



RE: Stormwater Infiltration Question 
Amy Clark to: Rein, Kevin
Cc: Alexis Wade, Debora Clovis, Holly Galavotti, Connie Bosma

11/09/2010 02:30 PM

Kevin - Thank you for trying to clarify the State Engineers Office (SEO) position on infiltration of stormwater and any "statement" you can provide EPA would be greatly appreciated. I understand this is not a simple task. Please let me know if you have any questions. Thanks again.

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Send me an e-mail if you would like to receive updates related to stormwater permits, BMPs, and NPDES regulations.

"Rein, Kevin"	Amy, The confusion does not surprise me since...	11/09/2010 01:55:47 PM
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From: "Rein, Kevin" <Kevin.Rein@state.co.us>
To: Amy Clark/R8/USEPA/US@EPA
Cc: Debora Clovis/DC/USEPA/US@EPA, Alexis Wade/DC/USEPA/US@EPA
Date: 11/09/2010 01:55 PM
Subject: RE: Stormwater Infiltration Question

Amy,

The confusion does not surprise me since I know that I've been ambiguous at best. The reason for the ambiguity is that Colorado water law is rigid and could be taken to be so rigid as to be preclusive of any development. Yet we know that land will be developed and there is a resulting need to manage storm runoff. On top of that, there is some case law that keeps us from applying a strict engineering approach. Therein lies our need to apply the law in a way that satisfies all of the concerns.

I realize that none of the above is any more helpful than anything I told you before. I will work on a clear "statement" that addresses your questions and get concurrence from the State Engineer and some of our Division Engineers that it is compliant with all of our administrative responsibilities.

Thanks, I hope to get back to you in the next couple of days.

Sincerely,

Kevin

Kevin G. Rein, P.E.

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