxychlor (and by the same logic hexachlorobenzene). Methoxychlor was banned from use nationally in 2003 and hexachlorobenzene was banned in 1966. It is not clear what further actions local government can take to abate these pollutants.

Fecal Coliform

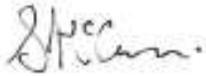
State water quality standards clearly identify sampling guidelines for determining compliance with the water quality standard:

“Notwithstanding the provisions of Section 302.209, at no time shall the geometric mean, based on a minimum of five samples taken over not more than a 30 day period, of fecal coliform (STORET number 31616) exceed 200 per 100 ml, nor shall more than 10% of the samples during any 30 day period exceed 400 cfu per 100 ml in protected waters.”

Previous work with State fecal coliform data found that this frequency and time standard is rarely met. Streams should not be listed as impaired when the State's sampling protocol does not establish non-compliance with the standard. We request clarification for whether a minimum of 5 samples in a 30 day period was completed for streams listed as impaired.

Again we would like to thank you on behalf of all our members for giving us the opportunity to comment on the report.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen McCracken".

Stephen McCracken
Watershed Manager
DuPage River Salt Creek Workgroup