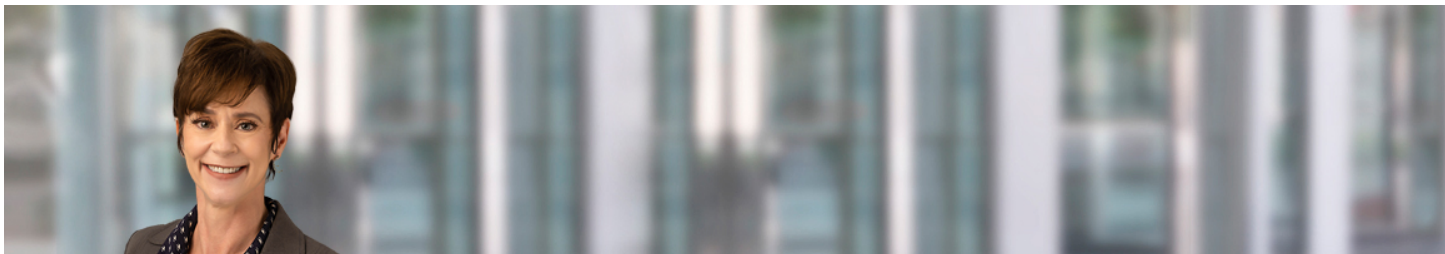


## Susan L. Stephens



Shareholder

Tallahassee Office

sstephens@stearnsweaver.com

Phone: 850-354-7605

### PRACTICE AREAS

[Environmental & Natural Resources](#)

[Government & Administrative Land Development/Land Use/Zoning](#)  
[Real Estate](#)

### OVERVIEW

Susan L. Stephens has over 25 years of experience practicing environmental & natural resource and administrative law, including rulemaking practice and procedure and administrative litigation. Her practice focuses on balancing property and resource use with competing private, governmental and citizen interests.

Susan is Board Certified by The Florida Bar in State & Federal Government & Administrative Practice\*. She represents clients before various federal, state, regional, and local environmental agencies in connection with the obtainment, interpretation, compliance and enforcement of environmental permits for regulated industrial, commercial, and development activities. This representation includes matters related to resource extraction, wetlands and mitigation banks, agritourism, wastewater, submerged lands, and state and federal listed wildlife. This has included significant experience working with state agencies to obtain State 404 wetland permits. She also has experience with compliance and enforcement matters involving unanticipated bypasses, "Act of God" emergency authorizations, spills, unpermitted wetland or species impacts, or similar compliance and enforcement issues.

Susan has extensive experience assisting in the development of policy and regulatory initiatives, which has included the development of Florida's major regulatory projects such as its State 404 Permit Program, Title V Air Operating Permit Program, National Pollutant Discharge Elimination System (NPDES) Wastewater Permitting Program, and state listed species permitting guidelines. She also has experience with complex administrative and judicial challenges to proposed and final permits. in both the state and federal arenas.

Additionally, Susan has assisted clients in conducting internal self-audits for environmental compliance as well as environmental due diligence reviews for real estate transactions. She has represented clients before the Department of Transportation on matters such as access management and activities in highway rights of way.

Prior to joining the Firm, Susan was a Shareholder in a boutique law firm and, before that, a Partner at an international law firm, both in Tallahassee, Florida.

*\*With only 7% of eligible members certified, Board certification is The Florida Bar's highest level of evaluation of a lawyer's competence and experience in a particular area of practice. It identifies lawyers with "special knowledge, skills and proficiency, as well as a reputation for professionalism and ethics." To achieve certification, a lawyer must endure rigorous examination and testing and be evaluated by their peers.*

### **Areas of Concentration**

- Clean Water Act 404 and State 404 permitting
- Consumptive use permitting
- Environmental compliance, due diligence and permitting
- Mining/Minerals/Resource Extraction
- Mitigation banks
- National Environmental Policy Act compliance
- State-owned lands
- Submerged lands
- Wastewater/Stormwater
- Water Resources
- Wetlands
- Wildlife/Imperiled Species

### **Industry Sectors**

- Agricultural interests
- Chemical blending and manufacturing
- Glass manufacturing
- Mining operations
- Paper mill operations
- Phosphoric acid, fertilizer and feed manufacturing operations
- Power generation and transmission operations
- Real estate developers

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## **REPRESENTATIVE EXPERIENCE**

Represented a major aggregates mining company and property owners in obtaining local approval and state and federal environmental permits, including in public hearings and administrative challenges, for limerock mines in Levy, Lee, and Taylor Counties, Florida.

