

**Richard Grosso, Esq.**

**Richard Grosso, P.A.**

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**CURRICULUM VITA**

**Biographical Sketch**

Richard Grosso, President of Richard Grosso, P.A., in Plantation, Fla., is a widely recognized lawyer and advocate, with 35 years of experience as a public interest litigator, appellate lawyer, advocate and counselor in the areas of federal and Florida environmental, land use, constitutional, property rights and related governmental and administrative law. He offers services throughout Florida and in Washington DC.

Mr. Grosso is a former Law Professor at the Shepard Broad College of Law at Nova Southeastern University in Ft. Lauderdale, Florida, where he taught in the areas of environmental, energy, land use, administrative, appellate practice and federal and state constitutional law. He is the former Executive Director and General Counsel of the Everglades Law Center, Inc., (ELC) a public interest law firm which represents citizens and environmental interests in environmental and land use matters concerning the Florida Everglades, Florida Keys and the south Florida ecosystem in general. He is also a former Legal Director for 1000 Friends of Florida, and attorney for the Florida departments of Community Affairs and Environmental Regulation. Over a 34 – year litigation and appellate career, he represented numerous public interest clients and the state of Florida in federal and state administrative and judicial proceedings. He frequently appears before local governments, state and federal agencies, and other bodies concerning land use and environmental issues.

Mr. Grosso has worked extensively on the local, state and federal policy, legal and agency decision-making aspects of the Comprehensive Everglades Restoration Plan, cutting edge "carrying capacity" land use planning in the Florida Keys, climate and sea level rise sustainability issues in south Florida and a wide variety of environmental and land use issues throughout Florida. Richard's work and analysis has been quoted or referenced in the New York Times, the Washington Post, Forbes, Politico, National and Florida Public Radio, in almost every major news media in Florida, and other newspapers and blogs across the country and around the world.

**Professional Experience**

**Richard Grosso, P.A.**

**President**

Plantation, Fla.

Jan. 2018- present

Consultation and representation of public interest clients in land use, environmental and related governmental matters before local, state and federal agencies and state and federal courts and administrative tribunals.

**Shepard Broad College of Law, Nova Southeastern University**

Ft. Lauderdale, Fla.

Professor of Law – 2007 to July 2021

Assistant Professor of Law 1998 - 2007

Taught constitutional law, land use, environmental, energy and administrative law and appellate practice. Directed land use and environmental law practice clinic.

**Everglades Law Center, Inc.**

Ft. Lauderdale, Fla.

Executive Director\ General Counsel - March 1996 to December 2010

Responsible for administrative and legal activities of non-profit, public interest law firm which represents clients in litigation, appeals and administrative advocacy on major legal cases and public policy decisions impacting the south Florida ecosystem. Extensive state and federal trial and appellate practice on cases of significant precedential value. Lectures and writes frequently on legal and policy issues concerning environmental and land use law and policy. Clients included federal, state and local environmental organizations.

**1000 Friends of Florida, Tallahassee & Ft. Lauderdale,  
Fla. Legal Director - August 1990 to March 1996**

Responsible for all legal activities of non-profit, public interest growth management advocacy group.

**Florida Department of Community Affairs, Tallahassee, Fla.**

Assistant General Counsel - June 1989 to August 1990

Represented state agency in administrative challenges to local government comprehensive plans and policy plans of regional planning councils.

**Florida Department of Environmental Regulation, Tallahassee, Fla.**

Assistant General Counsel - December 1986 to June 1989

Duties included trial and appellate work as well as advisory duties relating to environmental permitting. Heavy emphasis in administrative law and inverse condemnation defense. Extensive trial and appellate practice.

## **Bar Admissions**

Supreme Court of the United States

Eleventh Circuit Court of Appeals.

