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**11th Annual Conference!**

# Florida Wetlands & Mitigation Banking

**New Decisions and Directions**

**November 3-4, 2005 • Marriott Waterside Hotel & Marina • Tampa**

## **Who Should Attend:**

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- Consultants
- Planners
- Builders
- Environmental Representatives

... and anyone involved in wetlands!

## **Featuring Speakers From:**

- WilsonMiller
  - U.S. Army Corps of Engineers
  - Southwest Florida Water Management District
  - Florida Department of Environmental Protection
  - St. Johns River Water Management District
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Conference Schedule and Speaker Biographies Inside



**Thursday, November 3** **Friday, November 4**

8:30	Registration and Continental Breakfast
9:00	<b>Welcome and Introduction</b> <i>Ann M. Redmond, Program Co-Chair</i> <b>Regional Manager, Ecological and Water Resources</b> <i>WilsonMiller, Tallahassee</i>
9:15	<b>Primer on Wetlands Law in Florida</b> An Overview of Federal and State Wetland Regulation <b>Dorothy Boardman, Esq., Assistant District Counsel</b> <b>Jacksonville District</b> <i>U.S. Army Corps of Engineers, Jacksonville</i> <b>Karen West, Esq., Deputy General Counsel</b> <i>Southwest Florida Water Management District, Brooksville</i>
10:15	Morning Break
10:30	<b>Wetland Delineation</b> When It Is a Wetland and Not Just Wet Land <b>Eric Hickman, Wetland Evaluation and Delineation Administrator</b> <i>Florida Department of Environmental Protection, Tallahassee</i>
11:15	<b>Featured Presentation</b> New Directions for the Corps in Florida <b>Lawrence C. Evans, Chief, Regulatory Division</b> <b>Jacksonville District</b> <i>U.S. Army Corps of Engineers, Jacksonville</i>
12:00	Q&A Panel <i>Members of the Faculty</i>
12:15	Lunch Break
1:30	<b>Status of Implementation of the Uniform Mitigation Assessment Method (UMAM)</b> Does It Work in Practice? <b>Constance J. Bersok, Environmental Administrator</b> <i>Florida Department of Environmental Protection, Tallahassee</i>
2:15	<b>Watershed Scale Wetland Permitting</b> St. Joe Case Study and Beyond <b>Ann M. Redmond, Program Co-Chair</b> <b>Regional Manager, Ecological and Water Resources</b>
3:00	Afternoon Break
3:15	<b>Cumulative Impacts on Wetlands and Other Surface Waters</b> In-Basin, Out-of Basin and the Considerations Involved <b>Kathryn Mennella, Esq., General Counsel</b> <i>St. Johns River Water Management District, Palatka</i>
4:00	<b>Ethics</b> How Not to Get Burned in the Wetlands Regulatory Arena <b>Roger D. Schwenke, Esq.</b> <i>Carlton Fields, Tampa</i>
5:00	Q&A Panel <i>Members of the Faculty</i>
5:15	Adjourn

9:00	<b>Welcome Back</b> Overview of Day Two <b>Eric T. Olsen, Esq., Program Co-Chair</b> <i>Hopping Green &amp; Sams, Tallahassee</i>
9:15	<b>Appealing and Litigating Permit Decisions</b> How to Be Sure You Come Out on Top <b>Frank E. Matthews, Esq.</b> <i>Hopping Green &amp; Sams, Tallahassee</i>
10:00	Morning Break
10:15	<b>Mitigation Banking: A Panel Presentation</b> Successes, Obstacles, and Issues with Owning, Operating, and Using Mitigation Banks <b>Mary Lindgren, Senior Project Manager</b> <i>Environmental Services, Jacksonville</i> <b>George I. Platt, Esq.</b> <i>Shutts &amp; Bowen, Fort Lauderdale</i> <b>Victoria K. Tauxe, Environmental Manager</b> <b>Mitigation Section</b> <i>Florida Department of Environmental Protection, Tallahassee</i> <b>Eric T. Olsen, Esq., Program Co-Chair</b>
11:30	Q&A Panel <i>Members of the Faculty</i>
11:45	Lunch Break
1:00	<b>State Review of Corps Permits: SPGPs and RGP</b> Can They Be Implemented and Will It Reduce Permit Processing Times? <b>Richard W. Cantrell, Deputy Division Director</b> <b>Division of Water Resource Management</b> <i>Florida Department of Environmental Protection, Tallahassee</i> <b>Stuart L. Santos, PhD, Regulatory Program Manager</b> <b>Jacksonville District</b> <i>U.S. Army Corps of Engineers, Jacksonville</i>
2:00	<b>Handling ERPs in CERP Project Areas</b> Impacting Wetlands in the Way of Everglades Restoration <b>Luna E. Phillips, Esq., Senior Attorney</b> <i>South Florida Water Management District, West Palm Beach</i>
2:45	Afternoon Break
3:00	<b>Financial Assurances and Long-Term Stewardship</b> What Happens When a Mitigation Bank Goes Bankrupt? <b>Royal C. Gardner, Esq., Professor of Law, Director</b> <b>Institute for Biodiversity Law and Policy</b> and <b>Theresa J. Pulley Radwan, Esq., Associate Dean of</b> <b>Academics, Associate Professor of Law</b> <i>Stetson College of Law, St. Petersburg</i>
3:45	Q&A Panel <i>Members of the Faculty</i>
4:00	Evaluations and Adjourn

