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Important New Conference!

Water Resources in Tennessee

Water Law, Science & Regulatory Policies

May 5-6, 2005 • Loews Vanderbilt Hotel • Nashville

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Government Employees:
Only \$495 Per Person!**

Who Should Attend:

- Attorneys
 - Legal Staff
 - Appraisers
 - Landowners
 - Developers
 - Regulators
 - Engineers
 - Government Officials
 - Consultants
 - Planners
 - Builders
 - Real Estate Professionals
 - Environmental Representatives
- ...and anyone involved with water in Tennessee!

Dear Colleagues:

In Tennessee, as in much of this country, water resources affect many aspects of our daily lives, from the water we drink, to our recreational waters, to the vital role it plays in many industrial processes and its support for our fish and wildlife. Federal and state regulatory programs have been established to protect this valuable natural resource. As the issues associated with our use and preservation of our water become more complex, so does our regulation of the same. In-depth knowledge of these regulations, experience, and more importantly everyday creativity are needed to address today's complex regulatory environment, especially given the many existing, new and often competing demands on our state's waters.



**W. Michael Dennis, PhD
Program Co-Chair**



**James M. Weaver, Esq.
Program Co-Chair**

We have assembled an outstanding group of scientists and lawyers experienced in water resources evaluations, planning, and permitting. Topics presented include wetlands, in-lieu fee stream mitigation, water supply planning and permitting, National Pollutant Discharge Elimination System (NPDES), and total maximum daily loads (TMDL). Any person involved with any aspect of these resources will benefit from the speakers' experiences and insights.

We look forward to seeing you there.

Sincerely,

**W. Michael Dennis, PhD
Program Co-Chair**

Breedlove, Dennis & Associates
Winter Park

**James M. Weaver, Esq.
Program Co-Chair**

Waller Lansden Dortch & Davis
Nashville



Visit our website at [cle.com](http://www.cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

Register Online at www.cle.com or Call (800) 873-7130
Conference Schedule and Speaker Biographies Inside



Thursday, May 5**Friday, May 6**

- 8:30 Registration
- 9:00 **Welcome and Introduction**
W. Michael Dennis, PhD, Program Co-Chair
Breedlove, Dennis & Associates, Winter Park
- 9:15 **Permitting Requirements**
A State Perspective: Tennessee's Water Pollution Control Program
Paul E. Davis, PE, Director
Division of Water Pollution Control
Tennessee Department of Environment and Conservation, Nashville
A Federal Perspective: What You Need to Know
William L. James, Chief, Eastern Regulatory Section
U.S. Army Corps of Engineers, Nashville
- 10:15 Morning Break
- 10:30 **A Lesson in "Definitions"**
Stream Determination
David Jackson, Principal Geologist
Breedlove, Dennis & Associates, Nashville
Wetland Delineation
Jeffrey T. Duke, CPESC, Senior Project Manager/Ecologist
Civil & Environmental Consultants, Nashville
- 11:30 **Stream and Wetland Mitigation Primer**
The History of and the Future for Stream and Wetland Mitigation
Banking in Tennessee
Richard C. Young, MS
Breedlove, Dennis & Associates, Nashville
J. Andrew Goddard, Esq.
Bass, Berry & Sims, Nashville
- 12:30 Lunch Break
- 1:45 **The Regulation of Water Quantity in Tennessee**
Wars and Rumors of Wars
Michael S. Mizell, Esq.
Waller Lansden Dortch & Davis, Nashville
- 2:30 **Storm Water Permitting**
From Guts to Glory
Joseph P. Rozza, PE, Director of Water Resources
Gresham, Smith and Partners, Alpharetta
- 3:15 Afternoon Break
- 3:30 **Current Issues Under the ESA**
Lessons Learned from Florida – An Emerging ESA Battleground
Douglas Rillstone, Esq.
Broad and Cassel, Tallahassee
- 4:15 **River System Management**
Land and Water Stewardship in the Tennessee Valley
Bridgette Ellis, Vice President, Resource Stewardship
Tennessee Valley Authority, Knoxville
- 4:45 **Stream Mitigation in Tennessee**
The TSMP – Tennessee's In-Lieu Fee Mitigation Program
Joey Woodard, Program Director
Tennessee Stream Mitigation Program, Nashville
- 5:15 Q&A Panel
Members of the Faculty
- 5:30 Adjourn

