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The Endangered Species Act

Federal, State and Local Issues

September 19-20, 2005 • Marriott Westshore Hotel • Tampa

Keynote Presentation

U.S. Fish & Wildlife Service Report



**Sam D. Hamilton, Regional Director,
Southeast Region**
U.S. Fish & Wildlife Service, Atlanta

Featuring Speakers From:

- Broward County Environmental Protection Department
 - Caribbean Conservation Corporation
 - Coastal Systems International
 - EarthBalance
 - EMS Scientists, Engineers, Planners
 - Florida Department of Environmental Protection
 - Florida Fish and Wildlife Conservation Commission
 - Florida State University, College of Law
 - Mitigation Strategies
 - NOAA Fisheries
 - PBS&J
 - South Florida Water Management District
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Conference Schedule and Speaker Biographies Inside



Monday, September 19

Tuesday, September 20

<p>8:30 Registration and Continental Breakfast</p> <p>9:00 Welcome and Introduction <i>Todd Sumner, Esq., Program Chair</i> Greenberg Traurig, Tallahassee</p> <p>9:15 The Federal Endangered Species Act An Overview <i>Paul Boudreaux, Esq., Professor of Law</i> Stetson University College of Law, Gulfport</p> <p>10:00 Morning Break</p> <p>10:15 Section 7 The Consultation Process and Trouble Shooting <i>Sarah Laroque, Vice President</i> EarthBalance, North Port</p> <p>11:00 ESA Takes Prohibited Takes and Incidental Take Authorization <i>L. Thomas Roberts, President</i> EMS Scientists, Engineers, Planners, Altamonte Springs</p> <p>11:45 Lunch Break</p>	<p>9:00 Welcome Back and Overview <i>Todd Sumner, Esq., Program Chair</i></p> <p>9:05 Conservation Banks Their Use in Florida <i>Todd Sumner, Esq., Program Chair</i> <i>J.B. Ruhl, Esq., Matthews & Hawkins Professor of Property</i> Florida State University, College of Law, Tallahassee <i>Allen McReynolds, Managing Member</i> Mitigation Strategies, Sarasota <i>Roy S. DeLotelle, Principal</i> DeLotelle & Guthrie, Gainesville</p> <p>10:15 Morning Break</p> <p>10:30 ESA Litigation Update Up-to-the-Minute Developments <i>Mark Arthur Brown, Esq., Senior Trial Attorney</i> <i>Wildlife and Marine Resources Section</i> U.S. Department of Justice, Washington, DC</p> <p>11:15 Johnson's Seagrass/Listed Coral An Update <i>Donald R. Deis, MS, CEP, Senior Scientist</i> PBS&J, Jacksonville</p> <p>12:00 Lunch Break</p>
<p>1:00 Keynote Presentation U.S. Fish and Wildlife Service Report <i>Sam D. Hamilton, Regional Director, Southeast Region</i> U.S. Fish and Wildlife Service, Atlanta</p>	<p>1:15 Featured Panel Presentation 2004 Storm Recovery: Achieving Re-nourishment of Florida Beaches and Marine Turtle Nesting Habitat Federal Agency View <i>Ann Marie Maharaj, Wildlife Biologist</i> U.S. Fish and Wildlife Service, Jacksonville <i>John F. Studt, Chief, South Permits Branch</i> State View <i>Robbin Trindell, PhD, Biological Administrator</i> Florida Fish and Wildlife Conservation Commission, Tallahassee <i>Michael R. Barnett, PE, Chief, Bureau of Beaches & Coastal Systems</i> Florida Department of Environmental Protection, Tallahassee Local Government View <i>Stephen Higgins, Beach Erosion Administrator</i> Broward County, Environmental Protection Department Fort Lauderdale Public Interest View <i>Gary Appleson, Advocacy Coordinator</i> Caribbean Conservation Corporation, Gainesville</p>
<p>1:45 NOAA Fisheries Report and Updates <i>David Bernhart, Assistant Regional Administrator</i> <i>Protected Resources Division</i> NOAA Fisheries, Southeast Regional Office, St. Petersburg</p> <p>2:30 U.S. Army Corps of Engineers Federal Actions and ESA Obligations <i>John F. Studt, Chief, South Permits Branch</i> U.S. Army Corps of Engineers, Palm Beach Gardens</p> <p>3:15 Afternoon Break</p> <p>3:30 Ethics Considerations for the Environmental Practitioner <i>Joseph Fleming, Esq.</i> Greenberg Traurig, Miami</p> <p>4:30 Update on Florida ESA Listing Process, Southwest Florida Species and Species Protection Under the Florida ERP Program <i>Dan Sullivan, Endangered Species Coordinator</i> Florida Fish and Wildlife Conservation Commission, Tallahassee <i>James W. Beever, III</i> <i>Fisheries and Wildlife Scientist IV and Supervisor</i> <i>Office of Environmental Services</i> Florida Fish and Wildlife Conservation Commission, Punta Gorda <i>Edward Cronyn, Senior Supervising Environmental Analyst</i> South Florida Water Management District, Fort Myers</p> <p>5:15 Adjourn</p>	<p>3:15 Afternoon Break</p> <p>3:30 Featured Panel Presentation Continued Environmental Consultant/Engineer View <i>Christy Brush</i> <i>Environmental/Permitting Department Head</i> Coastal Systems International, Coral Gables <i>Jeff Tabar, PE, Senior Project Manager</i> PBS&J, Tampa Property Owner View <i>Kevin S. Hennessy, Esq.</i> Lewis Longman & Walker, Bradenton</p> <p>4:30 Q&A Panel <i>Members of the Faculty</i></p> <p>4:45 Evaluations and Adjourn</p>

