



**TARA W. DUHY**  
executive shareholder

561.640.0820 | [tduhy@llw-law.com](mailto:tduhy@llw-law.com) | 515 N. Flagler Drive, Suite 1500 | West Palm Beach, FL 33401

## AREAS OF PRACTICE

- Maintains a state-wide land use, natural resource and water law practice, counseling clients through all aspects of development and advising clients through every stage of permitting and government coordination and enforcement related to:
  - Comprehensive land use planning;
  - Zoning, site planning and other local development orders;
  - Transportation planning and concurrency, including coordination with the Florida Department of Transportation and regional metropolitan planning organizations;
  - Development of regional impact (“DRI”) review, including coordination with the Florida Department of Economic Opportunity and regional planning councils;
  - Environmental resource permitting (“ERP”) and water use permitting through the various Florida water management districts;
  - Coastal construction and environmental wetland permitting through the Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission;
  - Federal wetland and coastal construction permitting through the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers;
  - Endangered Species Act coordination with the U.S. Fish and Wildlife Service; and
  - Federal NEPA compliance.
- Represents public and private clients in administrative and civil litigation, including appeals, related to land use, government, natural resources and water law.
- Represents local governments, community redevelopment agencies and special districts as general counsel and as special counsel related to environmental and land use issues, public/private partnerships, public records and the Government in the Sunshine Law.

## CO-CHAIR

Land Use and Real Estate Law

## PRACTICES

Environmental and Natural Resources Law

Land Use and Real Estate Law

Administrative, Civil, and Appellate Litigation

## INDUSTRIES

Government

Transportation and Infrastructure

## EDUCATION

J.D., University of Colorado School of Law, 2004

B.S., Northwestern University, 1997

## REPRESENTATIVE COURT DECISIONS

- **Alerts of PBC, Inc., et. al v. Palm Beach County and Minto PBLH, LLC, Case No. 502014CA014424XXXXMB (Fla. 15<sup>th</sup> Cir. Ct. 2016)** affirmed, 1000 Friends of Florida, Inc., et al. v. City of Westlake, et al., Case No. 16-1730 (Fla. 4<sup>th</sup> DCA 2017), Final Summary Judgment granted in favor of Palm Beach County and Minto PBLH, LLC, permitting development of 4,000 acre agricultural site.
- **Seminole Tribe of Florida v. Hendry County, Florida Power & Light Co. and McDaniel Reserve Realty Holdings, LLC, Case No. 2011-CA-540 (Fla. 20<sup>th</sup> Cir. Ct. 2014); affirmed, Hendry County et al., v. Seminole Tribe, Case No. 2D-14-4965 (2d DCA 2015)** – The Circuit Court ruled that the County’s rezoning of agricultural land to permit the construction of a regional natural gas power plant next to the Big Cypress Seminole Indian Reservation was inconsistent with the Hendry County Comprehensive Plan, and therefore void and unenforceable.
- **Alerts of PBC, Inc., et. al v. Palm Beach County and Minto PBLH, LLC, DOAH Case No. 14-5657GM (Fla.Div.Admin.Hrgs. 2015)** – The Administrative Law Judge and Department of Economic Opportunity found that comprehensive plan amendments for a 4,000 acre agricultural site adopted by Palm Beach County were in compliance with Florida’s growth management laws.
- **Seminole Tribe of Florida v. Hendry County, Case No. 14-1441GM (Fla.Div.Admin.Hrgs. 2015)** - The Administrative Law Judge held that Hendry County’s amendments to its Comprehensive Plan allowing large scale industrial and commercial uses in rural agricultural areas were not supported by adequate data and analysis and violated Florida’s Community Planning Act by creating urban sprawl and failing to contain adequate criteria to guide future development.
- **Marc Ripps v. City of Coconut Creek and the Seminole Tribe of Florida, Case No. 11-004782(19) (Fla. 17<sup>th</sup> Cir. Ct. 2012)** – The Circuit Court held that a rezoning allowing a hotel/entertainment complex was consistent with the City’s rezoning criteria and complied with state law regarding DRIs.
- **Gary Pirtle v. Roy D. Voss and Department of Environmental Protection, DOAH Case No. 13-0515 (Fla.Div.Admin.Hrgs. 2013)** – The Administrative Law Judge found that installation of dock mooring pilings interfered with a neighbor’s riparian rights by blocking navigation to his dock.
- **Miami-Dade County v. Dopplemayr Cable Car, GMBH and Co KG, and Mitsubishi Heavy Industries of America, Case No. 13-02937 CA 08 (Fla. 11<sup>th</sup> Cir. Ct. 2013)** - The 11<sup>th</sup> Circuit Court of Appeals held that confidential documents submitted by a bidder for a county contract contained trade secrets that are exempt from disclosure under Florida’s Public Records Act.

