

CLAY HENDERSON

BIO

Clay Henderson is an award-winning environmental lawyer, educator, and author. Over a lengthy career, he has worked for a national law firm and several environmental organizations, in addition to public service as both an elected and appointed official. He is most known for his work in Florida where he drafted or sponsored most of the environmental provisions in the Florida Constitution. He has taught environmental policy and law for 18 semesters at undergraduate, graduate, and law school level.

EDUCATION

JD, Cumberland School of Law, Samford University, 1979

BA Political Science and History, Stetson University, 1977

LICENSES

Member of Florida Bar, 1980 - current

NOTEWORTHY PROFESSIONAL AWARDS AND RECOGNITION

- Lifetime Achievement Award Florida Trust for Historic Preservation 2022
- Bill Sadowski Memorial Public Service Award, Environmental and Land Use Section of Florida Bar (2006)
- National Public Service Award, The Nature Conservancy (1988)
- Lifetime Achieve Award, Marine Resources Council (2015)
- George Hood Memorial Distinguished Service Award, Stetson University (2012)
- Stetson University Distinguished Alumni Award (2000)

WORK EXPERIENCE

2015-2019. **Executive Director Institute for Water and Environmental Resilience, Stetson University DeLand, Florida**

The Institute is a stand-alone interdisciplinary academic center at Stetson University, which focuses on policy alternatives for water and other natural resource issues and support for faculty and student research. A major project of the Institute was opening a \$7 million field station on the St. Johns River. Another major program was administration of a court ordered grant program for sustainable agriculture. The executive director reported to the Provost and established priorities through a faculty steering committee and Institute Advisory Board.

2002 - 2015 **Senior Counsel, Holland & Knight LLP Orlando, Florida** (of counsel through 2017)

H&K is one of the nation's leading environmental-land use law firms. The practice area was Policy Regulation and Development within the Government Section of the firm as part of the Environmental, Water, Sustainable Development and National

Land Use Teams. The subject matter practice consisted of environmental law, governmental relations, alternative dispute resolution, conservation land acquisition, and endangered species with a focus on large-scale conservation-oriented planning projects.

2000-2002 Vice President, Holland & Knight Consulting Orlando, Florida

Hired as a senior manager to develop an ancillary environmental consulting practice called "Conservation Solutions" within a national law firm.

1995-2000 President/CEO, Florida Audubon Society

Audubon is Florida's oldest and largest conservation organization. The President reported to the board of directors and coordinated programs with NAS. The President was responsible for fundraising, budgeting, administration, program, and lobbying on behalf of a statewide organization with 35,000 members and 35 employees, in several offices around the state.

1992-1995 Clay Henderson, P.A. New Smyrna Beach, Florida

Sole practitioner focusing on conservation land acquisition, real estate, probate and estates, non-profit organizations. Represented The Nature Conservancy, Trust for Public Land, Save the Manatee Club.

1986-1992 Volusia County Council Member

Volusia County is a home rule local government for an area with a population of approximately 500,000 people. The county council is the elected governing body. Elected at-large in 1986, re-elected in 1990, and named Chairman in 1989. Sponsored first in the nation environmentally endangered lands acquisition program, sponsored minimum standards for environmental protection, sponsored water conservation measures, coordinated adoption of Volusia County Comprehensive Plan, sponsored historic preservation ordinance, and established the environmental management department.

1980-1986 Henderson & Henderson, PA. New Smyrna Beach, Florida

Practice consisted of real estate, criminal and civil trials, land use, family law, probate and estates.

ACADEMIC POSITIONS

Adjunct Professor of Law, Stetson University College of Law (2019)

- LAW 3370 Environmental Regulation of Water

Visiting Lecturer, Stetson University, Environmental Sciences Department (2015-2018)

- ENSS 320 Environmental Planning
- ENSS 319 Water Policy

- ENSS 355 Environmental Activism
- ENSS 319 Environmental Law and Policy

Adjunct Professor, Stetson University, Environmental Studies/Sciences Department

- GESS 290 Environmental Law and Policy (Spring 2015)
- GESS 290 Environmental Activism (Fall 2014)
- GESS 290 Water Policy (Spring 2014)
- GESS 290 Environmental Planning (Fall 2013)
- GESS 290 Special Topics in Environmental Science (Fall 2012)

Adjunct Professor, Rollins College, Environmental Studies Department

- ENV 386 Environmental Law (Spring 2012, 2013, 2014)

Walter Boardman Lecturer, University of Central Florida, College of Health and Public Affairs. PAD 5338 Environmental, Planning and Land Use Law (1993)