United States' District Court for the Northern District of Florida

United States' District Court for the Middle District of Florida

United States' District Court for the Southern District of Florida

Florida Bar Association

## **Education**

### **Legal**

#### **FLORIDA STATE UNIVERSITY COLLEGE OF LAW**

Tallahassee, Florida

Juris Doctor, April 1986, Honors

Law Review

Legal Writing Faculty-Student Committee

Supreme Court Role-Playing Seminar

Book Award-Coastal Zone Law

### **Undergraduate**

#### **FLORIDA STATE UNIVERSITY**

B.S. Political Science, 1983

GPA: 3.47 (4.0 scale)

Pi Sigma Alpha Honor Society

Vice President, Government Studies Association

#### **MIAMI-DADE COMMUNITY COLLEGE**

A.A. 1981 - Dean's List

## **Civic**

Former Member, Broward County Planning Council

Former member, Broward County Climate Task Force

## Significant Litigation

Mr. Grosso has successfully litigated many significant and precedent setting cases, including:

- *1000 Friends of Fla., Inc. v. Palm Beach County and Bergeron Sand & Rock Mine Aggregates, Inc.*, 69 So. 3d 1123 (Fla. 4th DCA 2011); *1000 Friends of Fla., Inc. v. Palm Beach County and Rinker Materials of Fla., d/b/a Cemex*, 75 So. 3d 1270 (Fla. 4th DCA 2011); and *United States Sugar Corp. v. 1000 Friends of Fla.*, 134 So. 3d 1052 (Fla. 4th DCA 2013), which strictly enforced the Palm Beach County land use plan, and protected the Everglades Agricultural area from wide-spread limerock mining, thus preserving its environmental restoration potential;
- *Fla. Wildlife Fed. & Sierra Club v. US Army Corp of Engineers*, 401 F. Supp. 2d 1298, 1308 (S.D. Fla. 2005), which halted construction of the Scripps Research Institute on the fringe of the Everglades in western Palm Beach County and resulted in the relocation of the project to an urban infill area.
- *Pinecrest Lakes, Inc. v. Shidel*, 795 So. 2d 191 (Fla. 1st DCA 2001), where demolition of buildings built in violation of a local comprehensive plan was ordered by the courts;
- *1000 Friends of Florida v. Monroe County*, the precedent - setting case on the issue of carrying-capacity - based planning;
- *Miami Sierra Club v. State Admin. Comm'n*, 721 So. 2d 829 (Fla. 3d DCA 1999), which overturned the state approval for a commercial airport at the former Homestead Air Force Base, and
- *Poulos v. Martin County*, which guaranteed citizens the right to a de novo trial in plan consistency challenges.
- *Dep't of Environmental Regulation v. MacKay*, 544 So. 2d 1065 (Fla. 3d DCA 1989) and *Namon v. State, Dep't of Environmental Regulation*, 558 So. 2d 504 (Fla 3d DCA 1990), which rejected inverse condemnation claims and strengthened the state of Florida's ability to protect wetlands on private property;
- *DCA v. Withlacoochie Regional Planning Council*, which upheld the state's authority to require Regional Policy Plans to be consistent with the State Comprehensive Plan;
- *Homebuilders and Contractors v. Dept. of Community Affairs*, which upheld the state's ability to discourage urban sprawl through the state land use planning process.

Mr. Grosso also co-authored an influential amicus curie brief in the ground -breaking case of *Brevard County v. Snyder*, Florida's leading land use case.

## Publications

Among Professor Grosso's notable publications are:

- Richard Grosso, *A Guide to Development Order "Consistency" Challenges Under Florida Statutes Section 163.3215*, 34 J. of Envtl. L. & Litig. 129 (2019)
- *Planning and Permitting to Reduce and Respond to Global Warming and Sea Level Rise in Florida*, J. Land Use & Env. Law., Vol 30, No. 2, 201 (Spring 2015)
- *Planning and Permitting to Reduce and Respond to Global Warming and Sea Level*

