

# REAL ESTATE & CONSTRUCTION Alert

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## Detrimental Stormwater Regulations Are Now Open For Public Comment

Stacie C. Bordick  
Farrah de Leon  
Matthew A. Foote  
Jeffrey P. Geiger  
Barry A. Hackney  
Jason T. Jacoby  
Marshall L. Jones  
Penny G. Koch  
Chandra D. Lantz  
John F. McManus  
Glenn R. Moore  
R. Webb Moore  
Charles W. Payne, Jr.  
Charles H. Rothenberg  
Nathaniel L. Story  
James W. Theobald  
John W. Vaughan, Jr.  
Jay M. Weinberg

**HIRSCHLER  
FLEISCHER**  
ATTORNEYS AT LAW

The Edgeworth Building  
2100 E. Cary Street  
Richmond, Virginia 23223-7078  
Phone: 804-771-9500  
Fax: 804-644-0957

Mill Race North  
725 Jackson Street, Suite 200  
Fredericksburg, VA 22401-5720  
Phone: 540-604-2100  
Fax: 540-604-2101

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The Virginia Department of Conservation and Recreation has published proposed stormwater regulations in an effort to set the “gold” standard for reducing pollutant and sediment impacts from urban and suburban areas. The “gold” standard will impose a 0.28 lbs./ac/yr phosphorous standard for new development, as opposed to the current 0.45 lbs./ac/yr standard. For redevelopment projects, the “gold” standard will require a 20% phosphorous reduction, as opposed to the current 10% reduction requirement.

However, to achieve this “gold” standard, DCR wants the price to be paid by the development community. A recent study by the Timmons Group found that these new regulations will cost developers no less than three times the current costs for stormwater management. In one scenario, the cost was five times greater. In addition, these proposed regulations will have a detrimental effect on economic development and could threaten Virginia’s standing as the most business-friendly state in America (Forbes.com 2006-2008).

**There is still time to influence these proposed stormwater regulations.** Public comments on these new stormwater regulations will be accepted until Friday, August 21st. Electronic comments may be submitted at <http://townhall.virginia.gov/L/entercomment.cfm?stageid=5070> or by mail to The Regulatory Coordinator, Virginia Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, Virginia 23219. In addition, there will be a public hearing on Tuesday, July 14 at 7 p.m. in Senate Room “B” of the General Assembly building in downtown Richmond.



If you have questions regarding the proposed stormwater regulations, please feel free to contact Jeff Geiger at 771-9557.