## PUBLICATIONS AND PRESENTATIONS

- “Transportation Planning: How Do We Get There from Here,” Florida Chamber Foundation Annual Environmental Permitting Summer School, July 2016
- “Current Issues in Florida Land Use Law,” Lorman Education Services Webinar, April 2016.
- “Legal Issues in Environmental Permitting and Land Use,” Florida Association of Environmental Professionals Annual Conference and Training Symposium, September 24, 2015
- “Repositioning your Florida Development by Substantially Reducing Transportation Mitigation Costs,” Florida Chamber Foundation Annual Environmental Permitting Summer School, July 2013 and July 2014
- “U.S. Supreme Court Offers Clean Water Act Plaintiffs Their Day in Court”, co-authored with Kevin Hennessy, Journal American Water Works Association, June 2012.
- “Clean Water Act Section 404 Jurisdiction Update: The Everglades Agricultural Area”, presented at the Florida Mine Safety, Health & Environmental conference held in Orlando, February 22, 2011.
- “Status of the Environmental Impact Statement (EIS) for Limerock and Aggregate Mining in Southwest Florida,” presented at the Florida Limerock and Aggregate Institute Meeting in Orlando, October 20, 2010.
- “Mining in the EAA,” presented to the Palm Beach County Bar Association Environment and Land Use Law Committee on August 24, 2010.

- “Transportation Update,” presented at the Florida Bar Environment and Land Use Law Annual Update, held in Ponte Vedra Beach on August 12, 2010.
- “When is Agricultural the Normal Circumstance?,” presented as part of the “Water Issues in an Evolving Legal Climate,” panel at the ABA Section of Environment, Energy, and Resources 39<sup>th</sup> Annual Conference on Environmental Law, held in Salt Lake City, Utah on March 19, 2010.
- “Mobility and Economic Development,” presented as part of “Transportation Impact Fees” panel at the American Bar Association Mid-Year Meeting held in Orlando, February 5, 2010.
- “Green Initiatives: In Theory and In Practice,” presented at the 4th Campus & Community Sustainability Conference held at the University of South Florida, October 9, 2009.
- “Ninth Circuit Holds that Jurisdictional Determinations from U.S. Army Corps Are Not Judicially Reviewable: Practical Considerations,” Water Quality and Wetlands Committee Newsletter, January 2009.
- “*Rapanos*: An Interpretive Dance,” presented at the South Florida Association of Environmental Professionals Annual Conference, November 29, 2007.
- “Special Districts and Florida’s Sunshine Law: How to Stay in the Sun and Avoid the Shadows,” June 20, 2007.
- “State and Federal Administrative Mechanisms for Protection Instream Flows: Key Issues in the East, the Role of Reservations in Florida Water Law,” May 11, 2006.

## PROFESSIONAL, CIVIC AND COMMUNITY INVOLVEMENT

- The Florida Bar, Member, 2004
  - Environmental and Land Use Law Section, Executive Council, 2009-2013
- The American Bar Association, Member
  - Section on Energy and Environmental Resources
  - Section on Real Property, Trust and Estate Law
- The Palm Beach County Bar Association, Member
  - Environmental and Land Use Law Committee, Co-Chair, 2011-2015
- Florida Association of Community Developers, Member
- North Palm Beach County Chamber of Commerce
- PGA Corridor Association, Member
- Leadership Palm Beach County, Class of 2011
- Easter Seals of Florida, Board of Directors, 2012-2014
- Healthy Mothers Healthy Babies Coalition of Palm Beach County, Inc.
  - Chair of Board of Directors, 2016-present
  - Board of Directors, 2015-present
  - Co-Chair of Moments Luncheon and Silent Auction, 2014-present

## AWARDS AND HONORS

- *Florida Rising Star*, 2009-2010, 2013-2015.
- Listed as a “Rising Star” in the Daily Business Review’s “40 under 40” Issue, September 2013.
- Recipient, the Judy Florence Memorial Outstanding Service Award, presented by the Executive Council of the Environmental and Land Use Law Section of the Florida Bar, 2007-2008.