ACADEMIC COMMITTEES

- Stetson University, Environmental Working Group
- Stetson University, Environmental Studies/Sciences Department, faculty Search Committees (2013, 2014, 2015, 2018)
- Peace Corps Prep Working Group
- Stetson University, College of Arts and Sciences Advisory Board (2008-2014)
- Rollins College, Masters in Civic Urbanism Advisory Board (2011-2014)
- University of Florida, School of Forest Resources and Conservation, Advisory Committee (1992-94)

ELECTED PUBLIC SERVICE

- Volusia County Council (1986-92)
- Chair, Volusia County Council (1989)
- East Central Florida Regional Planning Council (1987-92)
- Chair, Volusia City-County Water Cooperative (1992)

GUBERNATORIAL APPOINTMENTS

- Chair, Florida Greenways Coordinating Council 1996-1999
- Florida Constitution Revision Commission 1997-1998
- Administrative Procedure Act Review Commission 1995-1996
- Save the Manatee Committee 1993-1995
- Property Rights Study Commission 1993-1994
- Chair, Florida Pollution Prevention Council 1992-1993
- Florida Communities Trust Governing Board 1991-1992

OTHER PUBLIC SERVICE

- Management Conference Indian River Lagoon Council (2015-2019)
- Volusia Smart Growth Steering Committee (2004-2007 and 2013-2014)
- St. Johns River American Heritage River Initiative Steering Committee (1999-2003)
- Indian River Lagoon National Estuary Committee (1989-1992)
- Preservation 2000 Implementation Committee 1991
- Oak Hill, Florida - City Attorney (1984-1987)
- Edgewater, Florida - City Attorney (1980-1982)

AWARDS

- Lifetime Achievement Award, Florida Trust for Historic Preservation (2022)
- Lifetime Achievement Award, Volusia Soil and Water District (2017)
- Lifetime Achievement Award, Marine Resources Council (2015)
- Golden Eagle Award, Central Florida Chapter Boy Scouts of America (2013)
- George Hood Memorial Distinguished Service Award, Stetson University (2012)
- Community Stewardship Award, Urban Land Institute (2008)
- William Sadowski Public Service Award, The Florida Bar (2006)
- Outstanding Alumni Award, Stetson University (2000)
- Public Education Award, Florida Constitution Revision Commission (1998)
- President's Public Service Award, The Nature Conservancy (1988)
- Chairman's Award, Florida Chapter of The Nature Conservancy (1998)
- Governor's Award, Florida Wildlife Federation (1987)
- Legislator of the Year, Florida Chapter Sierra Club (1990)
- Brooks Memorial Award, Florida Audubon Society (1988)
- Salzman Memorial Award, Museum of Arts and Sciences (1989)
- Cohn Memorial Award, League of Women Voters (1993)
- Historian of the Year, Volusia County Historical Commission (1987)

COMMUNITY SERVICE

- President, Florida Trust for Historic Preservation 2015-2017
- Board of Trustees, Florida Trust for Historic Preservation 2008-2019
- Chair, Florida Conservation Voters 2003- 2019
- Regional Council National Parks Conservation Association 2014-2019
- Board of Directors, St. Johns River Alliance 2003-2016
- Board of Advisors, Trust for Public Land 2002- 2019
- Board of Advisors, World Wildlife Fund Canada, Cuba Program 2003-2009
- Board of Directors, Council for Sustainable Florida 1996-2002
- Board of Directors, Florida International Festival 1988-2009
- Board of Directors, Florida Audubon Society 1993-1995
- Board of Directors, Save the Manatee Club 1993-1995
- Board of Directors, Florida Conservation Foundation 1992-1993

PUBLICATIONS

Henderson, Clay. *Forces of Nature: A History of Florida Land Conservation*, (Gainesville: University Press of Florida, 2022).

Parkinson, R.W., Valerie Seidel, Clay Henderson & Duane De Freese (2021) "Adaptation Actions to Reduce Impairment of Indian River Lagoon Water Quality Caused by Climate Change," Florida, USA, *Coastal Management*, 49:2, 215-232.

Parkinson, R.W., Seidel, V., and Henderson, C., 2020. "Ensuring Resiliency the Indian River Lagoon to Climate Change Stressors: Monitoring and Review of Action Plans," Final Report prepared for the Indian River Lagoon Council, Sebastian, Florida.

Henderson, Clay. "The Rhythms of the Lagoon." *The Wild Heart of Florida 2nd Ed.*, edited by Jack Davis, Gainesville: University of Florida Press, 2021. Print.

Henderson, Clay. "The Greening of Florida's Constitution," *Stetson Law Review*, Vol. 49, No. 4, Summer 2020.

Appleton, Patricia, Clay Henderson, and James Murphy. *Doris Leeper Legacy of a Visionary*. Cocoa: Florida Historical Society Press, 2017. Print.

Henderson, Clay. "V Federal Agency Conservation Obligations and Consultation Under Sec. 7 of the ESA." *Endangered Species Desk Book*. Washington: Environmental Law Institute, 2003, 2nd Ed. 2010. Print.

