

The Home Builders Association of Virginia (HBAV) believes that the Department of Conservation and Recreation's (DCR) proposed storm water regulations have the potential to increase the cost of development to the point that a considerable amount of new commercial and residential development and re-development will be rendered too cost prohibitive to carry forward. Furthermore, because of the additional land that will be needed to be used to comply with the regulation, HBAV believes that this regulation will increase the cost of housing and commercial construction, and will contribute to urban sprawl. It is HBAV's belief that these regulations unfairly target the bulk of the responsibility for nutrient reduction in the waters of the Commonwealth on a disproportionately small sector of land use activities.

- **DCR's proposed stormwater runoff regulation unfairly targets the development industry over other forms of nutrient polluters.**
- **The proposed .28 lbs/acre/year of phosphorous is not based on sound science and was derived from questionable data in the Chesapeake Bay Tributary Strategies, which itself was based on a questionable phosphorous allocation formula for the Chesapeake Bay.**
- **The largest contributor of phosphorous in the Chesapeake Bay watershed and across the Commonwealth is agricultural land. There are currently no requirements for nutrient reduction from agriculture, and all voluntary measures are subsidized by the government.**
- **New development accounts for less than one percent of the total acreage in Virginia on an annual basis, yet the strictest requirements on nutrient reduction have been placed on this industry.**
- **Point source contribution of nutrient pollutants is a much greater threat to the environment than new development, and upgrades to wastewater treatment facilities achieve greater nutrient reductions for less cost than stormwater management facilities on new development.**
- **The proposed regulations will significantly increase the per pound phosphorous costs for both new development and re-development compared to the per pound cost to agriculture and point source contributors.**

HBAV is looking to the greater business community for your support in developing ideas and strategies to make changes to these regulations to provide for responsible growth that creates reasonable and cost effective protections for the environment. HBAV believes that the larger community will suffer from increased real estate costs, and a further downturn in the construction industry as a direct result of this regulation.