

SENT VIA EMAIL: Thomas.Jasny@agc.org

October 26, 2011

Mr. David S. Evans  
Director, Wetlands Division  
Office of Wetlands, Oceans and Watersheds  
USEPA Headquarters  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 4502T  
Washington, DC 20460

RE: Oct. 12, 2011, Small Entities Outreach Meeting

Dear Mr. Evans:

Thank you for the opportunity to provide you with information on how federal regulation

McAllen Construction located in McAllen, Texas. McAllen is a small, family owned and operated business that installs municipal utilities, such as waterlines, sanitary sewers, and storm sewers. We have 133 employees and annual revenues of around \$20 million.

My company

while providing excellent customer service and commitment.

#### Background

Currently serve as chairman on AGC's Environmental Network Steering Committee. AGC is the largest and oldest national construction trade association in the

product, and manufacturing.

I am also an elected Trustee of the McAllen Public Utilities Board. This position that oversees water and wastewater infrastructure and maintenance for the community. As an elected official and public trust, my responsibility





## Protection of State Rights

any action that would fundamentally expand the federal

jurisdiction over the general public

regulatory jurisdiction over the general public

jurisdiction over the general public

jurisdiction over the general public

The Agency's proposed rule would expand the federal jurisdiction over the general public

## EPA Proceeding Too Quickly

in many of the 300,000

copies from the field (as

our study will be making out) mirrors the 2011 Draft Guidance. Although

EPA and the Office of Management and Budget have requested that we p

implications of any changes to the existing limits on CWA jurisdiction

questions EPA presented to those who participated in the "Waters of the U.S. Small Entities

Executive Summary

### Conclusion

To clarify the scope of CWA jurisdiction, the Administration initially worked with a

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