- 9:00 **Welcome Back**
Overview of Day Two
James M. Weaver, Esq., Program Co-Chair
Waller Lansden Dortch & Davis, Nashville
- 9:15 **Featured Presentation**
Tennessee's Priority: Ensuring Water Quality and Quantity from Roan Mountain to the Mississippi River
Commissioner Betsy L. Child
Tennessee Department of Environment and Conservation, Nashville
- 9:45 **Project Planning and Permitting**
How to Save Time, Minimize Costs and Stay out of Trouble
W. Michael Dennis, PhD, Program Co-Chair and James M. Weaver, Esq., Program Co-Chair
- 10:15 Morning Break
- 10:30 **A Focus on the Harpeth**
How TMDLs and Permitting Interrelate to Achieve Water Quality Criteria and Load Reduction Goals
Dorene Bolze, Executive Director
Harpeth River Watershed Association, Franklin
- 11:15 Lunch Break
- 1:00 **Enforcement Trends**
A State Perspective
Karen Stachowski, Esq.
Deputy Commissioner of Environment
Tennessee Department of Environment and Conservation, Nashville
A Federal Perspective
Jim Vines, Esq., U.S. Attorney
Middle District of Tennessee
U.S. Attorney's Office, Nashville
- 2:00 **National Environmental Policy Act (NEPA)**
Issues in Water Resources Permitting and Management
Harold M. Draper, DSc, NEPA Team Leader
Environmental Policy and Planning
Tennessee Valley Authority, Knoxville
- 2:45 **Ethics**
Ethical Obligations and Reporting Requirements for the Environmental Lawyer Under the Tennessee Rules of Professional Responsibility and Sarbanes-Oxley
William L. Penny, Esq.
Wyatt Tarrant & Combs, Nashville
- 3:45 Q&A Panel
Members of the Faculty
- 4:00 Adjourn

Save These Dates!

Nebraska Water Law
April 28-29, Lincoln
Negotiating Leases
May 12-13, Boston
Florida Water Law
May 12-13, Tampa

Appraisal of Real Estate
May 13, Tampa
Law of the Colorado River
May 19-20, Las Vegas
Negotiating Leases
June 6-7, Nashville

For more information about these and other programs, visit our website at www.cle.com.

Water Resources in Tennessee

meet your faculty

Program Co-Chairs

W. Michael Dennis is president and senior scientist with his company, where he has advised clients on matters dealing with wetlands, threatened and endangered species, vegetation analysis, wildlife, water quality, and regulatory matters. Previously, he worked with the Tennessee Valley Authority (TVA) for five years as a Senior Aquatic and Wetland Botanist.

James M. Weaver has led his firm's environmental practice, the state's largest, for many years. He has extensive experience in the area of governmental, regulatory, and environmental law, specifically in the areas of federal and state regulated impacted site cleanups, water pollution issues, wetlands and stream impact regulation, project development, defense of enforcement actions, and NEPA.

Featured Presenter

Betsy L. Child has served as Commissioner of the TDEC since January 2003. As Commissioner, she is responsible for protecting and improving the quality of Tennessee's air, land and water. The department also manages Tennessee's 54 state parks and 69 state natural areas.

Dorene Bolze is a Conservation Policy Specialist with over 20 years' experience on issues related to managing development and conserving natural resources and wildlife. As Executive Director, she is responsible for overall leadership and management of the organization.

Paul E. Davis is Director of a regulatory agency with a staff of approximately 175 engineers, scientists and support personnel in nine offices across Tennessee involved in management and regulatory activities for protection of surface water quality.

Harold M. Draper is NEPA advisor to three TVA line organizations involved in managing facilities, lakes and reservoirs, and environmental and energy research. He is in charge of a team that manages NEPA projects.

