



cc: Congressman Susan Davis
Congressman Bob Filner

Ax 0303385



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 16 2003

OFFICE OF
WATER

Ms. Donna Frye
Councilmember
City of San Diego
202 C Street
MS 10A
San Diego, California 92101

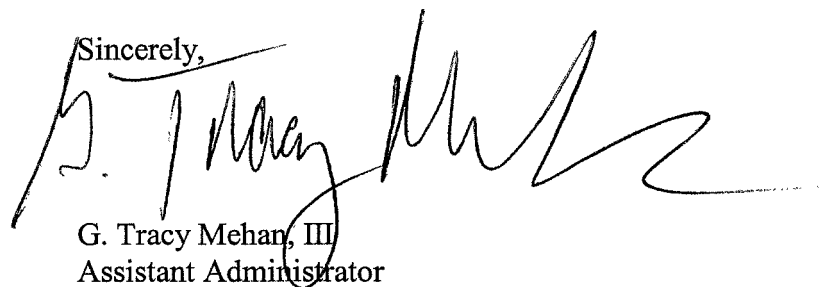
Dear Ms. Frye:

Thank you for your letter of April 13, 2003, to the Environmental Protection Agency addressing our Advance Notice of Proposed Rulemaking (ANPRM) on Clean Water Act jurisdiction on the definition of "Waters of the U.S." in light of the Supreme Court ruling in Solid Waste Agency of Northern Cook County (SWANCC). The Administrator has asked me to reply on her behalf.

We appreciate the time that you have taken to review the ANPRM and to submit your comments on it. We will carefully consider all the input resulting from the process, including the comments in your letter, which has been submitted to the official docket for the ANPRM. Our goal for any proposal is to clarify what waters are properly subject to Clean Water Act jurisdiction in light of SWANCC and afford them full protection through an appropriate focus of Federal and State resources in a manner consistent with the Clean Water Act.

Thank you again for providing your thoughts on these issues. To view current information about the rulemaking process, please visit our website at <http://www.epa.gov/owow/wetlands/swanccnav.html>. If you have any further questions, please do not hesitate to call John Meagher, Director of the Wetlands Division, at (202) 566-1353.

Sincerely,



G. Tracy Mehan, III
Assistant Administrator