

Memorandum

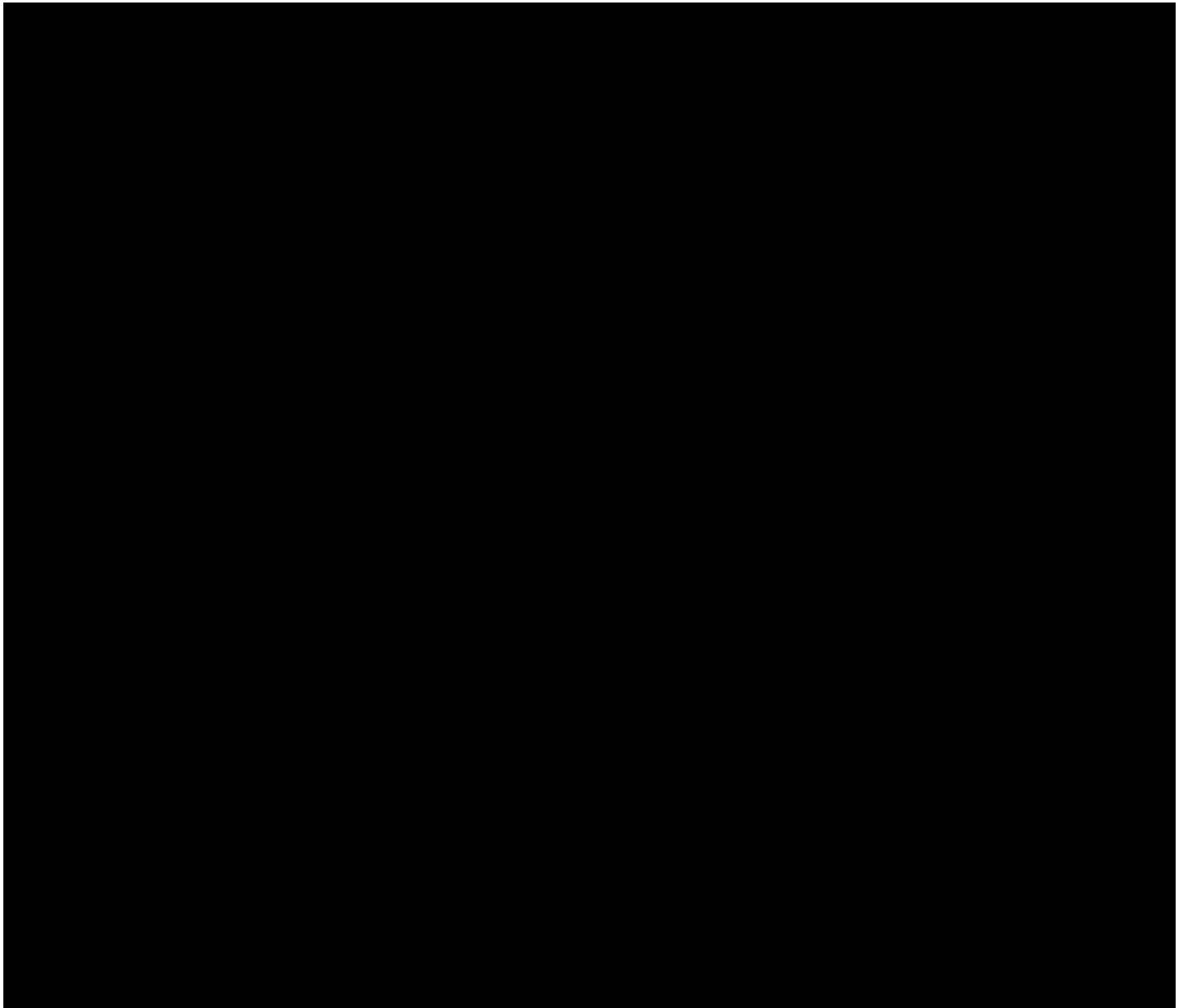
**Florida Department of
Environmental Protection**

**ATTORNEY WORK PRODUCT
under s. 119.071(1)(d)1., F.S.
May be released only upon completion of litigation.**

July 27, 2012

TO: Herschel T. Vinyard Jr., Secretary
FROM: Tom Beason, General Counsel
RE: Significant Cases

Below is the Office of General Counsel's weekly status report on significant matters.



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Water Section

[REDACTED]

[REDACTED]

[REDACTED]