Represented major phosphate mining companies in obtaining local, state, and federal environmental permits, including in public hearings, administrative challenges, and appeals in state and federal court, for multiple phosphate mine projects in Central Florida.

Represented real estate developers in obtaining state and federal environmental permits for mixed-use developments in Central Florida.

Represented a real estate developer in obtaining water use permits for a mixed-use development in Central Florida.

Represented a paper mill in Georgia in obtaining and renewing wastewater discharge permits, including in an administrative challenge to the initial permit, for the discharge of mill effluent in Florida.

Represented a real estate developer in an action for civil penalties brought in circuit court for alleged environmental permit violations associated with two developments in South Florida, obtaining a voluntary dismissal with prejudice for the client.

Represented a real estate development in an action challenging its driveway access permit issued by the Florida Department of Transportation for a proposed development project in Sarasota County, and in challenging action taken by the Department to modify its driveway access at an existing shopping complex in Miami-Dade County.

Represented a major aggregates mining company in addressing unilateral action taken by a neighboring municipality in Central Florida that adversely affected its access to and use of its principal truck haul route.

Represented a glass manufacturing company before the Jacksonville Environmental Quality Division in addressing alleged air permitting violations at its facility in Jacksonville, Florida.

Represented real estate developers before the Florida Department of Environmental Protection in obtaining "State 404" wetland permits.

Represented a development company in Central Florida in an enforcement and permitting action brought by the Florida Fish and Wildlife Conservation Commission related to gopher tortoises.

Represented development companies in Central and South Florida in technical assistance and permitting negotiations with the U.S. Fish and Wildlife Service.

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## **PROFESSIONAL & COMMUNITY INVOLVEMENT**

American Bar Association, Administrative and Regulatory Law Section, 1993-Present

American Bar Association, Energy, Environment and Resources Section, 1993-Present

Executive Council, 2021-2024

Select Committee on Marketing & Communications, Chair, 2021-2022

Trends Magazine, Editorial Board member, 2020-2022

Endangered Species Committee

At Large Vice Chair, 2020-2021

Chair, 2019-2020

Co-Chair, 2018-2019

Water Quality and Wetlands Committee, Communications Vice Chair, 2018-2021

Adjunct Professor, Florida State University College of Law, 2021-Present

The Florida Bar

Administrative Law Section (ALS), 1993-Present

Environmental and Land Use Law Section (ELULS), 1993-Present

Continuing Legal Education Committee, 2005-2008

Journal Editorial Board, 1998-2002

Florida Limerock & Aggregate Institute (FLAI), associate member

Killearn United Methodist Church

Trustee, 2007-2010, 2019-Present

iServe volunteer, 2017-Present

Staff Parish Relations Committee, 2016-2018

Chair, 2017-2018

Boy Scout Troop 16

Committee Member, 2010-2020

Secretary, 2012-2016

Venture Crew Leader, 2017-2020

Theatre Tallahassee Board, 2013-2017

President, 2015-2017

Vice-President, 2014-2015

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## RECOGNITION

*Florida Trend's* Florida Legal Elite, 2012

BV-Distinguished by Martindale-Hubbell

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## PUBLICATIONS & PRESENTATIONS

Land Development News Update, Publications: [Property Due Diligence ?and the Consideration of PFAS](#)

Stearns Weaver Millers News Update | November 2021

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**Land Development News Update, Publications: [Bird, Bird, Bird - Bird Is The Word!](#)**

Stearns Weaver Millers News Update | November 2021

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**Land Development News Update, Publications: [Development Demand Drives Opportunity for Conservation of Gopher Tortoise Sites](#)**

Stearns Weaver Millers News Update | October 2021

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**Publications: [Federal Court Puts 'Navigable Waters Protection Rule' In Murky Waters for Florida](#)**

Stearns Weaver Miller News Update | October 2021

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**Government Affairs News Update, Land Development News Update, Publications: [What's Developing | Fall 2021](#)**

Stearns Weaver Miller News Update | September 2021

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**Land Development News Update, Publications: [FWC Seeks Public Input on Beach-Nesting Birds Draft Guidelines](#)**

