



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Application 190730-8

Permit 43-00069-S

August 27, 2019

Evergreen Club Holdings LLC
222 Lakeview Avenue Suite 1510
West Palm Beach, FL 33401
billing@boiloil.net

Evergreen Property Owners Association, Inc.
C/O Signature Property Management
459 NW Prima Vista Blvd.
Port St. Lucie, FL 33493

Dear Permittees:

Subject: **Notice of Permit Transfer
Evergreen Golf And Residential
Martin County, Section 1-3, Township 38 South, Range 40 East**

In response to your request which we received on July 30, 2019 for transfer of the above, Permit 43-00069-S has been officially transferred to Evergreen Club Holdings LLC and Evergreen Property Owners Association, Inc. as joint permittees subject to the attached Notice of Rights. As a condition of transfer you have agreed that all terms and conditions of the permit are understood and accepted; as permittee you are responsible for compliance with the requirements of the permit. Any proposed modification shall be applied for and authorized by this District prior to such modification.

The Permit Transfer document including conditions and permit history are enclosed. Copies of the permit documents can be obtained from the District's ePermitting website at www.sfwmd.gov/ePermitting. To inquire on the permit's current compliance status, please contact Guy Boisclair at gboiscl@sfwmd.gov or (863) 462-5260 ext. 3008 and James Phillips at jphillip@sfwmd.gov or (863) 462-5260 ext. 3011. For questions regarding the permit transfer, please contact Rich Walker at rdwalker@sfwmd.gov or (561) 682-6741.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Krumlauf".

Jennifer Krumlauf 
Regulatory Specialist Supervisor
Regulatory Support Bureau

JK/r

c: CGI Palm City LLC
Martin County Engineer (lwichser@martin.fl.us)
Tim Turpen, Evergreen Club Holdings LLC (golfprofessional@preserveih.com)

NOTICE OF RIGHTS

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk of the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

INITIATION OF AN ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 PERMIT TRANSFER FOR
 ENVIRONMENTAL RESOURCE INDIVIDUAL PERMIT NO. 43-00069-S**

DATE ISSUED : AUG 27, 2019

PERMITTEE: EVERGREEN CLUB HOLDINGS, LLC
 (EVERGREEN GOLF AND RESIDENTIAL)
 222 LAKEVIEW AVENUE SUITE 1510
 WEST PALM BEACH, FL 33401

EVERGREEN PROPERTY OWNERS ASSOCIATION INC
 C/O SIGNATURE PROPERTY MANAGEMENT
 459 NW PRIMA VISTA BLVD
 PORT ST. LUCIE, FL 33493

ORIGINAL PERMIT ISSUED: AUGUST 11, 1977, MODIFIED AS DESCRIBED IN ATTACHED PERMIT HISTORY.

ORIGINAL PROJECT AUTHORIZATION: CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM SERVING 500 ACRES OF RESIDENTIAL LANDS BY INTERNAL LAKES WITH INTERCONNECTING CONTROL STRUCTURES DISCHARGING INTO C-23 VIA P.C. #2.

CURRENT AUTHORIZATION: TRANSFER CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM SERVING 500 ACRES OF A RESIDENTIAL DEVELOPMENT AND GOLF COURSE KNOWN AS EVERGREENS GOLF AND RESIDENTIAL.

PROJECT LOCATION: MARTIN COUNTY **SECTION:** 1-3 **TWP:** 38S **RGE:** 40E

PERMIT DURATION: AS PREVIOUSLY PERMITTED.

In response to Transfer Application No. 190730-8, dated July 30, 2019 this Permit Transfer is issued pursuant to the applicable provisions of Part IV, Chapter 373, Florida Statutes (F.S) and Section 62-330.340, Florida Administrative Code.

All Permit design specifications, special and general/limiting Permit conditions, and other terms and requirements contained in the Permit shall remain in full force and effect unless further modified by the South Florida Water Management District and shall be binding upon the Permittee, for the duration of the Permit, as specified in Section 62-330.320, Florida Administrative Code.

In the event the property is sold or otherwise conveyed, the Permittee shall remain liable for compliance with this Permit until permit transfer to the new owner is approved by the District. Section 62-330.340, Florida Administrative Code requires written notification to the District within 30 days of the transfer of any interest in the permitted real property, giving the name and address of the new owner in interest with a copy of the instrument effecting the transfer.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS: as previously permitted.

By Jennifer Krumlauf
 Jennifer Krumlauf
 Regulatory Specialist Supervisor
 Regulatory Support Bureau

PERMIT HISTORY

15-AUG-2019
transfer_history

Issue Date	App #	Permit Type	Purpose	M/O Owner	Project
11-AUG-77	06067-A	SWM NEW INDIVIDUAL	CONSTRUCT/OPERATE	MID-RIVERS, INC	MID-RIVERS
07-JAN-88	11177-H	SWM MOD INDIVIDUAL	CONSTRUCT/OPERATE	EVERGREEN PROPERTY OWNERS ASSOCIATION, INC	EVERGREEN CLUB - MID RIVERS
13-AUG-90	10237-E	SWM TRANS GENERAL	PERMIT TRANSFER	M EVERGREEN CLUB - MID RIVERS M EVERGREEN PROPERTY OWNERS ASSN, INC & EVERGREEN CL	EVERGREEN CLUB - MID RIVERS
01-JUN-16	160502-9	ERP TRANS INDIVIDUAL	PERMIT TRANSFER	EVERGREEN PROPERTY OWNERS ASSOCIATION INC C G I PALM CITY L L C	C G I PALM CITY
27-AUG-19	190730-8	ERP TRANS INDIVIDUAL	PERMIT TRANSFER	EVERGREEN PROPERTY OWNERS ASSOCIATION INC EVERGREEN CLUB HOLDINGS, LLC	EVERGREEN GOLF AND RESIDENTIAL