<p><b>Save These Dates!</b></p>	<p>Eminent Domain SuperConference October 27-28, Tampa</p>	<p>Creative Writing for Lawyers November 1, Miami</p>	<p>Land Use Law November 3-4, Princeton</p>
	<p>Presentation Skills for Lawyers October 28, Tampa</p>	<p>Nursing Home Litigation November 2, Tampa</p>	<p>Endangered Species Act November 17-18, Tucson</p>
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<p><b>Program Co-Chairs</b></p> <p><b>Eric T. Olsen</b> has practiced in the area of wetland regulation since 1990. He has been involved in the development of regulations governing environmental resource permitting, mitigation banking, wetland delineation and consumptive use. He represents clients before the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the Florida Department of Environmental Protection.</p> <p><b>Ann M. Redmond</b> is an authority on wetland regulation, with special expertise in watershed and ecosystem scale permitting, cumulative impact assessments, development of functional assessment methods, all aspects of wetland mitigation and wetland policy. She was with the Florida Department of Environmental Protection for 12 years and served as Vice President of Development for Wetlandsbank.</p>	<p><b>Dorothy Boardman</b> has been with the U.S. Army Corps of Engineers since 1988. She specializes in environmental and regulatory law and litigation. She has taught Regulatory Enforcement for the Corps.</p> <p><b>Richard W. Cantrell</b> is responsible for overseeing the Department's Bureau of Mine Reclamation, with a staff of 50 full-time employees, and the Department's Office of Submerged Lands and Environmental Resource Permitting.</p> <p><b>Royal C. Gardner</b> focuses on environmental and international law. From 1989 to 1993, he served in the Army General Counsel's office as the Department of the Army's principal wetland attorney, advising the Assistant Secretary of the Army (Civil Works).</p> <p><b>Eric Hickman</b> is responsible for ensuring state-wide coordination and consistency in the delineation of surface waters and wetlands. He provides training and guidance in implementing methodology to departments, districts and local governments.</p>	<p><b>George I. Platt</b> is an AV rated attorney who concentrates his practice in regulatory law, land use and government relations. He is a principal and co-founder of Florida Wetlandsbank and is regarded as one of the pioneers of the mitigation banking industry.</p> <p><b>Luna E. Phillips</b> has practiced environmental law since 1995. She represents the SFWMD in various projects, including environmental resource permitting projects, and the Comprehensive Environmental Restoration Plan (CERP).</p> <p><b>Theresa J. Pulley Radwan</b> teaches primarily in the areas of bankruptcy and commercial law. She serves as an advisor to the Duberstein bankruptcy moot court team. In addition, she is the faculty coordinator of the In-House Counsel Internship and the Bankruptcy Judicial Internship.</p> <p><b>Stuart L. Santos</b> is the Regulatory Program Manager with the U.S. Army Corps of Engineers in the Jacksonville District.</p>
<p><b>Featured Presenter</b></p> <p><b>Lawrence C. Evans</b> has worked for the U.S. Army Corps of Engineers' regulatory program since 1979. He held the position of Chief, Enforcement Branch, for the Jacksonville District's Regulatory Division from 1985 through 1999. In September of 1999, he accepted the position of Chief, Regulatory Branch, for the Corps' Portland District.</p>	<p><b>Mary Lindgren</b> has more than 10 years' experience in environmental site planning, natural resources management and wetlands mitigation. She specializes in wetland mitigation planning.</p> <p><b>Frank E. Matthews</b> has developed an extensive regulatory practice and established himself as an expert in environmental/land use law. He specializes in wetlands and surface water permitting.</p>	<p><b>Roger D. Schwenke</b> has focused on environmental, land use and real estate law for over 35 years. He is a former Chair of the Environmental and Land Use Law Section of the Florida Bar, and serves as liaison from the ABA Real Property Section to the ABA Standing Committee on Environmental Law.</p> <p><b>Victoria K. Tauxe</b> has been working in her Department's wetland permitting program since 1991 (with a five-year break in Cape Cod) working on mining permits and reclamation, then moving into wetland mitigation bank permitting.</p>
<p><b>Constance J. Bersok</b> has been working with Florida's wetlands since 1987. She is currently the administrator of Florida Department of Environmental Protection's mitigation and mitigation banking program.</p>	<p><b>Kathryn Mennella</b> is the General Counsel of the SJRWMD and has represented SJRWMD for 20 years. She was part of the legislative work group that drafted the permit streamlining provisions of the Florida Environmental Reorganization Act of 1993.</p>	<p><b>Karen West</b> is the Deputy General Counsel with the Southwest Florida Water Management District. She has represented the District since 1995 focusing primarily on environmental resource permitting and mitigation banking issues.</p>