Henderson, Clay. "Chapter 4 Natural Resources." *Green Building and Sustainable Development Practical Legal Guide*,. Chicago: ABA, 2009. Print.

Henderson, Clay and Ian Adams. *The Floridas*. San Francisco, CA: BrownTrout, 2006. Print.

Henderson, Clay, ed. "President's Message." *Audubon Florida Naturalist Magazine* 1995-2000 Print.

Henderson, Clay. "The Conservation Amendment." *University of Florida Law Review* 52.285 (2000). Print.

Henderson, Clay, and Deborah Ben-David. "Revision 5: Protecting Natural Resources." *Florida Bar Journal* (1998). Print.

Henderson, C. (1997). "Birds in Florida." A. and J. Morris (ed.), *The Florida Handbook 1997-1998*, (pp.490-492) Tallahassee: Peninsular Publishing Co.

Henderson, C. and David Gluckman. "State Land Acquisition Programs," *Land Preservation for Floridians*, Tallahassee: Florida Land Trust Association (1991).

RECENT PRESENTATIONS

"Building Your Team to Pass Conservation Ballot Measures," Florida Recreation and Parks Association state conference, August 30, 2022, Orlando.

"Commissioners and Staff and Volunteers, Oh My! Building Your Team to Pass Parks and Conservation Ballot Measures," National Recreation and Parks Association Annual Conference, Nashville Tenn. Sept. 21, 2021. (virtual)

"Development and Passage of the Water and Land Conservation Amendment," Florida Beach and Shore Preservation Association Seminar, June 23, 2021. (virtual).

"Preserving Paradise Florida Post Hurricane Planning State Policy Perspective," Keeping History Above Water, College of Charleston, June 13, 2021.

“Future of Florida’s Environment,” Flagler Tiger Bay, Palm Coast, Fla. April 21, 2021. (virtual)

“Florida’s Environmental Setting and Significance,” Leadership Florida Executive Leadership Conference, Naples, Fl. March 1, 2020.

“Future of Florida’s Environment,” Flagler Tiger Bay, Palm Coast, Fla. April 21, 2021.

“Florida’s Environmental Setting and Significance,” Leadership Florida Executive Leadership Conference, Naples, Fl. March 1, 2020.

“Policy and Politics: Welcome to Florida the new American Venice.” Keeping History Above Water, St. Augustine, Fl. May 7, 2019.

“Status of Florida Springs Restoration Plans,” Florida Springs Summit 2018, Central Florida State College, November 2, 2018.

“Indian River Lagoon Restoration,” Martin County 2070 Conference, Indian River State College, October 12, 2018.

“Sustainable Growth in an Era of Expansion,” ERAU Speaker Series, Embry-Riddle Aeronautical University, September 24, 2018.

“Florida Reacts to Climate Change,” American Bar Association Real Property, Trusts and Estate Spring Symposium. Orlando, Fla May 10, 2018.

“Protecting the Public for Harm: Hurricanes, Resiliency and Infrastructure Planning,” Keynote Speaker, 19th Annual Northeast Florida Environmental Summit, Florida Coastal Law School, March 10, 2018.

“Florida’s Environmental Challenges” Keynote Speaker Future of Florida Summit, University of Florida, Bob Graham Institute, February 9, 2018.

“Policy and Politics of Living with Water in the Sunshine State,” Keeping History Above Water, Annapolis, Md. October 31, 2017.

“Environmental Provisions in Florida’s Constitution,” General Provisions Committee of Florida Constitution Revision Commission, Tallahassee (September 28, 2017)

“The future of environmental restoration in Florida,” Keynote address to Florida Stormwater Association Annual Conference, Ft. Myers (June 2017).

“Living with Water in the Sunshine State,” Historic Preservation, Building Codes, and Resiliency, Florida Trust for Historic Preservation, St. Augustine (November 2016), Sarasota (February 2017), and Pensacola, Fla. (March 2017).

“Environmental Provisions of Florida’s Constitution” University of Florida, Bob Graham Institute, February 11-12, 2017.

University of Florida School of Law, 22nd Annual Public Interest Environmental Conference, Land Conservation: The Worth of the Earth | February 9-11, 2017; conference moderator and panel discussion.

Henderson, Clay. “Integrating Protection of Ecosystem Services into the Planning Process.” ACES: A Community of Ecosystems Services annual conference. Jacksonville, Fla. December 2016.

“Planning for Sustainability,” Florida Environmental Network, Annual Environmental Permitting Summer School, July 19-22, 2016.

Henderson, Clay. “State of Florida’s Environment.” Keynote Address Florida Native Plant Society Annual Conference. Daytona Beach May 2016.