Stearns Weaver Miller News Update | September 2021

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**Events: [Emerging Issues in Environmental Resource Permitting](#)**

Florida Chamber's 35th Annual Environmental Permitting Summer School | | July 2021

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**Events: [Fresh From Florida: Emerging Issues in Agriculture & Their Effect on the Environment](#)**

Florida Chamber's Annual Environmental Permitting Summer School, 2019-2021 | | July 2021

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**Publications: [Chapter 8: Environmental Agencies](#)**

Florida Bar Association's Administrative Law Treatise, 2008-Present | May 2021

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**Events: [Something's in the Water: A Panel on Freshwater and Marine Ecosystems and the Effect of Litigation on These Precious Ecosystems](#)**

ABA SEER's 28th Fall Conference | | October 2020

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**Events: [Legal and Regulatory Mining Issues in Florida](#)**

Florida SME (Society for Mining, Metallurgy & Exploration) 34th Annual Regional Mining Conference | | October 2019

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**Events: [Endangered Species Act 101](#)**

ABA CLE Webinar | | August 2019

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**Events: [Stormwater Permitting Basics](#)**

ABA CLE Webinar | | August 2019

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**Publications: [Proposed Changes to Interim Methodology for Endangered Species Risk Assessments for Pesticides](#)**

ABA Administrative and Regulatory Law News Vol. 44 Issue 4, Summer | July 2019

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**Publications: [Forestry Best Management Practices for Water & Wildlife in Florida: What's in It for Me?](#)**

ABA SEER Natural Resources & Environment Magazine Vol. 33, No. 3, Winter | March 2019

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**Events: [Environmental Update - What You Need to Know Now](#)**

12th Annual Florida Industry and Mining Safety, Health and Environment Conference || February 2015

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**Events: [Federal Waters of the U.S. Rulemaking](#)**

11th Annual Florida Industry and Mining Safety, Health and Environment Conference || February 2014

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**Events: [EPA's Draft Rule on Waters of the United States \(WOTUS\)](#)**

ABA Non-CLE Webinar || December 2013

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**Publications: [Numeric Nutrient Criteria, Coming to a Water Body Near You?](#)**

ABA SEER Mining and Mineral Extraction Committee Newsletter | September 2013

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**Publications: [Effect of Third Party Participation on Phosphate Mine Permitting in Florida](#)**

ABA SEER Energy and Natural Resources Litigation Committee Newsletter | February 2013

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**Publications: [Feeling Our Way Through the Clean Water Act: Pre-Enforcement Judicial Review of the EPA Compliance Orders Under Sackett v. Environmental Protection Agency](#)**

University of Florida Journal of Law and Public Policy – Volume 23 | April 2012

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**Publications: [Chapter 9.4: Nationwide Permits](#)**

Florida Bar Association's Environmental and Land Use Law Treatise, 2008-2012 | March 2012

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**Publications: [Challenges to Phosphate Mine Permitting in Florida](#)**

ABA SEER Year in Review Mining Chapter | February 2012

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**Events: [Growth Management Conference](#)**

Florida Chamber of Commerce || August 2011

---

**Events: [Environmental and Land Use Law Section Annual Update Conference](#)**

The Florida Bar || June 2011

---

**Publications: [Florida's Waters: Significant Cases In the Works](#)**

Florida Bar Environmental and Land Use Law Section Reporter | April 2005

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## NEWSROOM

**In the Media: [Movers: New Arrivals](#)**

The National Law Journal || October 2021

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**Firm Announcements: [Carl Eldred Joins Stearns Weaver Miller's Statewide Land Development, Zoning & Environmental Practice](#)**

| September 2021

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**Firm Announcements: [Stearns Weaver Miller Expands Statewide Land Development, Zoning & Environmental](#)**

## EDUCATION

J.D., with highest honors, Florida State University College of Law, 1993

Order of the Coif

Law Review, Associate Editor

Writing and Research Editor

B.A., with high distinction, Ohio Northern University, 1989

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## ADMISSIONS

Florida

United States Supreme Court

United States Court of Appeals for the Eleventh Circuit

United States District Court for the Northern and Middle Districts of Florida

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## CERTIFICATIONS

Board Certified by The Florida Bar in State & Federal Government & Administrative Practice