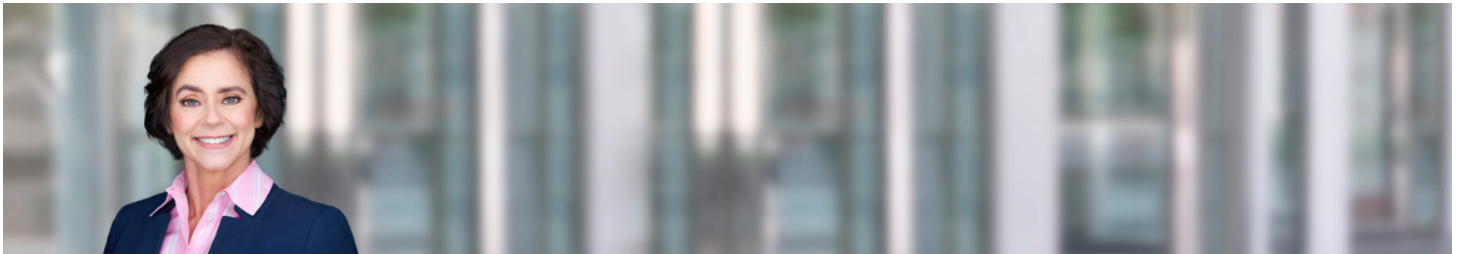


Susan L. Stephens



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 30 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

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.

PROFESSIONAL & COMMUNITY INVOLVEMENT

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

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

Sponsorship Committee, Chair, 2023-Present

Executive Council, 2021-2024

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

Trends Magazine, Editorial Board member, 2021-Present

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

Southern Shakespeare, Board of Directors, 2023-Present

American Bar Foundation (ABF), Fellow, 2022-Present

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

Boy Scouts of America, Suwannee River Area Council, Executive Board Member, 2022-Present

Killearn United Methodist Church

Trustee, 2007-2010, 2019-2021

iServe volunteer, 2017-2022

Staff Parish Relations Committee, 2016-2018

Chair, 2017-2018

Boy Scout Troop 16

Charter Organization Representative, 2023-Present

Committee Member, 2010-2017

Secretary, 2012-2016

Venture Crew Leader, 2017-2023

Theatre Tallahassee Board, 2013-2017

President, 2015-2017

Vice-President, 2014-2015

RECOGNITION

The Best Lawyers in America®, 2023-Present

Florida Trend's Florida Legal Elite, 2012

AV-Distinguished by Martindale-Hubbell

PUBLICATIONS & PRESENTATIONS

Publications: [Federal court strikes down Florida's CWA section 404 permit program](#)

American Bar Association | May 2024

Land Development News Update, Publications: [Federal Court Says "No" to A Stay: Florida's CWA Section 404 Permitting Program Remains Wholly Vacated](#)

Stearns Weaver Miller News Update | April 2024

Government Affairs News Update, Land Development News Update, Publications: [FDACS Promulgates New Rules Addressing Agricultural Land Owned by a Foreign Principal](#)

Stearns Weaver Miller News Update | March 2024

Land Development News Update, Publications: [Federal Court Strikes Down Florida's Assumption of CWA Section 404 Permitting](#)

Stearns Weaver Miller News Update | February 2024

Government Affairs News Update, Land Development News Update, Publications: [Rotunda Report Week 4 | January 29-February 2, 2024](#)

Stearns Weaver Miller News Update | February 2024

Government Affairs News Update, Land Development News Update, Publications: [What's Developing | Winter 2024](#)

Stearns Weaver Miller News Update | January 2024

Land Development News Update, Publications: [Industrial Wastewater Discharge Legislation - PFAS and 1,4-Dioxane Limits](#)

Stearns Weaver Miller News Update | January 2024

Publications: [Here we go again: EPA releases Amendments to WOTUS rule post-Sackett](#)

American Bar Association | November 2023

Land Development News Update, Publications: [What's Developing | Fall 2023](#)

Stearns Weaver Miller News Update | October 2023

Publications: [Traffic Jams Are Not Enough: Administrative Standing in Permitting Challenges](#)

Tallahassee Women Lawyers Fall 2023 Newsletter | October 2023

Land Development News Update, Publications: [Two New Major Environmental Law Updates You Should Know About](#)

Stearns Weaver Miller News Update | September 2023

Publications: [Traffic Jams Are Not Enough: Administrative Standing in Permitting Challenges](#)

The Florida Bar | August 2023

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

37th Annual Environmental Permitting Summer School | | July 2023

Events: [Environmental Permits Under Attack: Preparing for and Defending Your Permits and Other Approvals](#)

37th Annual Environmental Permitting Summer School | | July 2023

Events: [Federal Wetlands Permitting Update](#)

37th Annual Environmental Permitting Summer School | | July 2023

Events: [State 404 Permitting/Federal Clean Water Act Issues](#)

Tampa Bay Association of Environmental Professionals Annual Luncheon | | April 2023

Land Development News Update, Publications: [Five Important Environmental Topics You Should Know About](#)

Stearns Weaver Miller News Update | February 2023

Events: [Fresh from Florida: Emerging Issues in Agriculture & Their Effect on the Environment - Part I](#)

36th Annual Environmental Permitting Summer School | | July 2022

Events: [Fresh from Florida: Emerging Issues in Agriculture & Their Effect on the Environment - Part II](#)

36th Annual Environmental Permitting Summer School | | July 2022

Land Development News Update, Publications: [USFWS to Revise Critical Habitat Rules For Manatees](#)

Stearns Weaver Miller News Update | July 2022

Events: [State 404 Program Permitting](#)

Florida Association for Water Quality Control Conference | | June 2022

Events: [Hot Topics in Wetlands & Wildlife](#)

Lay of the Land Conference | | April 2022

Events: [WEBINAR: Navigating the Revised Definition of "Waters of the United States" \("WOTUS"\)](#)

Stearns Weaver Miller Webinar | | February 2022

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

Stearns Weaver Millers News Update | November 2021

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

Stearns Weaver Millers News Update | November 2021

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

Stearns Weaver Millers News Update | October 2021

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

Stearns Weaver Miller News Update | October 2021

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

Stearns Weaver Miller News Update | September 2021

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

Stearns Weaver Miller News Update | September 2021

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

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

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

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

The Florida Bar Administrative Law Treatise, 2008-Present | May 2021

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

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

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

Events: [Endangered Species Act 101](#)

ABA CLE Webinar | | August 2019

Events: [Stormwater Permitting Basics](#)

ABA CLE Webinar | | August 2019

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

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

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

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

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

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

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

ABA Non-CLE Webinar | | December 2013

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

ABA SEER Mining and Mineral Extraction Committee Newsletter | September 2013

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

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

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

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

The Florida Bar Environmental and Land Use Law Treatise, 2008-2012 | March 2012

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

ABA SEER Year in Review Mining Chapter | February 2012

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

NEWSROOM

Firm Announcements: [Susan Stephens Elected a Fellow of the American Bar Foundation](#)

| July 2022

Firm Announcements: [Stearns Weaver Miller Expands Tallahassee Office Space and Offered Services](#)

| February 2022

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

The National Law Journal | | October 2021

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

| September 2021

Firm Announcements: [Stearns Weaver Miller Expands Statewide Land Development, Zoning & Environmental Practice with Five New Additions](#)

| September 2021

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

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

CERTIFICATIONS

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