*Rise*, 6 J. Animal and Environmental L. 41 (2015),

<https://drive.google.com/file/d/0B0gcImiUSq5ETIVZSW1melFzcm8/view?pref=2&pli=1>

- ***Regulating for Sustainability: The Legality of Carrying Capacity – Based Environmental and Land Use Permitting Decisions***, 35 Nova L. Rev. 711 (Summer 2011)
- ***The Public Interest Perspective on SB 360***, FLA. BAR JOURNAL, Oct. 2009, at 24.
- Richard Grosso & Jason Totoiu, ***Planning and Permitting to Protect Wetlands: The Different Roles and Powers of State and Local Government***, FLA. BAR JOURNAL, Apr. 2010, at 39.
- ***Old McDonald Still Has a Farm: Agricultural Property Rights After the Veto of S.B. 1712***, Fla. Bar. J. March, 2005, Volume 79, No. 3 (co-author with Robert Hartsell)
- ***Environmental View of the 50 Year Picture***, Fla. Bar, Env. & Land Use Law Section Annual Update Materials (Aug. 25-27, 2005)
- ***Florida's Burt Harris Act: Does it Protect Third Parties and the Public Interest?*** (Georgetown University Law Center Continuing Legal Education; October 18 - 19, 2001)
- ***Legal Issues Concerning the Water Preserve Areas*** (Fla. Bar. April 20, 2001)
- ***Wildlife Habitat and Land Use in the Florida Keys*** (Fla. Bar, Env & Land Use Law Section) (January 18, 2001).
- ***Quit Exploiting the Everglades***, ENGINEERING NEWS-RECORD, Jan. 11, 1999, at 59 (Co-author)
- ***Florida's Growth Management Act: How Far We Have Come, and How Far We Have Yet to Go***, 20 NOVA L. REV. 589 (1996).
- ***Carrying Capacity in the Florida Keys: The Implications for Land Use Planning***, A NATIONAL SYMPOSIUM: ASSESSING THE CUMULATIVE IMPACTS OF WATERSHED DEVELOPMENT ON AQUATIC ECOSYSTEMS AND WATER QUALITY (Northeastern Illinois Planning Commission, Natural Resources Department, 1996).
- ***Looking for the Middle Ground in Snyder***, 15 ENVTL. & LAND USE LAW SEC. REP. (1993).
- Richard J. Grosso & David J. Russ, ***Takings Law in Florida: Ramifications of Takings Clauses***, 8 J. LAND USE & ENVTL. L. 431, 485 (1993).
- ***Federal Offshore Leasing: States' Concerns Fall on Deaf Ears***, 2 J. LAND USE & ENVTL. L. 249 (1986).
- ***A Return to Sunshine: Florida Sunsets Open Government Exemptions***, 13 F. S. U. L. REV. 705 (1985) (co-author with Barry Richard).

Numerous published Continuing Legal Education and other articles and outlines on growth management, land use, environmental and property rights law.

## **Awards & Recognition**

Mr. Grosso has been widely recognized for his work on behalf of Florida's environment, including:

- Audubon Florida's 2021 Everglades Champion Award
- Environmental Advocacy Award (Key West environmental group Last Stand 2021)
- Lifetime Achievement Award (2010 Fla. Bar, Environmental and Land Use Law Section's Public Interest Environmental Conference).
- The Urban Environmental League's (Miami-Dade County) Orchid Award for Lawyers Who Make a Difference (2009).
- The Bill Sadowski Memorial Public Service Award by the Florida Bar, Environmental and Land Use Law Section (2008)
- The Tropical Audubon Society's Polly Redford Citizens Service Award for his legal work on behalf of the environment (2008).
- 2005 Most Effective Environmental Lawyer, Daily Business Review
- The Sierra Club Florida chapter's William K. 'Red' Howell Legal Services Award (2005)
- Named Most Effective Environmental Lawyer in south Florida by the Daily Business Review (2004).
- Conservationist of the Year, (Marshall Foundation 2003).
- Conservationist of the Year (Everglades Coalition 2002)
- Conservationist of the Year (Audubon Society of the Everglades 2001)
- Public Service Award (Martin County Conservation Alliance 2000)
- Environmentalist of the Year (CityLink Newspaper [Broward & Palm Beach Counties] 2000)
- Conservationist of the Year. (Florida Wildlife Federation (1999)
- Hal Scott Memorial Award for legal advocacy on behalf of the environment. (Florida Audubon Society 1997)
- Individual of the Year (Key West environmental group Last Stand 1995)