

Re: Docket ID No. OW-2002-0050

Dear EPA Manager,

My name is Janis Bobrin and I serve as the Drain Commissioner in Washtenaw County, Michigan. The Drain Commissioner is a county-level elected official whose task is to manage storm water, provide flood control, review development proposals, and protect water quality of streams, lakes and wetlands. There are over 500 such waterways within my jurisdiction.

For the past 15 years the people of Washtenaw County have entrusted me with the duties of this office and supported my efforts to strike a balance between providing drainage to agricultural and urban land, while maintaining the hydrologic integrity of the system of waterways that makes this protection possible – including isolated waterways.

Critical to the hydrologic integrity of Washtenaw County are the thousands of feeder streams, ponds and wetlands that dot the landscape. Most of our surface water is located here, not in our major rivers. These isolated waterways store, detain, infiltrate, recharge, and filter 32 inches of rainfall every year. They are critical for flood relief and insuring a safe drinking water supply.

Isolated waters are a no-cost utility and were recognized as such when Congress passed, and the President signed, the Clean Water Act in 1972. Should we fail to protect this existing resource, it will have to be replaced at tax payers' expense. As our experience with artificial wetlands demonstrates, our ability to replicate the function, utility and efficiency of natural systems leaves a lot to be desired.

An additional public benefit of these isolated waters is nonpoint source pollution control. The Environmental Protection Agency recognizes contaminated storm water runoff as the primary source of pollution in the United States. There are thousands of water bodies throughout the country that do not meet community standards for recreation, body contact and other critical uses. As Drain Commissioner, I am under a federal mandate to reduce phosphorus and *E. coli* throughout the Middle Huron River basin – nearly half of my jurisdiction. The most efficient and cost effective tool at my disposal is the physical protection of isolated waters that reduce the rate and volume of storm water runoff.

It is my understanding that the US Army Corp of Engineers and the Environmental Protection Agency are considering a redefinition of the "waters of the United States" that are protected by the Clean Water Act. This redefinition would limit the protection now offered to "non-navigable tributaries of navigable waters". This would include many of the streams, lakes and wetlands under my jurisdiction. I VERY STRONGLY OPPOSE THIS REDEFINITION.

Very truly yours,

Janis A. Bobrin

Washtenaw County Drain Commissioner

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