

# Eric T. Olsen

## Shareholder

Tallahassee  
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## Practice & Industry Areas

- Environmental & Land Use Law
- Real Estate Law

## Education

- University of Florida, J.D., with honors, 1989
- Clemson University, B.A., 1986

## Bar & Court Admissions

- Florida, 1989

## Overview

Inside and outside of Florida, Eric assists myriad business and individual clients on environmental law and regulatory matters. A Florida native, for nearly three decades Eric has focused his practice on wetland regulation, mitigation banking, stormwater regulation, consumptive use or water use permitting, water supply and underground injection control.

Beginning as a St. Johns River Water Management District in-house attorney, Eric worked with other water management districts to develop the Environmental Resource Permitting program, statutes and rules governing wetland mitigation banks, and rules and policies affecting water supply and water use. He was also involved in evaluating permit applications and resolving enforcement issues. This background allows him to offer his clients an agency-experienced understanding of how agency staff evaluate regulatory issues which helps clients resolve those issues.

Eric then moved into private practice in 1999 where he gained years of additional experience representing industry associations and regulated entities before the Florida Legislature and federal and state regulatory agencies, with the goal of keeping laws and rules reasonable and obtaining permits and other authorizations in a timely, cost-efficient

manner. Eric remains dedicated to developing innovative approaches to regulatory problems that not only meet client needs and mandatory agency requirements, but also are designed to be practical for his client's day-to day-operations and long- and short-term development strategies.

Eric consistently strives to overcome even the most difficult regulatory obstacles his clients face. He seeks to remain informed and focused on client imperatives while working through any issues they face by cultivating and maintaining positive relationships with regulators and constituents.

Eric has always had a keen interest in the intersection of technology, science, the law and the environment. He is experienced in working with not only business professionals, but also with biologists, hydrologists, engineers and ecologists, as well as other professionals involved in this distinct legal discipline. Because of his multi-dimensional background, Eric can deliver the honed acumen needed to translate complex concepts into clear answers and actions for clients.

## **Representative Matters**

- Represented large landowner in protecting water rights by defending litigation and entering into partnership agreements with surrounding utilities to develop mutually beneficial alternative water supply project involving both agriculture and public water supply
- Assisted Florida Potable Reuse Commission in drafting recommendations for statutes and regulations to safely implement reclaimed water potable reuse in Florida
- Member of inter-agency working team that developed Florida's wetland mitigation banking statutes and regulations
- Worked on resolving permitting, regulatory and enforcement issues for over 50 wetland mitigation banks both in and outside Florida
- Worked on developing purchase and sale agreements for wetland mitigation and conservation banks both in and outside Florida and helped guide the sales transactions to completion
- Regularly assists water utilities, mining companies, electric power companies, agricultural operations and landowners in defending against water use regulations involving minimum flows and levels, water use caution areas, and other water use restrictions such as the Central Florida Water Initiative
- Member of inter-agency working team that drafted Florida's wetland delineation methodology which was then ratified by the Florida Legislature
- Assisted land developers in obtaining State Assumed Section 404 wetland permits and worked with multiple FDEP district offices and FDEP Tallahassee headquarters to resolve permitting issues

- Obtained numerous Underground Injection Control permits for all groundwater injection purposes including electric power and manufacturing wastewater disposal, domestic wastewater disposal, aquifer recharge, and aquifer recharge and recovery
- Assists large landowners in developing long term water supply strategies to ensure adequate water for existing and future operations

## Honors

- *The Best Lawyers in America*®
  - Environmental Litigation, Environmental Law, Water Law, 2007-24
  - Water Law “Lawyer of the Year” in Tallahassee, 2013
- *Chambers and Partners*, “Leaders in their Field,” Environment, 2022-23
- *Florida Trend*, “Up and Coming Legal Elite,” Environmental and Land Use Law