Jeffrey T. Duke is a project manager/ecologist with over 15 years' experience managing and performing ecological and water quality assessments. He has tremendous experience in the regulatory permitting and compliance arena.

Bridgette Ellis directs the Resource Stewardship (RS) organization, which is responsible for managing TVA's land and water resources. RS balances the competing demands of many different views.

J. Andrew Goddard is head of his firm's Environmental Practice Group and has been listed in *The Best Lawyers in America*® since 1991. He has served on external steering committees of the Tennessee Department of Environment and Conservation.

David Jackson is a consulting geologist with over 23 years of experience. His field of practice includes hydrogeology, hydrology, site permitting, site restoration, and resource exploration and development.

William L. James has 30 years' experience with the Corps in the Operations Division of the Nashville District. He is presently responsible for eastern Tennessee and southeastern Kentucky.

Michael S. Mizell concentrates his practice in the areas of environmental, land use and utilities law. He is experienced in the planning and siting of interstate pipelines, including obtaining environmental clearances, permitting and right-of-way acquisition.

CLE International Program Attorney:
Laura Terlisner Mehew, laura@cle.com.

William L. Penny practices in the area of environmental law and chairs his firm's Environmental Law Practice Group. He served as general counsel for the Tennessee Department of Health and Environment.

Douglas Rillstone serves as chairman of his firm's Land Use and Environmental Practice Group and represents clients in all aspects of environmental law, but specializes in natural resource regulation at the federal and state level.

Joseph P. Rozza has over 10 years of water resources and environmental engineering experience. He oversees his firm's completion of water resources projects and also serves as a senior technical advisor on many water resources projects.

Karen Stachowski was previously with the Office of General Counsel for the Tennessee Department of Environment and Conservation, where she worked in the areas of water pollution control, drinking water, and ground water protection among other areas.

Jim Vines was appointed by President George W. Bush and confirmed by the U.S. Senate as U.S. Attorney for the Middle District of Tennessee in February 2002.

Joey Woodard has extensive experience in both federal and state water quality permitting. As a permit coordinator for TDEC's Division of Water Pollution Control, he evaluated complex applications for physical alteration to streams and wetlands.

Richard C. Young has over 30 years' experience in the field of environmental sciences and regulatory compliance. Since the mid-1980s, he has concentrated most of his work in the areas of ecological risk and natural resource damages assessments, among other areas.

conference information

Continuing Education Credit

MCLE: This course has been approved for 11 CLE credit hours, including one hour of legal ethics.

Engineering Credit: This course meets the requirements for up to 11 hours of PDH credit by the Tennessee State Board of Architectural and Engineering Examiners.

Real Estate: This course is approved for up to 13 hours of Real Estate Credit by the State of Tennessee Real Estate Commission.

Appraiser Credit: This course is approved for up to 13 hours of Appraiser Credit by the State of Tennessee Real Estate Appraiser Commission.

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About CLE International

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Conference Location and Accommodations

The Conference will be held at Loews Vanderbilt Hotel, 2100 West End Avenue, Nashville, TN 37203. A block of rooms has been held for Conference attendees until April 4.

For room reservations and special rates, please call Community World Travel at (888) 724-0500 or visit www.communityworldtravel.com.

Registration

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, e-mail 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 **CLE INTERNATIONAL** at (303) 377-6600 if you require any special accommodations.

Tuition

The tuition fee of \$595 per person includes attendance at all sessions, course materials, continental breakfasts and coffee breaks. Government employees may attend at the special rate of \$495 per person. **CLE INTERNATIONAL** offers special rates for 501(c)(3) organizations, full-time judges and law students.

Course Materials

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.

Home Study Package

If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling.

Cancellation

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.

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at (800) 873-7130 or sarah@cle.com.

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Emerging Policies & Trends

May 5-6, 2005 • Loews Vanderbilt Hotel • Nashville

Register Today!



Featured Presentation

**Tennessee's Priority:
Ensuring Water Quality
and Quantity from Roan Mountain
to the Mississippi River**

Commissioner Betsy L. Child
Tennessee Department of Environment
and Conservation, Nashville



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Water Law, Science & Regulatory Policies

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