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12th Annual Conference!

Florida Wetlands

New Case Law, New Regulations and New Directions

November 16-17, 2006 • Marriott Tampa Westshore • Tampa

**\$100 Discount for
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Featuring Speakers From:

- U.S. Environmental Protection Agency
- U.S. Army Corps of Engineers
- Florida Department of Environmental Protection
- South Florida Water Management District
- Southwest Florida Water Management District
- Levin College of Law at the University of Florida
- WilsonMiller

... and many of Florida's top wetlands practitioners!

Dear Colleague:

This has been an eventful year for wetlands. The 2005 hurricane season brought national attention to wetlands and the role they might play in mitigating hurricane damage, the Environmental Protection Agency and the Army Corps of Engineers proposed new and significant mitigation rules, and a divided Supreme Court fell short of a definitive decision in *Rapanos*, a much-anticipated Michigan wetlands case.

Our 12th Annual Florida Wetlands Conference could not come at a better time. We are excited about the program we are delivering this year. We have an outstanding schedule and an even better faculty to supply you with the tools and information you need to take your practice to the next level. Our Conference will provide Florida's top wetlands professionals with a forum for educational exchange about this dynamic field, the year's events and what the future might hold—we hope you will join the conversation.

Whether you are new to the wetlands field or a veteran looking for more information about the recent Supreme Court cases or the proposed mitigation rules, you will find what you are looking for in this well-established Conference.

We look forward to meeting you.



Eric T. Olsen, Esq.
Program Co-Chair
Hopping Green & Sams



Ann M. Redmond
Program Co-Chair
WilsonMiller



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
Seminar Schedule and Speaker Biographies Inside



Thursday, November 16 **Friday, November 17**

8:30 Registration and Continental Breakfast

8:45 **Welcome and Introduction**
 Overview of Day One
Eric T. Olsen, Esq., Program Co-Chair
Hopping Green & Sams, Tallahassee
Ann M. Redmond, Regional Manager, Program Co-Chair
WilsonMiller, Tallahassee

9:00 **Understanding the Basics**
 Wetlands Law Overview
Susan Martin, Esq.
South Florida Water Management District, West Palm Beach

9:45 Morning Break

10:00 **Recent Court Decisions on Florida Corps Permits**
 Overview and Analysis
Angela R. Morrison, Esq.
Hopping Green & Sams, Tallahassee
Thomas W. Reese, Esq.
St. Petersburg

11:00 **The Corps Regulatory Program**
 A Presentation in Greater Flexibility
Charles A. Schnepel
Section Chief, South Permits Branch
U.S. Army Corps of Engineers, Tampa

11:45 Q&A Panel
Members of the Faculty

12:00 Lunch

1:30 **Recent Florida Wetlands Legislation**
 Delineation Method Changes, State Programmatic General Permit and Implementing the Environmental Resource Permit Program Within Northwest Florida
Richard W. Cantrell, Deputy Division Director
Division of Water Resource Management
Florida Department of Environmental Protection, Tallahassee

2:15 Afternoon Break

2:30 **Ethics**
 An Overview for Your Wetlands Practice
Roger D. Schwenke, Esq.
Carlton Fields, Tampa

3:30 **Setting Your Boundaries**
 A Discussion of Wetland Delineation
Eric Hickman
Wetland Evaluation and Delineation Administrator
Florida Department of Environmental Protection, Tallahassee

4:15 Q&A Panel
Members of the Faculty

4:30 Adjourn

8:30 **Welcome Back**
 Overview of Day Two
Eric T. Olsen, Esq., Program Co-Chair
Ann M. Redmond, Program Co-Chair

8:45 **Rapanos, Carabell and Beyond**
 Supreme Court Cases Affecting Corps Jurisdiction over Wetlands
Mary Jane Angelo, Esq., Assistant Professor of Law
Levin College of Law at the University of Florida, Gainesville
Neal McAliley, Esq.
White & Case, Miami

10:00 Morning Break

10:15 **Mitigation Banking**
 A Panel Presentation
George I. Platt, Esq.
Shutts & Bowen, Fort Lauderdale
Victoria K. Tauxe
Environmental Manager, Mitigation Section
Florida Department of Environmental Protection, Tallahassee
Eric T. Olsen, Esq., Program Co-Chair

11:45 **Uniform Mitigation Assessment Method (UMAM)**
 Quantifying the Value of Wetlands and Mitigation
H. Clark Hull, Jr., Environmental Program Director
Southwest Florida Water Management District, Brooksville

12:30 Lunch

2:00 **Seeing the Forest for the Trees**
 The Corps Watershed Approach
Cynthia J. Wood, Team Leader, South Permits Branch
U.S. Army Corps of Engineers, Tampa

2:45 **New EPA and Corps Wetland Mitigation Regulations**
 What Are They and What Will They Mean for You?
William B. Ainslie, Regional Mitigation Coordinator
Wetlands Regulatory Section, Region IV
U.S. Environmental Protection Agency, Atlanta
Ann M. Redmond, Program Co-Chair

3:45 Q&A Panel
Members of the Faculty

4:00 Evaluations and Adjourn

Save These Dates!