## Publications & Presentations

- “Not Enough of a Good Thing: How Lack of Wetland Mitigation Credits Impacts Land Development in Fla.,” *Law.com Daily Business Review*, February 2024
- “Addressing the Shortage of Mitigation Bank Credits,” moderator, FAMB’s Annual Mitigation Banking Workshop, Florida Association of Mitigation Bankers, September 2023
- “EPA’s new Waters of the United States (WOTUS) Final Rule and FDEP’s State 404 Permitting Program,” Central Florida Association of Environmental Professionals networking luncheon, speaker, February 2023
- “Multi-Benefit Wetland Mitigation Banks,” Florida Association of Mitigation Bankers Conference, panelist, September 2022
- “Aquifer Recharge, Aquifer Storage and Recovery, Underground Injection Control and Potable Reuse,” 36th annual Environmental Permitting Summer School, Florida Chamber Foundation, July 2022
- “WMD Planning, Regulatory, and Policy Update (Parts 1 & 2),” 36th annual Environmental Permitting Summer School, Florida Chamber Foundation, July 2022
- “FDEP Assumption of Section 404 Wetland Permitting,” Central Florida Association of Environmental Professionals networking luncheon, speaker, February 2022
- “Florida’s 404 Permitting Program,” Tallahassee Area Association of Environmental Professionals luncheon seminar, speaker, January 2022
- “Selling your Mitigation Bank”, Florida Association of Mitigation Bankers: Annual 2021 Mitigation Banking Workshop, speaker, 2021
- Regular presentations at the Florida Chamber of Commerce Annual Environmental Permitting Summer School on Environmental Resource Permitting; State Assumed Section 404 Permitting; water management district updates; Underground Injection Control; potable reuse; and aquifer recharge issues, 1994-present

- *Is it Time for Water Quality Credit Trading Banks in Florida?* presentation at Florida Association of Mitigation Bankers conference, 2020
- *Injection Wells, Standards, Use and Groundwater Contamination* presentation at Lorman Live Webinar, 2019
- *Florida's Section 404 Permitting Assumption* feature presentation at National Mitigation & Ecosystem Banking Conference, 2019
- *Implementing Potable Reuse – an Open Conversation* presentation at Florida Water Environment Association Central Florida Chapter, 2019
- *Marine Mitigation Banks in the Southeastern United States* presentation at National Mitigation & Ecosystem Banking Conference, 2018
- *Background and Update on Legislation and other Efforts to Improve the Regulatory Process for Aquifer Recharge with Reclaimed Water* presentation Florida Groundwater Conference, 2018
- *Water Supply Planning – Road map to Florida's water supply and growth* presentation at University of Florida Water Resource Institute Symposium, 2018
- *Improving the Regulatory Process for Reclaimed Water Aquifer Recharge* presentation Florida Water Resources Conference, 2018
- *Actions by States to Promote Mitigation Banking* presentation at National Mitigation & Ecosystem Banking Conference, 2016.
- *Opportunities for Water Quality Credit Trading Banks in Florida* presentation at National Mitigation & Ecosystem Banking Conference, 2015
- *Florida Law Linking Growth Approval to Water Supply* presentation American Planning Association Webinar, 2015
- *Water Supply and Future Land Use: The Central Florida Water Initiative* presentation from Emerging Trends on the Development Front for Environmental, Land Use and Real Estate Practitioners, Florida Bar Continuing Legal Education, 2015
- *Springs Protection and Restoration* presentation at Florida Water Environment Association Big Bend Chapter, 2014

## **Professional Associations & Memberships**

- Environmental Restoration Business Association
- Florida Association of Mitigation Bankers
- Florida Bar
  - Environmental and Land Use Law Section
  - Administrative Law Section
- Florida Association of Environmental Professionals – Tallahassee and Central Florida Chapters
- American Water Resources Association, Florida Section

## **Civic & Community Service**

- Tallahassee Rotary Club
- Apalachee Bay Yacht Club