



Virginia Sues Developer Over Erosion & Sediment Violations January 2019

In October, DEQ and the State Water Control Board filed suit against the developer of a luxury golf course in Richmond County for alleged erosion and sediment violations at Fones Cliffs along the Rappahannock River. The violations stem from work last year when Virginia True Corporation cleared land atop the cliffs without obtaining the proper state permits and stormwater management plan approval. Late last year, Virginia True was issued a stop-work order by Richmond County after workers illegally cleared 13.5 acres and did not install proper stormwater and erosion and sediment controls. DEQ issued two violation notices, both stemming from the illegally cleared land. During several inspections, DEQ noted control measures “were minimally effective and not properly installed or maintained. Silt fence was not entrenched, sections were detached from the post, and sediment was built up along the fence.” After heavy rains in May 2018, a waterman noticed a breach in the cliffs where trees and soil had sloughed down toward the river.

The suit was filed after the matter was referred to the Office of Attorney General by DEQ Director Paylor. It alleges 17 counts of unlawful actions by Virginia True, all stemming from the illegally cleared land, alleging that Virginia True failed to obtain proper permits and continued to ignore its responsibilities even after receiving multiple notices of violation. The lawsuit seeks an injunction to force Virginia True to comply with environmental laws and asks the court to impose the maximum allowable civil penalties.