University of Florida School of Law, 21st Annual Public Interest Environmental Conference, Five Oceans, One Earth | February 11-13, 2016; conference moderator and panel discussion.

“Challenges Facing Florida Local Governments.” Florida City-County Manager Association Winter Institute. Lakeland Civic Center. Lakeland, Fl. February 4, 2016.

“Restoration Challenges for Indian River Lagoon.” Challenges in Connecting Users to Data. Harbor Branch Oceanographic Institute. November 2015.

Stetson College of Law, Third Annual ELI Wetlands Workshop, November 12, 2015, Panel Discussion Wetlands Mitigation and Long-Term Stewardship: Financial Challenges and Title Issues.

Henderson, Clay. “Restoration Challenges for Indian River Lagoon.” Challenges in Connecting Users to Data. Harbor Branch Oceanographic Institute. November 2015.

Henderson, Clay. “Environmental Bill of Rights.” The Florida Constitution at 50 Years: Looking Ahead to the 2017-2018 Revision Commission, University of Florida Law School. Gainesville. October 2015.

Henderson, Clay. "Our Springs/Our Future." Blue Springs Forum on Springs Issues in Florida. Blue Springs Alliance. Sanborn Center, Deland. 22 May 2015. Keynote.

Henderson, Clay. "A Brief History of Canaveral National Seashore." Canaveral National Seashore 40th Anniversary Dedication. National Park Service. Canaveral National Seashore Visitors Center, New Smyrna Beach. 3 Jan. 2015. Address.

Henderson, Clay. "Troubled Water, Indian River Lagoon in Peril." Hot Topics Luncheon. Central Florida League of Women Voter. Sorosis Club, Orlando. 12 Mar. 2014. Program Moderator.

Henderson, Clay. "Land and Water Legacy Amendment." Public Lands, Public Waters, Public Trust, 5th Annual Future Generations Conference. Center for Earth Jurisprudence. Barry College of Law, Orlando. 7 Feb. 2014. Lecture.

Henderson, Clay. "Large Scale Long Term Community Planning." Environmental Permitting Summer School. Florida Chamber Environmental Network. Marco Island Conference Center, Marco Island. July 2013 Lecture.

Henderson, Clay. "A Sense of Place for Florida." Authentic and Sustainable Florida Conference. Manatee Chamber of Commerce. The Island Theater, Anna Maria. 12 Oct. 2012. Lecture.

Henderson, Clay. "The New Normal for Environmental Protection in Florida." 2011 Annual Northeast Florida Environmental Summit. Florida Coastal School of Law. Florida Coastal School of Law, Jacksonville. 3 Nov. 2011. Keynote Speech.

Henderson, Clay. "A Primer on Florida's Environment." Leadership Florida Opening Class. Leadership Florida. Howey in the Hills Conference Center, Howey in the Hills. 15 Sept. 2011. Lecture.

Henderson, Clay. "Ecotourism in Cuba." Wildlife Conference. Stetson Institute for Biodiversity Law and Policy. Stetson College of Law, Gulfport. 1 June. 2011. Lecture.

Henderson, Clay. "The Challenges of Long Term Large Scale Planning." Growth Management Short Course. Florida Chamber Environmental Network. Daytona Marriott Conference Center, Daytona Beach. 8 Feb. 2008. Conference Moderator

Henderson, Clay. "The Lure of Conservation." Commencement Exercises. Hamilton Holt School, Rollins College, Winter Park. 12 May 2006. Address.

REPORTED APPELLATE CASES

- *Oliva v. Florida Wildlife Federation*, No. 1D18-3141 (Fla. App. 1st Dist. 2019).
- *Advisory Opinion to Attorney General Re: Water and Land Conservation*, Nos. SC13-659, SC13-965 (Fla. 2013).
- *Advisory Opinion to Governor - 1996 Amendment 5 (Everglades)*, 706 So.2d 278 (Fla. 1997).
- *Advisory Opinion to the Attorney General re People's Property Rights Amendments*, 699 So.2d 1304 (Fla. 1997).
- *Advisory Opinion to the Attorney General re Fee on Everglades Sugar Production*, 681 So.2d 1124 (Fla.1996).
- *City of New Smyrna Beach v. Andover Development Corp.*, 672 So.2d 618 (Fla. App. 5 Dist. 1966).

VOLUNTEER WORK

Habitat for Humanity International (2009-2017) including Jimmy Carter Work Project to Cambodia; first joint project with Peace Corps in El Salvador; government advocacy projects in Guatemala, Paraguay, Dominican Republic, and Malawi; as well as build projects in Chile, New Zealand, and Thailand.

Volusia Forever/ECHO (2000). Co-chaired the successful Volusia County referenda for conservation land acquisition and grant program for environmental, cultural, historic preservation, and outdoor recreation.

REFERENCES

On request.