

Chris Pomeroy

President

Chris Pomeroy co-founded AquaLaw in 2002 with Paul Calamita. Today, AquaLaw is nationally recognized for its expertise on environmental and business matters concerning water supply, wastewater treatment, stormwater management, utilities, and natural resources. Chris' practice is primarily dedicated to advising and representing owners, operators and developers of water and other types of regulated infrastructure, including water supplies, treatment facilities, pipelines, and water distribution, wastewater collection and stormwater drainage systems.

Local governments, utilities and other businesses routinely seek Chris' advice on permitting, compliance, and enforcement defense under the Clean Water Act, Safe Drinking Water Act, and other federal and state environmental laws and regulations. Chambers USA recognizes Chris as a "great choice for permitting and enforcement defense" and as "an expert in the Clean Water Act" in *Chambers USA: America's Leading Lawyers for Business 2010*. Chris has advised clients on hundreds of environmental permits, orders, consent decrees, agreements, and other regulatory and legal actions.

Over the years, Chris has handled a wide variety of litigation in federal and state courts and before administrative agencies, including appeals of regulations and permits and defense of agency or citizen enforcement actions. Chris has successfully argued several prominent federal Clean Water Act cases resulting in important national precedents, including *Piney Run Preservation Assn. v. Carroll County, Maryland* (4th Cir. 2001) (leading case on the NPDES "permit shield" protecting permittees from citizen suit enforcement); *Virginia DOT & Fairfax County v. U.S. EPA* (E.D. Virginia, 2012) (overturning EPA's first TMDL regulating water "flow" rather than "pollutants"); and *American Farm Bureau Federation v. U.S. EPA* (3rd Cir. 2015) (upholding the Chesapeake Bay TMDL for Nitrogen, Phosphorus and Sediment and its holistic watershed approach to water quality protection including nonpoint source participation).

Chris has extensive experience with general utility matters such as water and wastewater service agreements, local ordinance development, ratemaking, utility formation and mergers, and other aspects of utility law. He routinely handles negotiation, drafting and administration of complex contracts for, among other things, the financing, construction, and operation of water infrastructure projects. He has longstanding appointments as chief legal counsel to a half dozen entities in the water industry and routinely serves as special counsel to numerous others.

Chris is also a registered lobbyist with a proven track record for developing and implementing legislative strategies and passing or defeating legislation concerning natural resources, environmental regulation, and utility management. Over the course of many years, he has had a major impact on environmental and utility legislation particularly in Virginia. One especially notable effort was as lead lobbyist for the enactment of Virginia's 2005 Point Source Nutrient Credit Exchange Program legislation and subsequent amendments for expansion.

Among many other water quality trading projects, permits and contracts, most notably Chris was the corporate organizer and a lead developer of the Virginia Nutrient Credit Exchange Association, Inc., which is considered largest, most active water quality trading operating entity in the United States. He has continuously served as general counsel alongside the utility and industry executives comprising the Board of Governors of the Exchange since its incorporation in 2005.

Education

J. D., George Washington University Law School, Washington, D.C., 1996, With High Honors
Law Review: *GW Journal of International Law & Economics*, Member
Moot Court Board, Member
Order of the Coif, Member

B. S. Biology, Fairfield University, Fairfield, Connecticut, 1992, *cum laude*

Honors Program, Member
AED Pre-Med Honor Society, Member

Professional Affiliations

Virginia State Bar, Environmental Law Section (Chair, 2001-2002)
Local Government Attorneys of Virginia
Virginia Association of Counties
Virginia Municipal League
Virginia Water & Waste Authorities Association
Virginia Forever Board of Directors
Maryland State Bar Assn, Environmental Law & State/Local Govt Law Sections
Water Environment Federation (Including Virginia & Chesapeake Chapters)
American Water Works Association (Including Virginia Chapter)
National Association of Clean Water Agencies, Legal Affairs Committee

Admitted

Virginia
Maryland
U.S. Supreme Court
U.S. Court of Appeals for the Third Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Western District of Virginia
U.S. Court of Federal Claims