conference **information**

<p><b>Continuing Education Credit</b></p> <p><b>MCLE:</b> The Florida Supreme Court Commission on Continuing Legal Education has approved this course for 13 CLE credit hours, including one hour of legal ethics. CLE International is an approved provider in all states having mandatory CLE requirements.</p> <p><b>Engineers:</b> This course qualifies for up to 13 hours engineering credit.</p> <p>For accreditation in other jurisdictions or disciplines, please contact Brian Fineberg at (800) 873-7130 or brian@cle.com.</p> <p><b>Registration</b></p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or home study order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, email your registration to registrar@cle.com or register online at www.cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call <b>CLE INTERNATIONAL</b> at (800) 873-7130 if you require any special accommodations.</p> <p><b>Sponsorship Information</b></p> <p>Sponsorship and exhibition opportunities are still available. For more information, please contact Melissa Dafni, Marketing Coordinator, at (800) 873-7130 or melissa@cle.com.</p>	<p><b>Reserve Your Room Early</b></p> <p>The Conference will be held at the Marriott Waterside Hotel &amp; Marina, 700 South Florida Avenue, Tampa, FL 33602. Make your reservation early to secure your space and get the best rate. Please call Community World Travel at (888) 724-0500 or visit <a href="http://www.communityworldtravel.com">www.communityworldtravel.com</a>.</p> <p><b>Tuition</b></p> <p>The tuition fee of \$595 per person includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks. <b>CLE INTERNATIONAL</b> offers special rates for 501(c)(3) organizations, full-time judges and law students.</p> <p><b>Save When Two or More Register</b></p> <p>Save \$200 or more with our multiple registrant discount! Tuition is only \$495 per person for two or more from the same firm.</p> <p><b>About CLE International</b></p> <p><b>CLE INTERNATIONAL</b>, a leading provider of continuing professional education, has been presenting high-quality professional education programs nationwide since 1983. <b>CLE INTERNATIONAL</b> is an approved sponsor of the Florida State Bar, Sponsor No. 750743.</p>	<p><b>Course Materials</b></p> <p>Each registrant will receive a set of materials prepared by the speakers especially for this Conference, which will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p><b>Home Study Package</b></p> <p>If you cannot attend, <b>CLE INTERNATIONAL</b> also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This package is approved for self-study credit.</p> <p><b>Cancellation</b></p> <p>Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.</p> <p><b>CLE International Program Attorney:</b>  <b>Laura Terlisner Mehew, <a href="mailto:laura@cle.com">laura@cle.com</a></b></p>
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**Delineation, Permitting, Banking and More!**

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**Featured Presentation:  
New Directions for  
the Corps in Florida**

**Lawrence C. Evans**  
**Chief, Regulatory Division**  
U.S. Army Corps of Engineers, Jacksonville

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