Eminent Domain SuperConference October 26-27, Tampa	Private Equity SuperConference November 16-17, Charlotte	Nursing Home Litigation December 7-8, Tampa
Michigan Wetlands November 2-3, Ann Arbor	Land Use Law November 30 – December 1, Albuquerque	Litigating Land Use December 11-12, Tampa

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

Florida Wetlands

meet your faculty

Program Co-Chairs

Eric T. Olsen is 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, the Florida Department of Environmental Protection, water management districts and local governments.

Ann M. Redmond 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.

William B. Ainslie has worked in Region IV since 1986 and in the wetlands program since 1988. In the Wetlands Section, he has worked on regulatory issues, advanced identifications, grants and wetland functional assessment.

Mary Jane Angelo teaches and researches topics including environmental law, water law, administrative law and law & science. She was previously an attorney for the U.S. Environmental Protection Agency and Senior Assistant General Counsel for St. Johns River Water Management District.

Richard W. Cantrell oversees the Bureau of Mine Reclamation and the Office of Submerged Lands and Environmental Resource Permitting, including responsibility for ERP and WRP programs, wetland delineation and coordination with water management districts and local governments.

Eric Hickman and his department are responsible for ensuring state-wide coordination and consistency in the delineation of surface waters and wetlands. As part of this, he enables departments, districts and local governments to implement methodology.

H. Clark Hull, Jr., is responsible for rule writing, policy development, litigation support and technical assistance to permit evaluators. He was part of the team that developed the Uniform Mitigation Assessment Method.

Neal McAliley is an environmental lawyer specializing in federal environmental issues, including NEPA, the Endangered Species Act, the Clean Water Act, the Resource Conservation and Recovery Act and the criminal enforcement of federal environmental laws.

Susan Martin has been with the South Florida Water Management District for almost 12 years and specializes in legal issues associated with environmental permitting.

Angela R. Morrison practices environmental law, including wetlands, environmental resource permits, coastal regulation and air quality. She represents clients on environmental issues before the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, water management districts and local governments.

George I. Platt is an AV-rated attorney and concentrates on regulatory law, land use and government relations. He is principal and co-founder of Florida Wetlandsbank and is regarded as one of the pioneers of the mitigation banking industry. He is Vice President of the National Mitigation Bankers Association and is currently working on 12 mitigation bank projects in the southeastern United States.

Thomas W. Reese practices public interest environmental and land use law on behalf of citizens and national, state and local environmental organizations. He is admitted to practice in Florida, the Supreme Court of the United States, the United States Courts of Appeals of the Fifth, Eleventh and District of Columbia Circuits, and the United States District Court, Middle District of Florida.

Charles A. Schnepel has over 33 years of experience in the South Florida regulatory arena. As part of the Regulatory Corporate Board, he participates in reviews and determinations that have affected and will continue to affect the regulatory process in Florida, Puerto Rico and the Virgin Islands.

Roger D. Schwenke has focused on environmental, land use and real estate law for over 35 years. He currently serves as the ABA's Advisor to the Uniform Law Commission's Uniform Environmental Covenants Act, is a former Chair of the Environmental and Land Use Law Section of the Florida Bar, and is a liaison from the ABA Real Property Section to the ABA Standing Committee on Environmental Law.

Victoria K. Tauxe focuses on wetland mitigation bank permitting. She does the permitting and compliance on the mitigation banks permitted by the Department of Environmental Protection and maintains basic statistics on all of Florida's banks.

Cynthia J. Wood has worked for the U.S. Army Corps of Engineers in the Jacksonville District for the past two years. Her experience includes 27 years in the Corps Regulatory Program in three other Districts (Galveston, Wilmington and Norfolk). She is licensed to practice law in Virginia, Florida and the Washington, DC, Court of Appeals.

conference information

Continuing Education Credit

MCLE: 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.

Engineers: This course qualifies for up to 13 PDH engineering credit.

For accreditation in other jurisdictions or disciplines, please contact **CLE INTERNATIONAL** at (800) 873-7130.

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, 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 **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

Reserve Your Room Early

The Conference will be held at the Marriott Tampa Westshore, 1001 North Westshore Blvd., Tampa, FL 33607. To secure your space and get the best rate, please call Community World Travel at (888) 724-0500 or visit www.communityworldtravel.com.

Tuition: \$695

The tuition fee of \$695 per person (\$595 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts and coffee breaks.

Save When Two or More Register

Save \$200 or more with our multiple registrant discount! For two or more from the same firm or agency, tuition is only \$595 per person (\$495 each for two or more government employees, 501(c)(3) organizations, full-time judges, law students and paralegals).

About CLE International

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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.

Homestudy Package

If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$695 plus \$10 shipping and handling. This package is approved for self-study credit.

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 Shauna Krazcek at (800) 873-7130 or shauna@cle.com.

CLE International Program Attorney:
Allison A. Gerkman, alli@cle.com

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New Case Law, New Regulations and New Directions

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Mitigation, Conservation, Legislation, Regulation

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The Corps Watershed Approach
Performing Mitigation on Public Lands