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February 4, 2010

Water Docket, U.S.
Environmental Protection Agency, Mail
code: 4203M, 1200 Pennsylvania Ave.,
NW., Washington, DC 20460.

Attention: Docket ID No. EPA-HQ-OW-2009-0817

To Whom It May Concern:

On behalf of the California State Association of Counties, an organization representing all of California's 58 counties, I write to respectfully request that the Environmental Protection Agency (EPA) consider the following comments regarding the proposed rulemaking affecting stormwater management. These comments are based upon the input provided by our member counties. While we recognize the importance of reducing stormwater discharges from new development and redevelopment, we urge you to develop regulations that do not take a one-size-fits-all approach, allow for flexible implementation measures by local governments, and are cost-effective.

Specifically, we propose that EPA consider the following as they refine their stormwater regulations.

- 1) An incremental approach to rule making is recommended.
- 2) Flexibility should be provided to counties who are working through a watershed stewardship process to identify and address priorities and problems at the watershed level.
- 3) Any plan should allow for regional solutions to hydro modification (increased runoff from development).
- 4) Monitoring requirements should be tied to watershed programs and considerate of management actions.
- 5) Retrofitting existing developed areas without a development project or other project is something new and would be expensive. We believe that retrofitting existing development only works for communities if it is done in conjunction with a redevelopment project or a new land development project.

We believe these changes are reasonable and practical, and would not weaken your efforts to develop a more comprehensive stormwater program consistent with the goals of the Clean Water Act. Given the potential impact of the proposed regulations on local governments, particularly the Phase 2 communities and rural counties, we would appreciate your serious consideration of the suggest changes.

Sincerely,

A handwritten signature in black ink that reads 'Karen Keene'.

Karen Keene
Director of Federal Affairs