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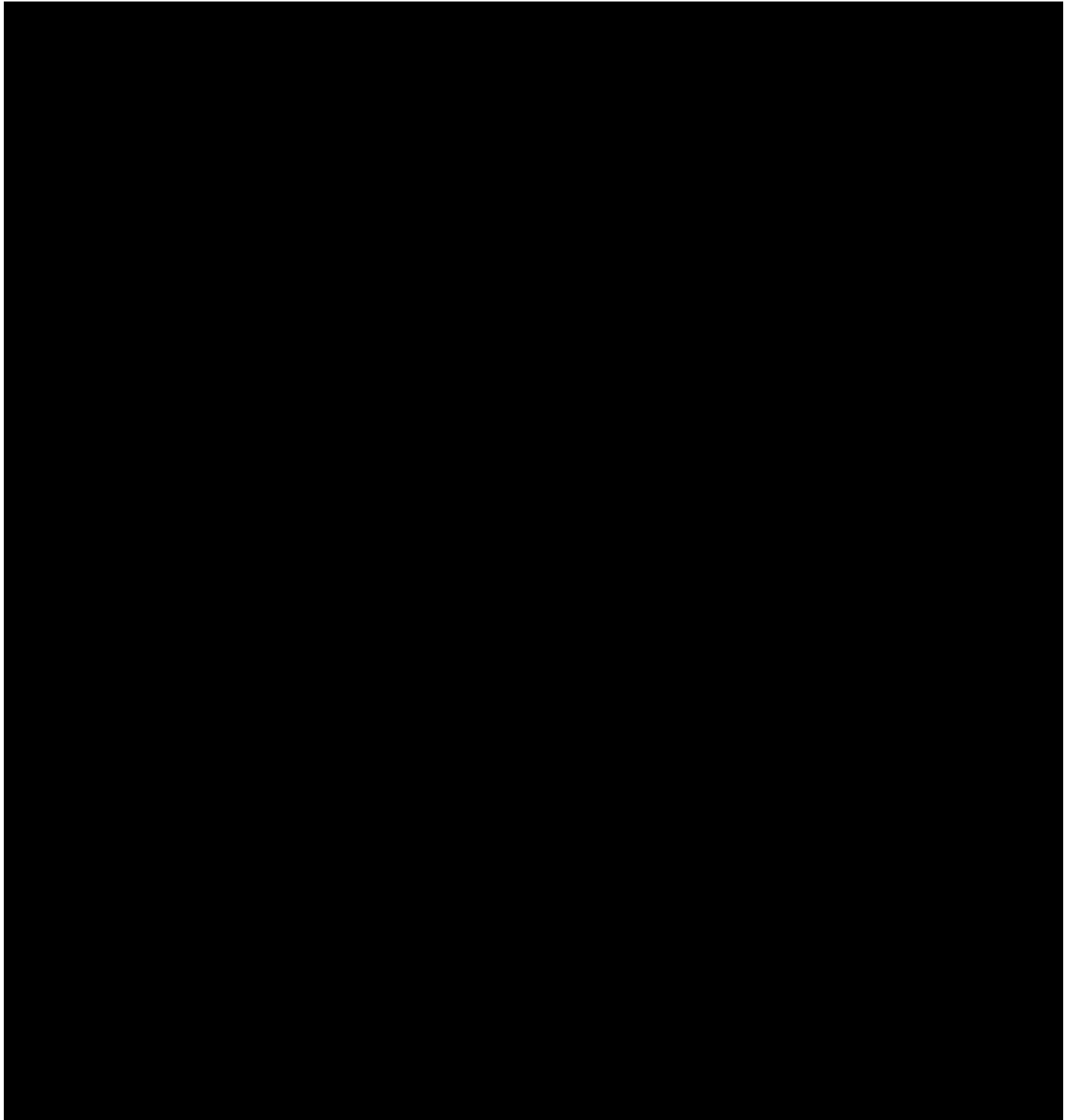
[REDACTED]

- Highlands Ranch Mitigation Bank and Bureau of Submerged Lands and Environmental Resources:
On July 17, 2012, the Department of Environmental Protection received a petition for a variance from subsections 62-342.700(1)(a), (2), (3) and (4), F.A.C., from CRP/HLV Highlands Ranch, LLC, to waive the requirement that it provide proof of financial responsibility for the construction and implementation phase of a proposed mitigation bank and the release of mitigation credits. On July 27, 2012, notice of the petition was published in the Florida Administrative Weekly. The Department has received one request from an interested party for a copy of the petition. On July 31, 2012, Department staff and OGC met to discuss the sufficiency of the petition. The petition is sufficient on its face, but the petitioner did not include all citations in Rule 62-342, F.A.C., that require financial responsibility, and thus the petition may need to be amended to fully accomplish petitioner's goals. However, the Department additionally determined that petitioner may not require a variance. The Department has shared this and the minor changes that may need to occur to the petition with petitioner's counsel, and staff will address whether a variance is needed with Division Director Mark Thomasson on August 1, 2012.

Public Lands Section

[REDACTED]

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New Employees

The Office of General Counsel welcomes two new attorneys who began their employment with the Department on July 23rd. Hillary Powell received her law degree from FSU in 2010 and has been clerking for the past two years for Chief Judge Benton at the First DCA. During law school, Hillary interned in OGC's Water Section and that section is happy to have her back as a program and permitting attorney. Marisa Boysen received her law degree from Florida Coastal School of Law in

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2000. Most recently Marisa was a public defender in the 20th judicial circuit, which includes several counties in southwest Florida. Marisa has joined OGC's Civil Enforcement Section handling permitting and enforcement for the NPDES program.

For a complete listing of OGC personnel, including job descriptions and biographies, please visit: <http://depnet/legal/>