The Endangered Species Act

meet your faculty

<p>Program Chair</p> <p>Todd Sumner focuses on all aspects of environmental law, including endangered species, wetland permitting and mitigation, and coastal construction and redevelopment. He represents clients on wetland permitting and endangered species issues before all federal, state and regional agencies.</p>	<p>Mark Arthur Brown represents federal agencies and is responsible for all phases of wildlife and fisheries-related civil litigation.</p> <p>Christy Brush has a background in marine science and planning, and has secured permits for her clients' projects in the coastal and marine environment. She has experience in endangered species protection.</p>	<p>Ann Marie Maharaj represents the U.S. Fish and Wildlife Service in the Section 7 ESA consultation process for renourishment projects. Prior to entering the Service, she conducted research on sea turtles for six years.</p> <p>Allen McReynolds has been engaged in various aspects of real estate development and public lands acquisition and restoration for over 20 years. His current project, The Washington Loop Preserve, is a multi-species conservation bank.</p>
<p>Keynote Presenter</p> <p>Sam D. Hamilton leads the Service's Southeast Region. He also oversees the management of 125 national wildlife refuges covering more than 3.5 million acres, 14 national fish hatcheries, five fishery assistance offices, 16 ecological services field offices, and 38 law enforcement offices.</p>	<p>Edward Cronyn supervises the review of permits for projects in several Florida counties. He represented SFWMD on the team that developed the Uniform Mitigation Assessment Method.</p> <p>Donald R. Deis has more than 26 years of experience as an environmental consultant to industry and government. As a coastal ecologist, he has particular interest in hard bottom (reef) and seagrass habitats.</p>	<p>L. Thomas Roberts has more than 14 years of experience in the assessment and mitigation of environmental issues associated with roadway corridors, land development projects and other projects involving impacts to natural lands.</p> <p>J.B. Ruhl is a nationally regarded expert in endangered species protection, wetlands regulation, ecosystem management and environmental and natural resources law. He has published extensively in these areas.</p>
<p>Gary Appleton is involved in all aspects of sea turtle conservation and policy, and is a registered lobbyist. He monitors the laws and regulations impacting coastal policies and sea turtles.</p> <p>Michael R. Barnett joined the Bureau in 2003. He was previously a consultant in the private sector for 12 years and was also the Coastal Engineering Specialist for the Florida Sea Grant Program.</p> <p>James W. Beever, III, coordinates regional wildlife habitat planning, reviews DRIs, Comprehensive Plans, FDEP/WMD/USACOE and permits. He is also responsible for wildlife resource inventory, wildlife management planning and research.</p> <p>David Bernhart is a biologist with the National Marine Fisheries Service. He has made extensive and innovative contributions to the conservation of endangered and threatened sea turtles.</p> <p>Paul Boudreaux has taught property, torts, environmental law, natural resources law, land use law, water law, and administrative law. He has published many articles on these issues.</p>	<p>Roy S. DeLotelle has studied the management strategies and recovery of the red-cockaded woodpecker, and is a frequent author and speaker on all aspects of the species.</p> <p>Joseph Fleming is an experienced litigator who represents a diverse group of clients. He is listed in <i>Best Lawyers in America</i> and has been recognized as one of the "Top Lawyers in South Florida," <i>South Florida Legal Guide</i>, 2004-2005.</p> <p>Kevin S. Hennessy practices environmental and land use law, and matters concerning agency enforcement, permitting, water rights, hazardous waste, wetlands, coastal construction, and eminent domain.</p> <p>Stephen Higgins has worked for Broward County for 25 years and now manages beach erosion control and marine conservation. He is a past Chair of the Florida Shore and Beach Preservation Association.</p> <p>Sarah Laroque has 18 years' experience in the environmental field, which includes wetland delineation and evaluation, biological and ecological assessments, permitting and permit compliance and wetland compensation.</p>	<p>John F. Studt administers the Corps' Regulatory Program in south Florida. He formerly served as the National Program Manager in the Office of the Assistant Secretary of the Army.</p> <p>Dan Sullivan administers the listing process and the Section 6 Cooperative Agreement, supervises listed species permitting, and provides technical assistance to landowners and other agencies.</p> <p>Jeff Tabar is a Senior Project Manager at PBS&J in Tampa. He was previously the Indian River County Coastal Engineer, and was also with Woods Hole Group, an environmental consulting firm.</p> <p>Robbin Trindell administers Florida's Marine Turtle Protection program, where she works closely with the government and the community to ensure that sea turtles are protected during state-authorized activities.</p>

conference information

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September 19-20, 2005 • Marriott Westshore Hotel • Tampa

Featuring a Panel Presentation on 2004 Storm Recovery—

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